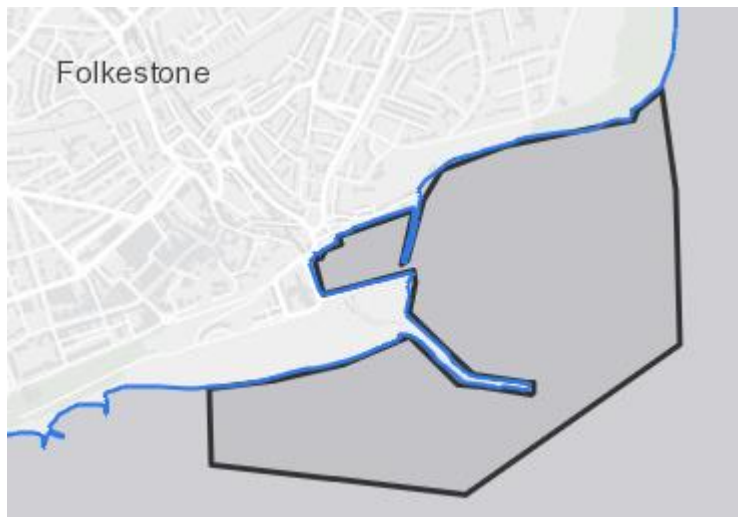


Application name	The Folkestone Harbour Revision Order (Amendment) Order	Case reference	HRO/2023/0001
Assessment date	12 July 2024		
Case team			
Case Officer	David Morris		
Case Manager	Kristina Benson		
Senior Case Manager	Adrian Clarke		
Application description	Amendment Order to correct the drafting errors on The Folkestone Harbour Revision Order (S.I. 2017/601) to remove references to the “statutory maximum” in relation to the imposition of fines.		
Marine Plan Area	South		
Conclusion	Compliant with the marine plan		

Location used on Explore Marine Plans:



Policy Considerations

Area specific policies as highlighted by EMP		
Policy	Policy text	MMO consideration
S-AQ-1	Proposals for sustainable aquaculture in identified areas of potential sustainable aquaculture production will be supported.	The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.
	Proposals in existing or within potential sustainable aquaculture production areas must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals must demonstrate that they will, in order of preference: a) avoid, b)	The application will not impact areas suitable for sustainable aquaculture.

	minimise c) mitigate significant adverse impacts on sustainable aquaculture, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	There are no provisions in the draft HRO which are relevant to this policy, therefore 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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application will not impact licenced dredging and disposal areas.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application does not involve any works and therefore does not impact any marine protected areas.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
Plan area policies		
Policy	Policy text	MMO consideration
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application will not impact on public access to the marine area.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-ACC-2	Proposals demonstrating enhanced public access to and within the marine area will be supported.	The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on

		<p>summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application will not impact on public access to the marine area.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-AGG-1	Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the other development or activity is compatible with aggregate extraction.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and is not in an area licenced for aggregate extraction.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-AGG-2	Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and is not in an area subject to an Exploration and Option Agreement with The Crown Estate.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-AGG-3	Proposals in areas where high potential aggregate resource occurs should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on aggregate extraction, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p>

		<p>The application is for non-works and is not in an area of high aggregate resource.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-AGG-4	<p>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>	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works, so no marine aggregates are required.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-AQ-1	<p>Proposals for sustainable aquaculture in identified areas of potential sustainable aquaculture production will be supported.</p> <p>Proposals in existing or within potential sustainable aquaculture production areas must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise c) mitigate significant adverse impacts on sustainable aquaculture, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.</p>	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not impact any areas suitable for sustainable aquaculture.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-AQ-2	<p>Proposals that enable the provision of infrastructure for sustainable fisheries and aquaculture and related industries will be supported.</p>	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not involve the provision of infrastructure for sustainable fisheries or aquaculture.</p>

		There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not have significant adverse impacts on natural habitat and species.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does involve the enhancement or facilitation of natural habitat or species adaptation.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application does not involve the enhancement of coastal habitats.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application does not involve the enhancement of priority habitats.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact any cable installation.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact any new and existing cable landfall sites.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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)	The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.

	mitigate unintended consequences on other activities.	<p>The application is for non-works and would not result in increased greenhouse gas emissions.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact climate change adaptation measures.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not have an adverse impact on coastal change.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact habitats that provide flood defence or carbon sequestration ecosystem service.</p>

		There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.
S-CO-1	Proposals will minimise their use of space and consider opportunities for co-existence with other activities.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact on the space for other activities.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact dredged waste disposal sites.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-DEF-1	Proposals in or affecting Ministry of Defence Areas should only be authorised with agreement from the Ministry of Defence.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact any Ministry of Defence sites.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-DIST-1	Proposals, including in relation to tourism and recreational activities, within and adjacent to	The application is to correct errors in the 2017 Folkestone Order to upper

	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.	<p>limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not cause any adverse physical disturbance or displacement on highly mobile species.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not develop skills related to marine activities.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not relate in a net increase in marine related employment.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p>

		<p>The application is for non-works and would not relate to the diversification of a sustainable fishing industry.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-FISH-2	<p>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>	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not have a significant adverse impact on sustainable fishing or aquaculture sites.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-FISH-3	<p>Proposals that enhance access to, or within sustainable fishing or aquaculture sites should be supported.</p>	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not enhance sustainable fishing or aquaculture sites.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-FISH-4	<p>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>	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not enhance essential fish habitat.</p>

		There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.
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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not impact herring spawning.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not compromise or harm heritage assets.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-INF-1	Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not restrict land-based infrastructure which facilitates marine activity (and vice versa)</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>

S-ML-1	Public authorities should ensure adequate provision for and removal of beach and marine litter on amenity beaches.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not relate to the removal of beach or marine litter.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not result in an increase of beach or marine litter.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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 order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not relate to marine protected areas.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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	The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.

	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.	<p>The application is for non-works and does not relate to marine protected areas.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not relate to marine protected areas.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-NIS-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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not result in the introduction or transport of non-indigenous species.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-OG-1	Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is not in an area of oil and gas licences.</p>

		There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.
S-PS-1	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>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact any potential harbour expansion.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-PS-2	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>The HRO will have measures to penalise any failure to comply with navigational safety and lighting. This would ensure that any static sea surface infrastructure can be managed by the harbour.</p> <p>The application is compliant with the policy</p>
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.	<p>The HRO will have measures to penalise any failure to comply with navigational safety and lighting. This would ensure that any static sea surface infrastructure can be managed by the harbour.</p> <p>The application is compliant with the policy</p>
S-REN-1	Proposals that support the development of supply chains associated with the deployment of renewable energy will be supported.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact supply chains for renewable energy.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>

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	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and would not impact the seascape.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not enhance or promote social benefits.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
S-TIDE-1	Proposals in areas under seabed agreement for tidal energy generation 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>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not impact any areas for tidal energy generation.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.

		<p>The application is for non-works and does not support, promote or facilitate tourism and recreation activities.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not enhance or promote tourism and recreation activities.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not involve the generation of impulsive sound.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore 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 correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not involve the generation of impulsive sound.</p>

		There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and will not have significant adverse impacts upon the water environment.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>
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.	<p>The application is to correct errors in the 2017 Folkestone Order to upper limits on fines that can be imposed on summary conviction where that limit is expressed as the “statutory maximum.</p> <p>The application is for non-works and does not involve improvements to water quality or to enhance habitats and species.</p> <p>There are no provisions in the draft HRO which are relevant to this policy, therefore this policy is not relevant.</p>