



Appeal: Secretary of State/PINS

Under: The Marine Licensing (License Application Appeals)
Regulations 2011 No. 934

Camel Fish Ltd

VS

Marine Management Organisation (MMO)

MLA/2023/00307 (MMO determination date: 4th April 2025)

Appeal submitted: 1st October 2025



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1.0 Appeal/Appellant Details

On the 12th July 2023 Camel Fish Ltd ('Camel Fish') applied for a marine licence through the appropriate channel, the Marine Management Organisation ('MMO'). Please see Appendix I: Original Marine Licence Application.

The license is for the establishment and operation of a 50 Ha seaweed farm (aquaculture). The application reference is MLA/2023/00307. A licence is required as moorings would need to be deposited on and removed from the sea bed.

The applicants ensured the proposed site was available for lease (licensing) through The Crown Estate. The applicants engaged with The Crown Estate over the full 22-month period.

On the 4th April 2025, a formal decision letter was issued by the MMO (see 4.0: Decision Letter). The final determination was a **refusal of the licence**.

As a result of the MMO's negative determination, Camel Fish are exercising their right under **The Marine Licensing (Licensing Applications Appeals) Regulations 2011. No. 934.** to bring an appeal through the Secretary of State and the Planning Inspectorate ('PINS') within the 6-month period allowed post determination. This appeal was formally submitted on 1st October 2025 (within 6 months).

Original licence application reference: MLA/2023/00307

Name of Applicant/Appellant company: Camel Fish Ltd.

Names of Company Directors: Mr (Dinnis) Paul Blewitt, Mrs Hanna Clarke, Mr Luke Lockwood.

Physical address of company: 9, Tregarne Terrace, St Austell, Cornwall, PL 25 4DD.

Emails: Mr Paul Blewitt; Paulblewett@btinternet.com

Mrs Hannah Clarke; Hannah@camelfish.co.uk

Telephone contacts for representatives: Mr Paul Blewitt: 07887512568

Mrs Hannah Clarke: 07837194105

Representative for Camel Fish (to be cc'd to correspondence):

Dr Angela Mead (personal capacity, voluntary): angelamead@hotmail.com/07955019341

The preferred method for appeal is through a written submission/determination process.



2.0 Introduction to Applicant/Appellant

Camel Fish Ltd is a Companies House registered business (05654403) incorporated on 14/12/2005 (20 years) at a registered address of 9, Tregarne Terrace, St Austell, Cornwall, PL25 4DD. Registered business activities are 47230 – retail sale of fish, crustaceans and molluscs in specialised stores and 49410 – freight transport by road. The Directors and Shareholders are: (Dinnis) Mr Paul Blewett, Mrs Hannah Clarke and Mr Luke Lockwood.

The original marine licence application was submitted on behalf of Camel Fish by Mr Paul Blewett.

Camel Fish are a Cornwall-based fishing business with strong community standing within the region the marine license was applied for. They contribute positively to the local economy. Their parallel company is Pentire Fishing Ltd (12491416) (incorporated on 31/07/2020) which is directly involved in marine fishing (03110). Combined, Camel Fish and Pentire Fishing are experts with over 20-years of experience commercially fishing in the region.

Camel Fish assessed developments in the fishing industry over the past decade (changing policies, legislation and regulations related to fishing activities) and considered advice from Regulators. The UK fishing industry remains under threat, despite new governmental desire to bolster overall industry and business growth throughout the UK.

After consideration, Camel Fish made a decision to future-proof their ongoing and inter-generational business activities. They determined this was best achieved through diversifying into sustainable aquaculture. Which enabled them to apply their expertise and knowledge and utilise their existing infrastructure.

Camel Fish identified seaweed farming as their preferred form of sustainable aquaculture. Farmed seaweed can form a range of marketable products addressing pressing societal needs: food security, regenerative land-based agriculture and alternatives to oil-based plastics. Scientific research has established the benefits of seaweed farms for the marine environment. Which includes enhancing commercial fish stocks.

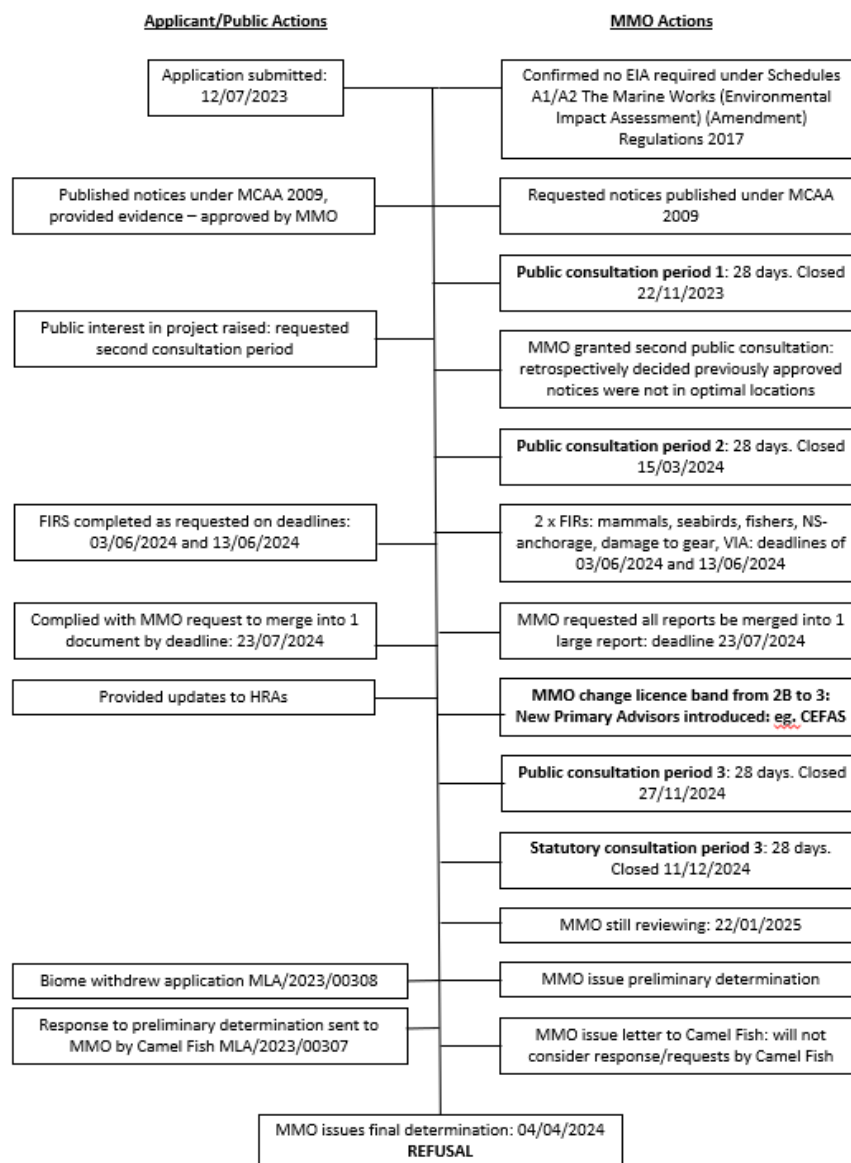
3.0 Background and Application Timeline

Camel Fish engaged Dr Angela Mead (a peer-reviewed, published marine biologist with 30+ years-experience, an experienced UK seaweed farmer (5 years) and Director of Biome Algae



Ltd. ('Biome') – an award-winning seaweed farming/processing company. Dr Mead and Biome were appointed as consultants, assisting Camel Fish with the submission and processing of a marine licence application for a 50 Ha seaweed farm in Port Quin Bay. Dr Mead and Biome were experienced in marine licensing of seaweed farms. They had previously assisted in successfully securing three 100 Ha + seaweed farm licenses in the South West region, working as consultants with other seaweed farmers. Since 2018, Dr Mead and Biome contributed to national policies related to industry regulation. Biome applied for a 50 Ha marine licence for seaweed farming in the same region (MLA/2023/00308). Biome withdrew the application in March 2025.

The following timeline presents an overview of events related to MLA/2023/00307:





Camel Fish followed the legal process as directed by the MMO and provided all information requested in the correct format and within the timeframes set by the MMO.

4.0 Decision Letter

Below is a copy of the formal decision letter issued by the MMO detailing the final determination of MLA/2023/00307 and dated 4th April 2025 (04/04/2025). The contents of this decision letter form the fundamental basis for the appeal and should be referred to in this context throughout the appeal.



Marine
Management
Organisation

Marine and Coastal Access Act 2009

Marine Licence Decision Report

Project Description: Seaweed Farm in Port Quin Bay

Marine Management Application Reference: MLA/2023/00307

Decision Date: 04 April 2025





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1. Introduction

The purpose of this report is to record the Marine Management Organisation's ("MMO") evaluation and conclusions to inform its consent decision.

2. Proposal

2.1. Project Background

On 12 July 2023, Camel Fish Limited ("the Applicant") submitted an application for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 ("the Act") for the installation of a 50.4 hectare (Ha) sustainable seaweed farm, located within Port Quin Bay, Cornwall ("the proposed project").

The overall aim of the proposed project is to facilitate sustainable seaweed farming for native species. Seaweed will be grown and harvested using a farm model, including infrastructure which will occupy 5 Ha of the 50.4 Ha site. The remaining space is required for farm access and operation, as well as navigational safety.

The MMO has considered the proposed project under the Act. The project involves the following activities:

1. Deposit of main seaweed farm infrastructure

The application comprises of 144 x 160 metres (m) longlines that form the main farm infrastructure. Each longline includes a 40-millimetre (mm) polysteel rope that forms the headline and risers. The risers will attach the headline to the seabed, with the risers themselves attached to the seabed using a 10m diameter marine grade stainless steel screw anchor, oil rig anchor or eco-blocks measuring 1.8 cubic metres (m³) with a weight required at each anchor point of 29.5 Tonnes and total footprint of 6x4m (for a total of 5 RC2000 cubes). The headlines will be supported by grey buoys (300 litres) attached using 10mm polysteel rope ties. These ties will be deployed over a two-to-three-year period.

2. Deposit of seeded lines onto main seaweed farm infrastructure

The seeded lines will be seeded with seaweed 'seeds'. The lines comprise 4m long seeded droppers spaced 1m apart along the headline. The droppers will be made of 12-14mm polysteel rope and will be attached to the headline using 12-14mm polysteel rope. Depositing of the lines will occur annually in October and November, requiring 36 deployment days when the farm is at full longline capacity (144 longlines).

3. Removal of seeded lines (harvesting) from the main seaweed farm infrastructure

The removal of the lines would occur annually, requiring 36 removal days when the farm is at full longline capacity (144 longlines). Removal will occur in daylight hours during April and May annually, in line with the water temperature rise and biofouling





which indicates the end of the growing season. The harvested seaweed will then be landed on shore.

2.2. Project Location

The proposal is located within Port Quin Bay, Cornwall (see Figure 1 below).

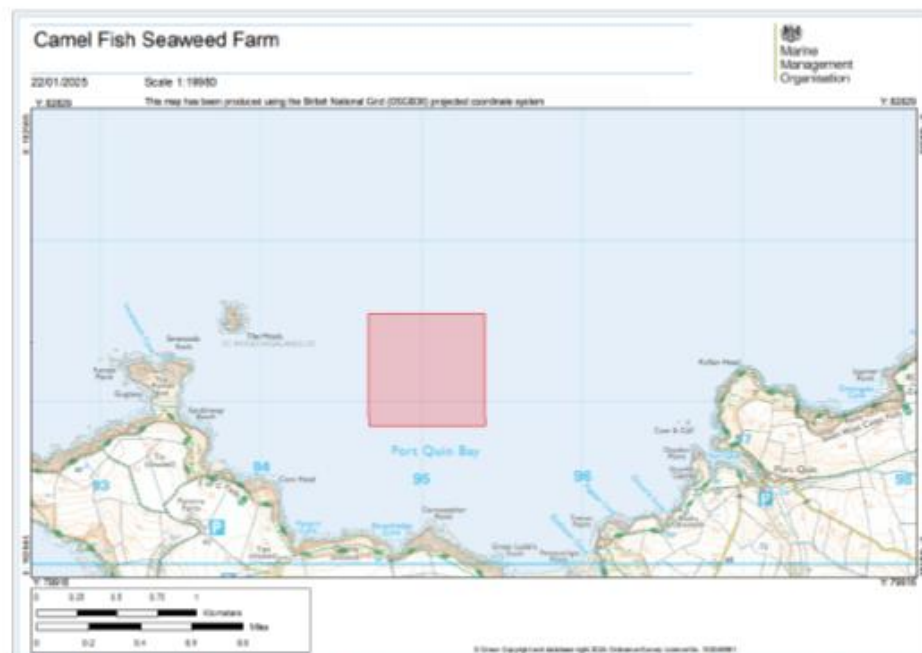


Figure 1: Site map showing the location of the proposed seaweed farm within Port Quin Bay, Cornwall. The location of the proposed works is indicated by the red polygon.

3. Legislative and Policy Framework

Relative considerations under other legislation and / or policy are set out below:

3.1. Marine and Coastal Access Act 2009 Section 66, Part 4 (Chapter 1)

A marine licence is required, under Part 4 (Chapter 1) Section 66 of the Act, for the following elements of the Project:

- Deposit of main seaweed farm infrastructure
- Deposit of seeded lines onto main seaweed farm infrastructure
- Removal of seeded lines (harvesting) from the main seaweed farm infrastructure





In determining an application for a marine licence, the MMO is required under Section 69(1) of the Act:

“(1) In determining an application for a marine licence (including the terms on which it is to be granted and what conditions, if any, are to be attached to it), the appropriate licensing authority must have regard to—

- (a) the need to protect the environment,*
- (b) the need to protect human health,*
- (c) the need to prevent interference with legitimate uses of the sea, and such other matters as the authority thinks relevant.”*

3.2. The Conservation of Habitats and Species Regulations 2017

National Site Network (“NSN”) sites are those designated under The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) as Special Protection Areas (“SPAs”), Special Areas of Conservation (“SACs”) or Sites of National Importance (“SNIs”). As a matter of Government policy, potential SPAs (“pSPAs”), candidate SACs (“cSACs”) and Ramsar sites are also treated as NSN sites.

A 2km desk-based survey was carried out to identify SACs, cSACs, SPAs and pSPAs. Bristol Channel Approaches / Dynesfeydd Môr Hafren SAC was identified as overlapping the area of the proposed works. Following completion of a Habitats Regulations Assessment (“HRA”), it was concluded that this proposal, alone and in combination with other projects, is compliant with the Habitats Regulations.

3.3. Marine Conservation Zones

Section 116 of the Act provides powers to the Secretary of State to designate Marine Conservation Zones (“MCZs”) with the aim of contributing to the achievement of a network of ecologically coherent and well-managed marine protected areas. Achieving this aim will make a major contribution to achieving good environmental status in the UK’s seas, as required by the Marine Strategy Regulations 2010.

Under Section 125 of the Act, public authorities must ensure they exercise their duties in a manner which best furthers the conservation objectives stated for an MCZ, or where it is not possible to exercise its functions in a manner which furthers those objectives, exercise them in the manner which the authority considers least hinders the achievement of those objectives. Under Section 126 of the Act, if the public authority considers that there is or may be a significant risk of the (licensable) activity hindering the achievement of the conservation objectives stated for the MCZ, the public authority must notify the appropriate statutory conservation body of that fact and wait 28 days for guidance on the matter. As a public authority, the MMO must have due regard to any advice or guidance provided by the appropriate statutory conservation body under Section 127 of the Act.

Section 126 (7) states:





“(7) The public authority must not grant authorisation unless the person seeking the authorisation satisfies the public authority that there is no significant risk of the act hindering the achievement of the conservation objectives stated for the MCZ. Unless the person seeking authorisation satisfies the public authority that:

- a) there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of those objectives,*
- b) the benefit to the public of proceeding with the act clearly outweighs the risk of damage to the environment that will be created by proceeding with it, and*
- c) the person seeking the authorisation will undertake, or make arrangements for the undertaking of, measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ.”*

The public authority must use its power to attach conditions to the authorisation to ensure that measures of equivalent environmental benefit to the damage which the activity will, or is likely to have in or on, the MCZ are undertaken.

A 2km desk-based survey was carried out to identify MCZs. Padstow Bay and Surrounds MCZ was identified as being over 1 kilometre (“km”) from the project area and the MMO concluded that there was no impact pathway between the project and the MCZ. Accordingly, no MCZ assessment was prepared.

3.4. Wildlife and Countryside Act 1981 (as amended)

Sites of special scientific interest (“SSSIs”) are protected by law to conserve their wildlife or geology. The Wildlife and Countryside Act 1981 (as amended) ensures that SSSIs are protected and managed effectively. Pentire Peninsular SSSI was identified in the vicinity of the proposed works.

3.5. Marine Policy Statement and South West Inshore Marine Plan

The UK Marine Policy Statement (“MPS”) is the framework for preparing marine plans and taking decisions affecting the marine environment. The MMO must make licensing decisions in accordance with the MPS and marine plans unless relevant considerations indicate otherwise (in which case the MMO must state its reasons).

The South West Inshore Marine Plan covers an area of approximately 2,000km from the Welsh Border to the River Dart and from Mean High Water Springs to 12 nautical miles. The plan guides the MMO to encourage sustainable development while considering the environment, economy and society. The MMO considers each of the marine plan policies that make up the overall marine plan during the course of determining a marine licence to ensure that the proposal is not in conflict with the overriding objectives of the plan.





4. Consultation Exercise

The MMO has considered the application and consulted widely upon it. The relevant responses have been summarised within this decision report and the relevant representations can be found on the MMO Public Register:

https://marinelicensing.marinemanagement.org.uk/mmofox5/fox/live/MMO_PUBLIC_REGISTER

This section summarises consultation undertaken by the MMO in relation to the Project.

4.1. Consultation Bodies

The MMO has a broad power under section 69 of the Act to consult with any public or private body or person it thinks fit, with relevant and/or particular expertise as to the general manner in which it proposes to exercise its powers, and on the specific considerations of any particular application.

As part of its consideration of the proposed project, the MMO consulted the bodies listed below in Table A. Consultation was opened on 13 October 2023 and ended 27 November 2023.

Table A. Consultation bodies for the initial consultation.

Organisation	Date Response received	Summary of Comments
South West MMO Office	01 November 2023	Hale/Newlyn is the local MMO office, but no issues identified.
Natural England ("NE") (Statutory Nature Conservation Body)	13 November 2023	Further information on noise levels and timing for scaling up the farm required. Further information relating to harbour porpoise required and information on how marine mammals interact with applicant's existing seaweed farms. Further consideration of in-combination impacts required due to the application by Camel Fish (MLA/2023/00308) for an identical seaweed farm immediately adjacent to this application.
Environment Agency ("EA")	No response received.	The Environment Agency did not respond to the consultation and therefore the MMO considered that they have no objection to this proposal. However, the EA contacted the MMO on 6 March 2024 enquiring if they could submit comments. Comments received requested more information on migratory salmonids and information relating to the timing of works including materials and impacts this may have on migratory fish.





Historic England ("HE")	09 November 2023	Required a Desk Based Assessment ("DBA") be carried out.
Maritime and Coastguard Agency ("MCA")	14 December 2023	Submitted after consultation had closed. Would not provide comments until the applicant had engaged with Trinity House and addressed their concerns.
Royal Yachting Association ("RYA")	10 November 2023	No comments were provided
Trinity House ("TH")	13 November 2023	No engagement from the applicant and comments attributed to TH in the application were only valid for the Tor Bay application and not the Port Quin application. Required cumulative Navigational Risk Assessment ("NRA").
Padstow Harbour Authority	No response received.	The Harbour Authority did not respond to the consultation and therefore the MMO considered that they have no objection to this proposal.
Comwall National Landscapes	22 November 2023	Required a landscape and seascape assessment and more information on the number of buoys and illuminated marks.
National Federation of Fishermen's Organisations ("NFFO")	No response received.	The NFFO did not respond to the consultation and therefore the MMO considered that they have no objection to this proposal.
Comwall Inshore Fisheries and Conservation ("IFCA")	17 November 2023	Further assessment on the impacts on Fisheries and Fishing activity required. Information on habitat type and entanglement of harbour porpoise required.
Comwall County Council	No response received.	Comwall Council did not respond to the consultation, however the MMO did receive an objection from St Endellion Parish Council through the public consultation process. St Endellion Parish Council had a range of concerns including but not limited to non-compliance with South West Marine Plans, visual impacts, tourism impacts, pollution impacts and wellbeing impacts. In addition, Padstow Town Council responded through the public consultation process and noted that any proposals for landings at Padstow (south Quay Dock) directly impacts Padstow Town Council as access is required across its Railway Car Park and permissions would be required.

Following the conclusion of the consultation period the MMO issued the comments received from the consultation to the applicant under Request for Information ("RFI") 1 on 12 December 2023. This requested that the applicant review the responses and prepare their own responses to the comments raised. This was submitted to the MMO on 18 December 2023.

Following a review of this information, the MMO carried out a further round of consultations on 22 December 2023.





Table B. Consultation bodies for the second round consultation.

Organisation	Date Response received	Summary of Comments
HE	26 January 2024	Further information required on the DBA relating to mitigation
Trinity House	31 January 2024	Conditions requested relating to markings and concerns over liability should the project go into administration
Cornwall National Landscape	16 January 2024	Visual Impact Assessment is inadequate, and project is not compliant with the Cornwall Area of Outstanding Natural Beauty ("AONB") management plan.
IFCA	26 January 2024	Further information required.

Following the conclusion of the second round of public consultation (see section 4.2) the MMO issued a further RFI (RFI 3) on 22 April 2024 requesting additional information regarding the impacts on Marine Mammals this was received by the MMO on 03 June 2024.

A third RFI (RFI 4) was issued on 02 May 2024 which requested outstanding information from the second consultation round and included copies of submissions received from the 'Save Port Quin Bay' ("SPQB") latterly 'Save Our Bays Community Interest Company' ("SOB") and from the Seal Research Trust with points for the applicant to address. The MMO requested that the applicant submit the information *"within one response document and not separated through multiple documents, as this will aid in subsequent consultations."* A response to this was received on 13 June 2024 and contained 25 individual documents and 12 redacted versions of those documents. The MMO issued a further RFI (RFI 4) confirming that due to the nature of the submission the MMO did not consider the request to be fulfilled under Section 67 of the Marine and Coastal Access Act 2009. The MMO also clarified that they should not include letters of support and that the report should be *'properly organised, using appropriate chapter headings, and that the information within these sections should deal only with the subject under discussion., In addition, we request that the information within the document be clear and concise with any non-essential information removed'*. The MMO also advised that as it does not consider the initial request (RFI 3) fulfilled that the MMO's 'On Hold' procedure is not applied to the application and that if the updated information was not provided within 14 days of the issue of the letter, then the MMO will move to reject the application following a further 7 day period. The information therefore was requested by 23 July 2024. A response to this request was received on 23 July 2024 and the MMO considered the request fulfilled.

Following the receipt of the information the MMO then updated the HRA which concluded that there would be a Likely Significant Effect ("LSE") on the SAC due to habitat loss as the proposed farm now used eco-blocks and not screw anchors.





Following the updates to the MMO's Assessments a further round of consultations were undertaken on 29 October 2024 and concluded on 11 December 2024.

Table c. Consultation bodies for the third-round consultation.

Organisation	Date Response received	Summary of Comments
IFCA	27 November 2024	Further information required and concerns over the data sources used to inform the assessments
Padstow Harbour Authority	27 November 2024	Objecting due to incompatibility with the SW Marine Plan and concerns over the Harbour's ability to support the shore-side activities
NFFO	27 November 2024	Objects over impacts on fishing and data sources used to inform the assessment
Trinity House	26 November 2024	Further information required for NRA as sources used are outdated. Concerns over navigating in the site in the event of an emergency
South West MMO Office	No response received.	The local MMO office did not respond to the consultation and therefore the MMO considered that they have no comments beyond the initial consultation.
EA	11 December 2024	Concerns over the resilience of the infrastructure with the wave climate conditions of the area, consideration of sea trout required.
RYA	27 November 2024	Concerns over multiple applications, the use of data for the NRA, and impacts on boat users within the bay.
MCA	02 December 2024	Objecting over the impacts on navigation in the bay specifically related to the designated anchorage, and information in the NRA
NE	04 December 2024	Concerns over infrastructure and entanglement, seabed habitat, SSSI impacts and seascape/landscape impacts.
HE	25 November 2024	DBA requires minor changes and condition required.
MMO Marine Conservation Team ("MCT")	29 November 2024	No wildlife licence required but deferring to Statutory Nature Conservation Bodies (SNCB) for impacts on marine mammals.
Cornwall National Landscape	11 November 2024	Visual Impact Assessment is not sufficient, conflicts with Cornwall AONB Management plans.
Centre for Environment, Fisheries and Aquaculture Science ("CEFAS") Fish biology team	02 December 2024	Impacts on harvesting seaweed required.
CEFAS Benthic Ecology team	03 December 2024	The response indicated that the information provided is appropriate to assess the impacts. However on 10 February 2025 the MMO received further





		correspondence from CEFAS requesting the withdrawal of this advice and provided an updated response indicating that the information provided was not sufficient to assess the impacts particularly on pink sea fan due to smothering from discarded seaweed, the risk of INNS and lack of baseline benthic characterisation.
CEFAS Coastal Processes team	03 December 2024	Information on wave climate, currents and seabed required to enable assessment of impacts.

4.2. Responses from Consultation Bodies

The full responses obtained through consultation are available on the MMO public register by searching MLA/2023/00307:

https://marinelicensing.marinemangement.org.uk/mmofox5/fox/live/MMO_PUBLIC_REGISTER

4.3. Public Consultation

The requirement for public consultation is set out in section 68 of the Act:

"Section 68

(1) Having received an application for a marine licence, the appropriate licensing authority must—

- (a) publish notice of the application, or*
- (b) require the applicant to publish notice of it.*

(2) Publication under subsection (1) must be in such manner as the authority thinks is best calculated to bring the application to the attention of any persons likely to be interested in it."

The application was advertised in the local newspaper, The Cornish Post on 25 October 2023, as well as the local noticeboard at Padstow Harbour. At the time, the MMO considered that this complied with our publicise request. During this period no public representations were received.

The MMO received comments from the public in February 2024 which suggested that the application did not reach its intended audience. Following further representations, the MMO requested that the application be re-advertised with notices placed in Port Quin and Port Isaac.

During this second round of public consultation the MMO received 712 public representations.

Due to the high level of public interest in the application, during the third-round consultation with the consultation bodies, the submitted information from the





applicant was also uploaded to the public register with a subsequent request to the applicant to re-advertise the application. This gave the public an opportunity to comment on the newly available information and the changes to the design of the farm (from screw anchor to eco-block). Due to the HRA identifying an LSE, this caused the band to change from a Band 2b (capped) to a Band 3 (uncapped). As such Band 3 cases have further requirements for public advertisements. The MMO requested the adverts be placed in two local newspapers and Fishing News and that notices be placed in the same locations as the previous notices. This was issued to the applicant on 22 October 2024 with a response provided on 06 November 2024. The adverts were placed in the Fishing News on 31 October 2024 and the Cornish and Devon Post on 30 October 2024 and 6 November 2024. During this third round the MMO received 681 representations.

4.4 Summary of Public Responses

Several key issues were identified during the initial consultation these were:

- 1) Impacts to wildlife including entanglement of marine mammals and seabirds
- 2) Restricted use of Port Quin Bay due to the presence of the seaweed farm for recreation and for fishing
- 3) Suitability of the seaweed farm infrastructure considering the sea states in the area
- 4) Visual impact of the farm due to the infrastructure and the use of lighting on the marker buoys

Following the submission of the further information documents and the 3rd public consultation round, the MMO received numerous representations. The key issues were identified as:

- 1) Suitability of the updated infrastructure and risk of damage
- 2) Characterisation of the sediment at the seaweed farm site
- 3) Habitat loss and entanglement due to the use of eco-blocks
- 4) Impacts on the use of the bay as a safe anchorage

The full responses obtained through public consultation are available on the MMO public register by searching MLA/2023/00307. These responses are held in the public comment section with those received via email held in the documents titled: "MLA202300307 and 00308 Public Representation Log (Redacted)" for the second third round responses in "MLA202300307 and 00308 Public Representation Log second consultation (redacted)". The MMO's response to these publications can be found in Section 6 of this document.

5. South West Marine Plan Assessment

The licence area identified within the application falls within the South West Marine Plan Area and the MMO has undertaken a marine plan assessment to determine if





the proposed project is compliant with the plan policies. The MMO must make licensing decisions in accordance with the MPS and marine plans under Section 58 of the Act unless relevant considerations indicate otherwise (in which case the MMO must state its reasons).

Whilst the South Marine Plan has policies in support of Aquaculture (S-AQ-1 & S-AQ-2) and in support of proposals that develop skills related to marine activities (S-EMP-1), one or more policies do not have precedence or importance over other policies. Each case is reviewed on a case by case basis using all the information provided. For example, S-AQ-2 policy guidance links to policy S-DIST-1, S-UWN-2, S-AQ-1, S-FISH-2, S-FISH-3, S-INF-1, S-PS-3, S-CAB-1, and therefore in the policy assessment all policies need to be taken into account.

In addition to this the MMO works through the policy walkthrough: <https://www.gov.uk/guidance/marine-licensing-impact-assessments#marine-plan-policy-assessment>. The MMO must make licensing decisions in accordance with the MPS and marine plans unless relevant considerations indicate otherwise (in which case the MMO must state its reasons).

The assessment has shown that the proposed activities are not compliant with nine of the policies within the South Marine Plan. Areas of non-compliance include conflict with fisheries, environment, and impacts on tourism and recreation.

As set out above the MMO does not consider that sufficient information has been provided in relation to the Environmental policies (SW-BIO-1, SW-BIO-2, SW-BIO-3, SW-CC-2, SW-DIST-1, SW-ML-2, SW-MPA-1), Fishery policies (SW-FISH-1, SW-FISH-2, SW-FISH-3), Access, Tourism and Recreation policies (SW-ACC-1, SW-CE-1, SW-CO-1, SW-INF-1, SW-INF-2, SW-PS-1, SW-SCP-1, SW-TR-1) and Employment Policy SW-EMP-1.

Despite receiving further information from the applicant, the MMO was not able to conclude that the proposed project is compliant with the South West Marine Plan. Further information can be found on the Marine Plan Assessment section on the public register.

6. Application Determination

The MMO, as the Licensing Authority, has now completed its consideration of the application submitted 12 July 2023 for a Marine Licence under Part 4 of the Act for the installation of a seaweed farm at Port Quin, Cornwall.

After careful consideration of all the evidence, the MMO determined to refuse the application.

The reasons for this decision are:

- Based on the existing information the proposed activities currently represent unacceptable risk to existing users of the sea.





- There is insufficient evidence that the project would not have a significant impact on the landscape and seascape including the protected characteristics of the Cornwall National Landscape.
- There is insufficient evidence that the project will not have a significant impact on the environment.
- The proposed activities are not compliant with the South West Marine Plan policies as set out in the South West Marine Plan.

6.2 Impacts to Navigation and Recreation

During the process of determining this marine licence application, the MMO sought direct advice from the following stakeholders regarding the impact of the proposal on the environment:

- a) Maritime Coastguard Agency
- b) Trinity House
- c) Royal Yachting Association

During the processing of the marine licence application the MMO also received a number of public representations expressing concerns relating to the impact on recreation and navigation.

During the initial consultation the MCA could not provide a response as the applicant had not engaged with Trinity House who had concerns over the proposal. Trinity House noted that there was no cumulative assessment of navigational impacts and requested that they (the applicant) engage with Trinity House. Following the submission of updated Navigational Risk Assessments, Trinity House confirmed the marking requirements for the site consisting of pillar-shaped special mark buoys with yellow St Andrews cross top mark, with 5 second flashing yellow lights, however they also remained concerned over decommissioning plans should the applicant fall into administration.

6.2.1 Anchorage within Port Quin

During the processing of this application the NRA has been revised with Trinity House and the MCA consulting on the document along with the application in general.

Despite these responses the Applicant has still not considered sufficiently the impacts of the project on navigation within Port Quin Bay. Following consultation with the MCA the MMO disagrees with the statement that 90% of the bay will remain open for other marine users. Port Quin bay is an important anchorage for vessels in the event of adverse conditions. The Applicant has only considered the anchorage as a fixed point and stated on p.476 of the RFI document submitted on 22 October 2024 that "the proposed farms will not prevent them from accessing the Bay for shelter or the safe anchorage point". However, Nautical Publication - West Coast of England and Wales Pilot Books published by the Admiralty in Chapter 2, Section 2.62 lists the Port Quin Anchorage as "*between the promontory, of which Rumps Point (50°35'-64N 4°55'-48W) (2.56) is the W extremity, and Kellan Head (50°35'-72N 4°52'-20W) (2.58), 1 ¾ miles E, the E extremity*". This is shown by the orange





line in the image below. The coordinates of the anchorage provided in the publication are also plotted in the image below as the red cross, which is within the proposed seaweed sites (shown by the green dots on figure 1).

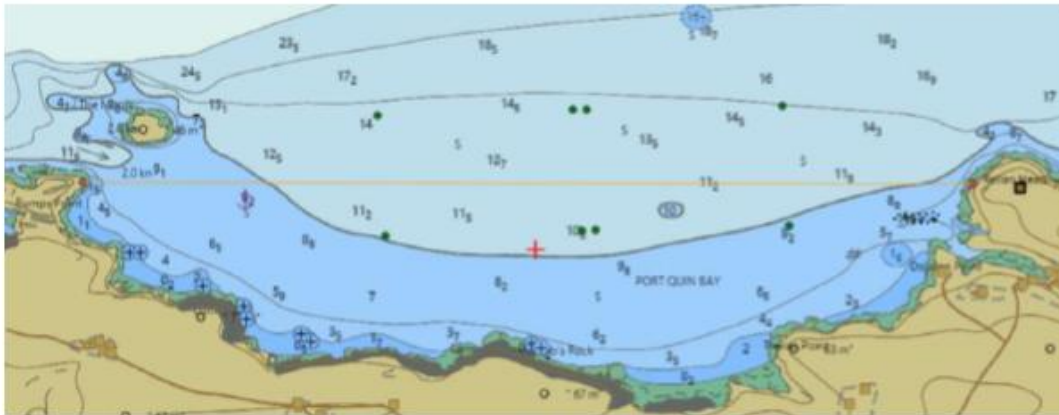


Figure 1: Chart showing the proposed seaweed farm and the orange line denoting the limit of the anchorage (Source: MCA consultation response 02 December 2024)

The proposed sites would therefore directly encroach on a recognised anchorage, both charted and noted in nautical publications.

Larger vessels with 4m plus draught would prefer to anchor in deeper water where the farms would be located, rather than anchor in the two channels east and west of the farms which are in shallower water. Although there are not as many cargo vessels entering the bay to anchor as smaller recreational vessels, the anchorage is a charted location for vessels of any size to take safe harbour. The proposed farm along with the similarly proposed seaweed farm by Biome Algae Ltd (MLA/2023/00308) will squeeze available sea space. While EMODnet suggest navigation around the sites is feasible, this needs to be considered in the context of poor weather and poor visibility.

6.2.3 Navigation Risk Assessment

The MMO is also concerned that the Safety Assessment and Risk Matrices are not satisfactory and are a duplicate copy of another marine licence application for a seaweed farm in Combe Martin, Devon (MLA/2023/00227). The MMO is therefore concerned as to whether the NRA is site specific with appropriate consideration given to local navigational features.

No definitions to the tolerability levels are provided, and the control measures are not hazard specific. There is a long list of control measures which do not necessarily apply, nor are focussed enough to distinguish between impacts. There are multiple errors and some place controls on third parties which will be unachievable.





The risk assessment does not suitably address vessels rerouting in poor weather and poor visibility. It appears that the applicant has copied the Risk Control Matrix 1 on page 461 from Marine Guidance Note 654 (MGN654) but this matrix has not been made relevant for this specific project, e.g. Section 10 Routeing and Routeing Management includes references to managing traffic through VTS.

The MMO also received representation from the NFFO stating that the 20m separation lanes were insufficient and that the "widely accepted" minimum safe distance is 50m. They further state that the tidal and environmental conditions in the region would inhibit safe transit through the site with only 20m clearance between the lines.

In addition to this, the MMO does not have sufficient information on the plans to upscale the site and the proposed dimensions at each phase. It is also unclear from the information provided whether the RNLI is content from an emergency response perspective and whether they believe there is sufficient clearance within the access channels as to not hinder any operations within the bay.

6.2.4 Information informing vessel usage within Port Quin Bay

The MMO has concerns over the data used to inform the Navigational Risk Assessment along with impacts on tourism and recreation within the bay.

The vessel tracking data used from EMODnet and Automatic Identification System (AIS) appears to be taken from 2017-2021. More recent vessel data should have been used in the NRA to assess the risks posed in the current operational environment. The data on cargo vessels is incomplete as the MMO are aware of other cargo vessels that have used the bay for anchorage from 2023 that are not included in the cargo vessel list on page 473 of the RFI document submitted by the applicant on 22 October 2024.

AIS (or EMODnet) data are not reliable indicators of use of an area by small craft, as the percentage carrying AIS transceivers is low. There is reference on page 343 to use of the RYA "seaTRK" [sic] and "Coast Atlas" [sic]. The RYA Coastal Atlas contains data from AIS and SafeTrx systems. While the Atlas shows low levels of recreational activity in Port Quin Bay, it is not compulsory for recreational boats to transmit AIS and SafeTrx is also a voluntary scheme. Therefore, the use of AIS in this area is not on its own an adequate indication of recreational activity. The Applicant notes that the proposed farm lies within the blind spots of National Coastwatch Institution observation stations so there is no visual data to support the applications, and reliance is made on conversations and anecdote.

References are made on several pages within the RFI to the "Pre-engagement log" to evidence the above consultations. The log indicates one individual from one sailing club offering "no objections" on the basis of a face-to-face conversation. The MMO does not consider this to be adequate consultation, or indeed evidence, as there is no indication as to the nature of the information provided, the actual date of the conversation or the circumstances of the meeting. The column "Letter of Support" does not indicate that any clubs offered their formal support to the project, so the above statement is unsupportable by the evidence. Some comments in the





pre-engagement log suggest consultation with the "Port Quin Sailing Club". Information from consultation with both the RYA and from representations from the public consultation suggest that this club does not exist. The MMO has found no evidence that such a club exists.

The MMO therefore concludes that based on the available evidence, the MMO cannot rule out that the construction and operation of a seaweed farm within Port Quin Bay would not pose a risk to navigation, other sea users, and the ability of the relevant authorities to respond to any emergency within the bay.

6.3 Impacts on the Cornwall National Landscape

The Project area is situated in the immediate waters of Port Quin Bay adjacent to, and within the setting of the Pentire point to Widemouth Bay of the Cornwall National Landscape (formerly Cornwall Area of Outstanding Natural Beauty). The protection afforded to the Cornwall National Landscape extends to any effects arising within its setting as would be the case with the proposed seaweed farm.

Following an initial round of consultation with the Cornwall National Landscape authority the applicant had provided a visual impact assessment of the seaweed farm and considered the policies outlined by the National Landscape Authority.

The RFI 7 document submitted on 22 October 2024 for the latest round of consultation included a section titled "*Visual impact assessment*." However, it does not provide any methodology for undertaking the assessment. The impact assessment concluded that the visual impact would be "*low to moderate*" and "*would not distract from the rugged tranquillity of the seascape in Port Quin bay*". The assessment also concluded that; the proposed visible infrastructure is compatible with its location in design, will not have a detrimental visual impact and will not erode the special qualities or features with the designated AONB. However, with the absence of any methodology the MMO does not consider this assessment to be sufficient. Renders of the site provided are too small to ascertain what the visual impact of the infrastructure would be.

Renders should be produced and provided in line with existing best practice as outlined in the Landscape institute technical guidance note 06/19¹. These therefore cannot be considered as evidence that the impact of the farm would be "*low to moderate*".

Based on the information currently provided the Proposal fails to meet the following policies as set out in the Cornwall AONB Management Plan 2022-2027:

- PD-P1 - All development within the AONB will be required to adopt a "*landscape-led*" approach
- PD-P2 - Development management decisions should specifically consider the cumulative effects of individual developments on the designated landscape.

¹ Landscape Institute (2019), Technical guidance note 06/19 Visual Representation of Development Proposals. Available at: https://www.landscapeinstitute.org/wp-content/uploads/2019/09/LI_TGN-06-19_Visual_Representation-1.pdf





- *PD-P11 - Any development in, or within the setting of the AONB must be sustainable development that maintains local distinctiveness and contributes to the sense of place; it should respond to local historical, cultural and landscape context and enhance and feel part of the existing landscape.*
- *PPW-P3 specific to the location of the seaweed farms (my emphasis): "Seek conservation and enhancement of the undeveloped character of the coast: for example, Witches Cauldron to Port Quin Bay...such that they return to having a more undeveloped character."*

The MMO therefore conclude that based on the information it currently holds, insufficient evidence has been provided that the project will not have a detrimental impact on the Cornwall National Landscape.

6.4 Impacts on Fisheries

The applicant has considered the impacts on fish and fishing activities within the initial application and subsequent submissions. The MMO has consulted with the following relating to impacts on fish and fishing activities:

- a) National Federation of Fishermen's Organisations
- b) Devon and Cornwall Inshore Fisheries Conservation Agency
- c) CEFAS Fish biology team

The MMO also received a number of representations from anglers and fishers who use the bay.

The MMO has reviewed the Fisheries Assessment (Chapter 12) and Fisheries impact assessment (Chapter 13) in consultation with the above bodies and note the following.

There is no description of the methodology used to inform the Fisheries assessment. Data provided is not site specific and lacks any contemporary data sources. There is no assessment of impacts against receptors and does not adequately assess any impacts in a clear and replicable methodology.

Furthermore, the chapter does not assess either commercial fisheries or the fish and shellfish resources in a way to accurately assess the impacts of the site on any receptor group. There is a lack of data beyond that presented in Coull. (1998)² and Ellis et al. (2012)³. The Spawning and Nursery ground maps do not include species that have overlapping spawning or nursery grounds within the wider Port Quin area.

The Fishery impact assessment in Chapter 13 provided Vessel Monitoring System (VMS), Automatic Identification System (AIS) and European Marine Observation and Data Network (EMODnet) data to inform the impacts on commercial fisheries.

² Coull, K.A., Johnstone, R., and S.I. Rogers. (1998) *Fisheries Sensitivity Maps in British Waters*. Published and distributed by UKOOA Ltd

³ Ellis, J.R., Milligan, S.P., Ready, L. Taylor, N. and Brown, M.J. (2012) Spawning and nursery grounds of selected fish species in UK waters. Sci. Ser. Tech. Rep., Cefas Lowestoft, 147: 56 pp





However, EMODnet fishing intensity data only gives information on vessels over 12m. While the applicant has also used MMO landing data which covers fishing vessels of all sizes the time periods, the EMODnet data and landing data covers two separate time periods, 2022 and 2017-2020 annual average. In addition to this Figure 3 (page 241) includes fishing density data from 2020. The data suppresses the average totals due to the Covid-19 pandemic and should not be used. The interpretation of VMS does not account for the ping rate of VMS on vessels greater than 12m. Therefore, any conclusions drawn from VMS data is not reliable as the ping rate will not accurately capture fishing vessel density.

The assessment stated that fishing effort is relatively low and refers to the landing data to support this. However, landing data is not an indication of fishing effort and the MMO does not consider this sufficient to support the claim. The use of the landing data lacks any interpretation or discussion on what the information shows the MMO therefore is unable to understand the potential impacts.

The applicant quotes the Cornwall IFCA netting effort from 2017 to 2021 within International Council for the Exploration of the Sea (ICES) rectangle 30E5, as showing a decrease in effort of 0 to -1,000 Nh/km². The MMO note that the IFCA 2022 Summary Statistics are available. The 2018 to 2022 netting effort for ICES 30E5 belted statistical area (BSA) 3A, shows an increase in effort between 0 to +1,000 Nh/km². The MMO note that these statistics and the landing data shows the importance of pots and nets within the statistical area that Port Quin falls into.

For fishing vessel activity of vessels under 12m in length that typically work in inshore waters, the spatial information contained within MMO landings data is too coarse to accurately represent the highly complex and dynamic activity of these fishers and it does not provide reliable information on where the fish was caught, but rather where it was landed. In light of this data limitation the applicant has informed their assessment using survey data from a fisher interview of ~12 local fishers that use static gears in vessels under 12m in length. The applicant concluded from their survey that whilst potting and netting is active within the Port Quin Bay area, the proposed farm locations and activity of seaweed farming will not affect their current operations and as a result, all the interviewees support the seaweed farm applications. While the survey results do provide a degree of qualitative information in support of their conclusions, the survey only captures about half of the under 12m vessel fishers that use Padstow and Port Isaac ports when landing their catch. Without being supplemented by additional quantitative fisheries data, the MMO does not have confidence that the interview and survey data is sufficient to represent the full range of fishing activity for under 12m vessels operating in the Port Quin Area.

The applicant stated within the assessment that *"This data infers that activities such as trawling and dredging are not commonplace within the Bay area. This is further supported by our engagement with Pentire Fishing Limited, they discussed that they were the only fishers with a trawling vessel that was active within the bay, and they fully supported our proposed licensed site."* The assessment also references the *"knowledge of Paul Blewett of Pentire Fishing Limited (Camel Fish) who has worked out of Port Quin for the past 20 years"* as an evidence base to support their conclusions in their impact assessment on demersal gear fisheries. However, as





Paul Blewett is the lead applicant, this evidence base alone cannot be deemed appropriate and requires further confirmation from external sources.

The MMO received public representations from a fisher working from Port Quin who was unaware of the project during the initial consultation, they have also highlighted that their views nor those of the other fishers within the bay were sought by the applicant and have also highlighted the insufficient information within the assessments. Furthermore, there are conclusions throughout the document that, although may be valid, have not been supported by any published literature or appropriate evidence base being referenced.

In the Static Gear Fishing impact assessment, on page 225, the section stated that *"During our communication with local fishers and potters (pre- engagement), they advised that whilst potting and netting is active within the Port Quin Bay area, the fishers have been able to adapt their static operations to take into account mariculture within the Bay."* As there is currently no aquaculture infrastructure in the Port Quin Bay area, it is not possible for static gear operations to have been adapted to accommodate any infrastructure.

The MMO cannot agree with some of the applicant's conclusions and based on the available evidence is not satisfied that the project will not have significant impacts on fishing activity within Port Quin Bay.

6.5 Integrity of the infrastructure and entanglement risk

During the consultation periods, questions and concerns around the integrity of the site have been received by the MMO. Within the RFI document submitted on 22 October 2024, the applicant provided a report from ArcMarine outlining the design of the site along with further information relating to the wave regime in the area.

The MMO consulted with the coastal processes team from CEFAS along with the MCA and Natural England, as the risk of a failure in the farm infrastructure could pose a risk to marine life and navigation.

The MMO note that there is an assessment of the hydrodynamics however this is considered relatively weak following consultation. Extreme wave events should also be considered due to the location of the site and a reason for using only data from between 2021 and 2023 is unclear. Information relating to the currents was also provided however information on where these figures were found was not included.

Information relating to the seabed composition at the site is also unclear. While information was used from EMODnet seabed habitat mapping and DEFRA MAGiC maps to identify the habitat type, the data is too broadscale in this area to accurately assess the conditions at the site. This can be demonstrated by noting the differences between the site of the farms and the mapping data within the Padstow Bay and Surrounds MCZ which has had surveys undertaken. The MMO has also received information during the public representation that the habitat is sandy gravel as identified by the British Geological Survey seabed habitat mapping. The sediment





composition is a key decision point on the overall integrity of the site and whether the eco-blocks would be sufficient as anchoring considering the sea conditions.

Due to the uncertainty regarding the integrity of the infrastructure the MMO does not agree with the applicant's conclusions that the farm would not pose a risk of entanglement with marine mammals or birds. The applicant has considered monitoring measures such as trackers, cameras and transponders on the main buoys. However, this does not reduce the risk of entanglement as it deals only with the recovery and not impacts on marine life between infrastructure failure and retrieval. While the applicant has presented information based on other seaweed farms globally, the MMO is concerned on reviewing the source documents that the applicant has been selective in interpreting the data and that the risk of entanglement has not been assessed fully.

Due to the lack of survey data on the habitat that is essential for ensuring eco-blocks will remain static over the lifetime of the farm, lack of information on the wave climate or consideration of future impacts due to climate change driving more storms into the South West and the site's exposed location and the lack of evidence based assessments on marine mammal entanglement the MMO based on the information it currently holds cannot rule out significant impacts on marine life due to the risk of infrastructure failure, nor the risk to navigation within the bay that lost lines or buoys could pose.

7. Conclusion

The MMO, as competent authority, has considered the impacts of the proposed project, along with further information provided by the Applicant and consultees. The MMO has ensured that it has applied its own expertise as well as that of its technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (CEFAS), and that of statutory consultees and all stakeholders. The MMO has carried out three rounds of consultation with our technical advisors, consultees and the public. Further to this the applicant has had four separate opportunities to provide further comments.

As stated under Part 4, Section 69 of the Act, in determining an application for a marine licence the MMO must have regard to:

- The need to protect the environment;
- The need to protect human health;
- The need to prevent interference with other legitimate uses of the sea; and
- other such matters that the MMO considers relevant.

The MMO is not satisfied that the application robustly demonstrates that the works as applied for will not significantly impact the environment, or any of the other matters stated above. The MMO deems that based on the best available evidence that this activity cannot be considered safe within the proposed site. Therefore, taking all of the matters outlined above into consideration, the MMO has concluded that a marine licence cannot be granted in this case. The MMO therefore refuses to grant the marine licence for this application.





If you would like to discuss any specific matter further or require additional clarity, please do not hesitate to contact me directly.

Yours sincerely

A handwritten signature in black ink, appearing to read "G. Smith".

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References

1. Landscape Institute (2019), *Technical guidance note 06/19 Visual Representation of Development Proposals*. Available at: https://www.landscapeinstitute.org/wp-content/uploads/2019/09/LI_TGN-06-19_Visual_Representation-1.pdf
2. Coull, K.A., Johnstone, R., and S.I. Rogers. (1998) *Fisheries Sensitivity Maps in British Waters*. Published and distributed by UKOOA Ltd.
3. Ellis, J.R., Milligan, S.P., Ready, L. Taylor, N. and Brown, M.J. (2012) *Spawning and nursery grounds of selected fish species in UK waters*. Sci. Ser. Tech. Rep., Cefas Lowestoft, 147: 56 pp.





5.0 List of Documents

This section lists the documents, witness statements and assessments/evidence that are being provided to support the appeal and of which Camel Fish rely on within 6.0: Section 1: Grounds for Appeal (Statement).

Although there were two legally separate licence applications (MLA/2023/00307: Camel Fish and MLA/2023/00308: Biome), the MMO directed that information for both must be combined into joint documents for the purposes of marine determination.

Table 1.0 details the main document submitted on 23/07/2024 (finalised September 2024). This was in response to further information requests (FIRs) by MMO (Appendix 2). The final document was available to the public and statutory consultants during the 3rd public consultation.

This is the main joint document submitted to support the marine licence application and Appeal. Due to the size of the document, it is provided separately as a PDF: **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**. The assessments within the document are as follows:

Assessment/Report	Page no
Marine Policy Assessment	14
Farming in Cornwall and Devon	37
Proposed Sites	38
Operational Profile Port Quin Farms	40
Infrastructure Assessment	43
Sediment Assessment	47
Marine Mammal Impact Assessment	48
Bird Impact Assessment, Pentire Peninsular SSSI	93
Habitat Regulations Assessment: Special Area of Conservation (SAC)	139
Habitat Regulations Assessment: MCZ and Pink Sea Fan	165
Habitat Regulations Assessment: Salmonids	188
Fisheries Assessment	207
Fisheries Impact Assessment	221
National Landscape Assessment	264
Economic Assessment	292
Navigational Safety Assessment and Emergency Response Plan	321
Mooring Design	339
Water Framework Directive Assessment	340
Biosecurity Plan	380
Marine Monitoring Plan	390
Marine Navigational Safety Assessment and Emergency Response Plan	397



Marine Archaeology Assessment (conducted by MSDS)	488
Marine Engineers Report: Mooring Design (conducted by Arc Marine)	559
UXO Desk Based Assessment	604

Table 2.0 lists the witness statements which support the Appeal (within this document - 7.0: Section 2 Witness Statements):

Witness Statement/Letter of Support	Page no
Dr Angela Mead	129
Marine Engineers (Arc Marine) – Letter of support	132
Marine Archaeologists (MSDS)	134

Table 3.0 lists the remaining documents relied on by Camel Fish for the purposes of the Appeal:

Documents	Page no
Appendix I: Original Marine Licence Application	138
Appendix 2: Letter A; MLA202300307_MLA202300308_Application Update Request (FIRs)	149
Appendix 3: Letter B; Port Quin Seaweed Farm Band Change 00307_final	164
Appendix 4: Letter C; 20240905_MLA202300307-308_Response_Final	168
Appendix 5: Letter D; 20250324_MLA202300307-308_Response to Applicant queries_RF18	171
Appendix 6: CEFAS Fisheries Response	174
Appendix 7: Email MMO: iVMS data	188
Appendix 8: CIFCA Statutory Consultation Round 3: Comments	189
Appendix 9: NE Statutory Consultation Round 3: Comments	197
Appendix 10: Letter Rock Sailing Club (original)	202
Appendix 11: SEAFISH Regulatory Guidance May 2025	203

6.0 Section 1: Grounds for Appeal (Appeal Statement)

The overall licensing process and final decision undertaken by the MMO demonstrates a clear **systematic failure** by the MMO in the determination of MLA/2023/00307. This is not a single failure by the MMO. Multiple legal issues, significant procedural mistakes and errors have been identified.



The outcome of this **systematic failure** by the MMO had a detrimental impact on the licence determination – having been refused. And in turn on the applicants/appellants, Camel Fish.

The applicants/appellants present a detailed breakdown of the **systematic failure** as grounds for the appeal. Where relevant, documents, information and/or evidence is supplied to

- (i) support those details and
- (ii) provide evidence of the different outcomes had Camel Fish been enabled to fully engage in the licensing process.

The grounds for appeal are as follows:

6.1 Fee Band Change/Statutory Advisor Engagement

A: Context: The MMO changed the fee banding of the licence application from a Band 2 to a Band 3 (refer to 3.0 (Timeline) and Appendix 3.

The applicants questioned the change of banding. Camel Fish's representative, Dr Angela Mead, had previously completed a successful license for a seaweed farm, through the MMO (L/2023/00028/1). As per MLA/2023/00307, seabed anchors were proposed for the moorings. An additional farm license issued by the MMO, for Penmayn Ltd. (L/2023/00169/1) also involved anchors on the seabed. In both cases, the licensed farms were within Special Protected Areas at scales of 100 Ha each. They were assessed at the band 2 level.

In the case of MLA/2023/00307, the original application clearly identifies that moorings will require anchoring on the sea bed (at the time eco-blocks, screw anchors and oil rig anchors were proposed as options). Please refer to Appendix 1. The use of eco-blocks was selected within the document produced by the appellants in response to MMO FIRs (Appendix 2).

The appellants questioned why the previous licenses were not moved from a Band 2 to a Band 3. A letter was received from the MMO in response (Appendix 4) and the MMO clearly admitted to an inconsistent approach for identical activities. As the MMO state: there is no *de-minimis* level for moving an application from a band 2 to a band 3 – where seabed anchors are in contact with a supporting habitat. This is all evident in 4.0: Decision Letter.

This raises competency concerns. Particularly when coupled with the fact that the MMO had previously approved/signed off on MMO directed advertising requirements for the first round of public consultation in October 2023 (3.0 Timeline). And then reversed decision following public interest. Their role is to conducted due diligence in the first place (not retrospectively) and guide the applicants/appellants accordingly/appropriately throughout the legal process.



B: Band 2 to Band 3: In between July and September 2023, MLA/2023/00307 was moved from a band 2 to a band 3-level marine licence application (3.0 Timeline; Appendix 3).

The reasons to change a banding level in this manner are clear on the Governmental and MMO portals: Project complexity has increased which requires additional consultation and scrutiny involving a wider range of bodies. The case has 'complex case-characteristics'. In the case of MLA/2023/00307, this related to the potential for a likely significant effect on an SAC through anchorage on the seabed – a supporting habitat within the SAC (Appendix 4).

This occurred 13 months into the application process – despite project complexity remaining the same. The original application specified the need for anchorage on the seabed (Appendix 1).

The movement of a case from band 2 to band 3 triggers the involvement of five core statutory consultees:

- Natural England ('NE')
- Environmental Agency ('EA')
- Historic England ('HE')
- Maritime and Coastal Agency ('MCA') and
- Centre for Environment, Fisheries and Aquaculture Science ('CEFAS').

The reason for this is to facilitate a more rigorous assessment of the application against the criteria of (i) the marine environment, (ii) human health and (iii) other legitimate uses of the sea'.

In the case of MLA/2023/00307: NE, EA and HE were already being consulted and had provided input across the first two statutory consultant rounds (3.0 Timeline).

The MCA had been consulted across rounds 1 and 3 of statutory consultation. In the first round, they refused to comment until Trinity House had been engaged. In round 3 (11th November 2024), they objected until they had meaningful engagement with the applicants/appellants related to navigational safety and the NSA.

NE submitted comments for engagement across all three statutory consultation rounds.

HE was satisfied as long as WS1 was in place as a condition of the license.

The EA had no comments in round 1. They were not consulted in round 2. In round 3 of statutory consultations, they indicated concerns related to the marine engineering of the moorings. And for the first time, requested an assessment related to sea trout (similar to the one completed by the applicants for Salmonids) within the Habitats Regulatory Assessment ('HRA').



CEFAS were engaged for the first time in round 3 of statutory consultation (11th November 2024). And provided feedback requiring meaningful engagement with the applicants/appellants.

In addition, the National Federation of Fishermen's Organisations ('NFFO') had provided feedback in round 3 and mentioned concerns. In the absence of MMO facilitation, the appellants approached the NFFO directly and asked for engagement. They were willing – as facilitated by the MMO. The MMO acknowledge CEFAS's new involvement and the NFFO in Appendix 5.

The events summarised above are supported within the contents of the Decision Report (4.0).

C: Meaningful Engagement: Post round 3 of statutory consultation, the MMO moved immediately to a pre-decision letter. At this point, Biome withdrew their licence application (MLA/2023/00308), which reduced the previously joint/cumulative assessment of a 100 Ha farm footprint to a standalone 50 Ha farm footprint of 50 Ha (MLA/2023/00307; 3.0 Timeline) – a significant fact.

At this point, the applicants/appellants (invited to comment on the pre-decision) responded to the MMO. Within the response, they addressed the following:

- As applicants they had not been facilitated meaningful engagement with new and existing statutory bodies post movement of the case to a band 3 and
- The pre-decision letter included fundamental mistakes and mis-information taken as fact by the MMO that required clarification by the applicants/appellants.

The applicants/appellants requested the MMO consider this information ahead of a final decision letter. A call was conducted between the appellants and MMO to discuss the same. A subsequent response was received by the MMO (Appendix 5). The applicants/appellants requests were ignored by the MMO. The MMO went on to issue a final determination on 4th April 2025 (4.0 Decision Letter). It was identical to the pre-decision letter.

No meaningful engagement with statutory bodies key to the band 3 and round 3 statutory consultation process has been facilitated by the MMO.

This is critical when considering the major procedural error involving CEFAS (Appendix 6) related to the marine engineering report and their assessment – which was relied on to determine the license negatively (see 6.5).

D: Grounds for Appeal: Marine licence applicants should be given the opportunity to meaningfully engage with statutory entities at the pre-determination stage in the case of a band 3 application. This is not a courtesy. It is a critical part of the process for both applicants



and advisors. It is an opportunity for the applicants to address concerns, fulfil requests for additional information and can help shape effective mitigation measures.

The MMO have a clear role to facilitate engagement between the applicants and statutory authorities to help address specific requirements.

This is a clear failure by the MMO to consider relevant factors, engagement between applicants and relevant statutory bodies and indicates procedural errors.

The decision-making process must be comprehensive. Key information submitted by the applicants, pre- final MMO determination, was overlooked and disregarded. This had a significant bearing on the final decision. Legally, the applicants have a legitimate expectation to have a reasonable opportunity to meaningfully engage with and present information to existing and new statutory consultees – particularly when requested by such representatives (as a result of new engagement by key authorities, the band change and MMO introduction of new authorities). The appellants have a right to make representations and provide information to remediate concerns (statutory and public). Without this, their right to participate effectively in the decision-making process has been critically and legally limited. Which led to a flawed determination. And one that was not based on demonstratable facts and the best data and science available. Please refer to 6.1 to 6.17.

6.2 Spatial Marine Plan (Inshore South West)

This section refers to the South West Inshore Marine Plan (2021).

Having full regard to the points raised in 6.1, the MMO stated within the Decision Report (4.0), that: 'sufficient information was not provided' and that their decision was made 'despite receiving further information from the applicants'. It is clear in 6.1 the MMO did not provide ample opportunity for the applicants to provide information or meaningfully engage at the appropriate times in the process and with the right statutory consultees, pre-decision (6.1).

The MMO based their final determination on failing to meet the criteria of the South West Inshore Marine Spatial Plan.

It should be noted all other criteria were met where applicable, and importantly SW-AQ-1 and SW-AQ-2 – with aquaculture (seaweed farming) recognised as a legitimate use of the sea that should be promoted.



The MMO faulted the application using codes as listed in the table below:

South West Inshore Marine Plan Code	Description
SW-FISH-1	Proposals that support a sustainable fishing industry, including the industry's diversification, should be supported.
SW-FISH-2	Proposals that enhance access for fishing activities should be supported. Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding
SW-FISH-3	Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, should be supported. Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.
SW-ACC-1	Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported. Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.
SW-CE-1	Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise



	c) mitigate - adverse cumulative and/or in-combination effects so they are no longer significant.
SW-CO-1	Proposals that optimise the use of space and incorporate opportunities for co-existence and cooperation with existing activities will be supported. Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.
SW-INF-1	Proposals for appropriate marine infrastructure which facilitates land-based activities, or land-based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported.
SW-INF-2	(1) Proposals for alternative development at existing safeguarded landing facilities will not be supported. (2) Proposals adjacent and opposite existing safeguarded landing facilities must demonstrate that they avoid significant adverse impacts on existing safeguarded landing facilities. (3) Proposals for alternative development at existing landing facilities (excluding safeguarded sites) should not be supported unless that facility is no longer viable or capable of being made viable for waterborne transport. (4) Proposals adjacent and opposite existing landing facilities (excluding safeguarded sites) that may have significant adverse impacts on the landing facilities should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.
SW-TR-1	Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference: a) avoid b) minimise



	c) mitigate - adverse impacts so they are no longer significant.
SW-PS-1	In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.
SW-BIO-1	Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.
SW-BIO-2	Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant



	d) compensate for significant adverse impacts that cannot be mitigated.
SW-BIO-3	Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem 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 ecosystem services, and demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate d) compensate for - net habitat loss.
SW-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 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.
SW-DIST-1	Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.
SW-ML-2	Proposals that facilitate waste reuse or recycling to reduce or remove marine litter will be supported. Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference: a) avoid b) minimise c) mitigate - waste entering the marine environment.



SW-CC-2	Proposals in the south west marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.
SW-SCP-1	Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape. Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference: - avoid - minimise - mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area. Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.
SW-EMP-1	Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following: - are aligned with local skills strategies and support the skills available - create a diversity of opportunities - create employment in locations identified as the most deprived - implement new technologies - in, and adjacent to, the south west marine plan areas.

The following sections explore the MMO procedural faults and examples of the outcomes if the applicants had been given the opportunity to:

- meaningfully engage and clarify – to provide assurances and evidence to the MMO, statutory bodies and the public, addressing their concerns – and



- to mitigate/minimise further where appropriate in order to not significantly/unreasonably impact the marine environment, human health and other legitimate uses of the sea.

They all form further grounds for appeal (6.3-6.17).

6.3 Fishing Activity

This section is in reference to SW-FISH-1, SW-FISH-2 and SW-FISH 3.

Within the original FIR documents - **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**, the applicants/appellants answered all questions raised by CIFCA and the MMO at the time. A fisheries assessment and fisheries impact assessment was conducted (pages 207-220 and 221-262 respectively).

Within the assessments, a range of data sources were used in combination to capture fishing effort in the Port Quin Bay area and wider ICES30E5 area it sits within. This included data and resources from the MMO, DEFRA and CIFCA. AIS and VMS data was assessed (MarineTraffic, EMODNET, electronic navigational charts). Research papers were used and direct input from fishers active and operating in the bay and ICES30E5. The types of data/resources used are summarised in the table below:

Data/Info source	Metrics	Fleet captured (size/fishing methods)
MMO PING data (VMS)	No. of vessels operating between 0-6 knots and 2-4 knots in the Bay (indicative of fishing speeds) over time	Vessels above 12 m length (all fishing types) 2016-2021: 2 vessels captured total
MMO landings data	Tonnes fish/shellfish landed in Port Isaac annually (closest harbour to Port Quin Bay).	All under 10 m records (nets, pots traps, no trawling). 11.2 T/12.3 T landed 2020/2021.
CIFCA potting/netting intensity data maps	Intensity levels of potting, netting and demersal netting effort over time	All vessel sizes. Potting: slightly decreased



		Netting: slightly increased Demersal netting: unchanged
MarineTraffic data	Density levels of fishing within region (routes/0.08 km ² /yr - AIS)	Vessels above 12 m length (all fishing types) and all other vessel traffic. Under 12 m to a lesser extent. In Bay: was 221 routes within area for MLA/2023/00307 and MLA/2023/00308 (South of original joint sites)
EMODNET data	Density levels of fishing effort within region (1 km ² pixels, hrs/km ² /yr – VMS)	Vessels above 12 m length (all fishing types) In Bay: 0.26 hrs/km ² /yr 2017-2020 average. Range 0.45-0.06 from 2017-2020. (average would be 0.32 if exclude 2020 (COVID)). All in low range.
Survey 1 of fishers (December 2023)	Response to impact of MLA/2023/00307 and MLA/2023/00308 on fishing activities in the Bay (cumulative)	23 operators approached (capturing 10 m under, 12 m and above) No objections to proposal
Survey 2 of fishers (May 2024)	As above	15 operators approached (capturing 14 x 10 m under and 1 x 12 m and above) All 15 stated no significant impacts on fishing activity when shown a map for both MLA/2023/00307 and MLA/2023/00308 (100 Ha)
Coull et al. 1998 Ellis et al. 2012 Corrigan et al. 2024	Assess fish present in Bay and spawning/nursery activities, plus impacts of	N/A



	seaweed farms on fish populations (juveniles)	All spawning & nursery grounds assessed across species. Sediment at sites: coarse (sandy gravel) therefore not spawning ground. Peer-reviewed, scientific evidence that seaweed farms offer protection and food for juvenile/adult fish. Separate HRA for salmonids: no risk
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Data sets were assessed over acceptable time frames, as confirmed by CEFAS during round three statutory consultation.

Within round three of the statutory consultation, CEFAS (fisheries) responded as a statutory consultee and advisor for the first time (Appendix 6)

Communication and meaningful engagement should have been facilitated between CEFAS and the applicants/appellants, through the MMO. To address these points.

If that engagement had been facilitated, the applicants/appellants would have conducted additional assessments, as directed. Which would have resulted in a different outcome under SW-FISH-1, SW-FISH-2 and SW-FISH-3.

Those additional assessments have been conducted and add to the data sets summarised above:

Data/Info source	Metrics	Fleet captured (size/fishing methods)
MMO landings data	Kg fish/shellfish landed in multiple ports annually (closest harbour to Port Quin Bay). Covering ICES30E5 – 2021-2023	All vessel sizes and all fishing types Data also indicted commercial species caught



		over 3 years in wider ICES30E5 area – indicating additional fish species present beyond Port Quin Bay. All data analysed and presented within statement
EMODNET data (updated) from 2017 to 2023 (data only available for up to 2023)	Vessel density levels: fishing vessels only (hrs/km ² /yr – AIS)	Vessels above 12 m length (all fishing types). Under 12 to a lesser extent. See data below Low density (see scale)
MarineTraffic data	Density levels of vessel traffic including fishing vessels within region (routes/0.08 km ² /yr - AIS)	Vessels above 12 m length (all fishing types) and all other vessel traffic. Under 12 m to a lesser extent. In Bay: reduced from 221 to 5-38 routes within proposed, updated area for MLA/2023/00307.
Survey 3 of fishers (September 2025)	Full survey (meta data available upon request by Appeals board and in line with GDPR). For MLA/2023/00307 only and in adjusted location.	21 operators approached (capturing range of fishing vessel sizes and fishing types) 11 of these had responded in survey round 2. 5 responded – range of vessel size from 5.17 – 12 m. All pots, nets, lines No objections (see summary table below)

Landings data/wider fisheries information



The limitations to using landings data are that the data indicates fish species landed between 2023 to 2025 for ICES30E5 – across a range of ports in the area (in kg). However, it does not indicate where they specifically fish. Therefore, the figures are for landings from fishing inshore, within a large spatial area (c.900 nm² or 3,087 km²). Port Quin Bay is c.9 km² - approximately 0.3% of ICES30E5. Landings are not a function of fishing effort – although fishing effort can be inferred through VMS and AIS data (vessel densities within the Bay).

Camel Fish and Pentire fishing are industrial operators in the region, potting and trawling. Fish species landed by Camel Fish and Pentire were not fished in the Port Quin Bay area and landed in Padstow. The applicants/appellants have knowledge (based on 20 years of operating and working alongside all fleet members) that trawling rarely occurs in the Bay. However, potting, netting and demersal fishing (nets) does occur. This was confirmed by the regional fishers engaged.

Through analysing recent landings data within the ICES30E5 region, this adds to the fisheries assessment already presented (species, spawning and nursery ground information). As it indicates the wider commercial species being landed within that geographical area. It should be emphasised again that scientific research indicates fish species do not spawn on coarse sediment (sandy gravel). Please refer to 6.4.

The following summarises the landings data for ICES30E5 from 2023 to 2025. The original data files can be provided as evidence upon request from the appeal board.

Landing data:

2023:

Fishing method	Padstow (Kg)	Port Isaac (Kg)	Other (Kg)	Total (Kg)
Beam trawl	1,142.4	0	0	1,142.4
Pots, Lines, Nets	21,477.5	3,165	885.6	25,528.1
Overall totals	22,619.9	3,165	885.6	26,670.5

2024:

Fishing method	Padstow (Kg)	Port Isaac (Kg)	Other (Kg)	Total (Kg)
Beam trawl	200	0	5,456	5,656
Pots, Lines, Nets	15,985	1,263	738	17,986
Overall totals	16,185	1,263	6,194	23,642



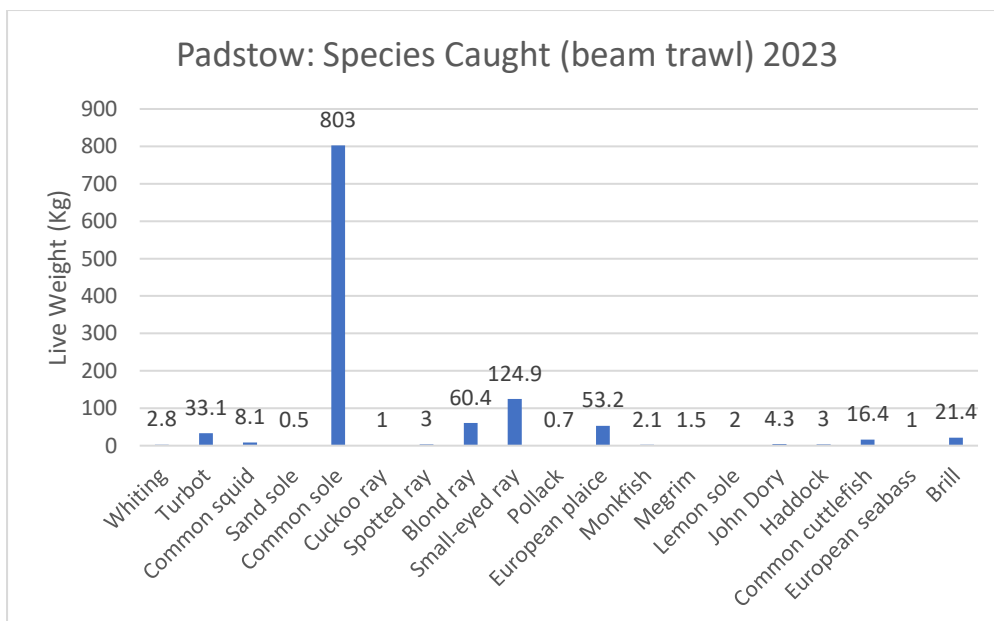
2025: up to June/July

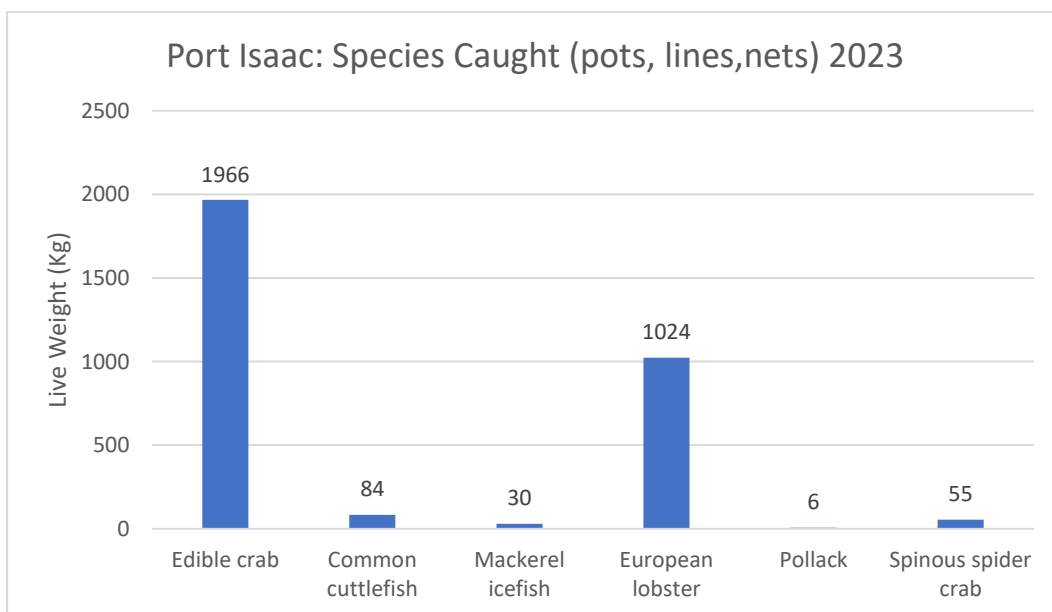
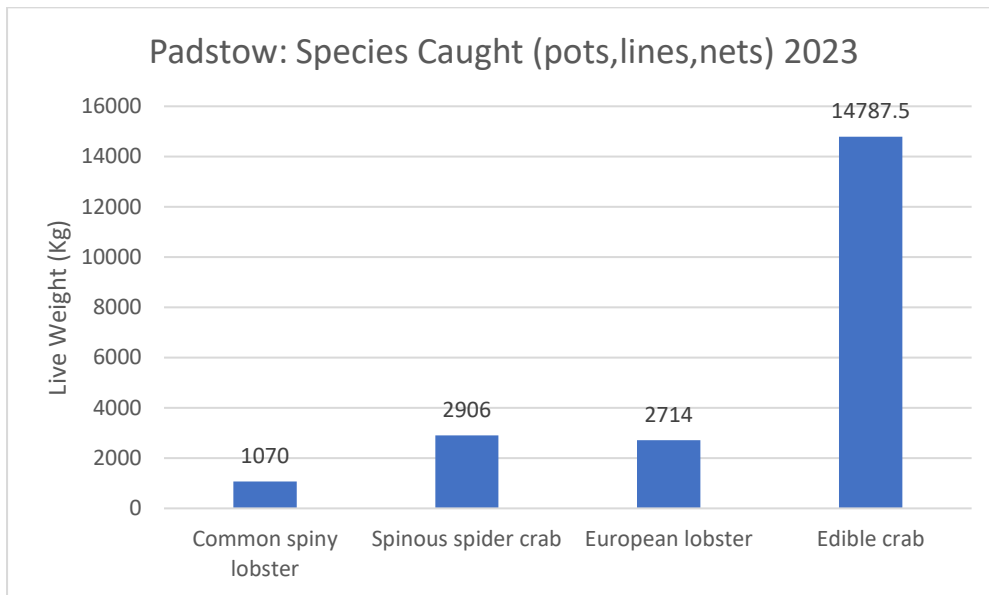
Fishing method	Padstow (Kg)	Port Isaac (Kg)	Other (Kg)	Total (Kg)
Beam trawl	1,674	0	10,874	12,548
Pots, Lines, Nets	11,698.5	258	594	12,550.5
Overall totals	13,372.5	258	11,468	25,098.5

Landings into Port Isaac and Padstow are the closest ports to Port Quin Bay. Landing in ‘others’ includes harbours further north along the Cornwall coast – Bude, Newlyn and in North Devon (Bideford, Ilfracombe). The use of pots, nets and lines (demersal net fishing included) is evident across the three years for the entire ICES30E5 area (3,086.91 km² of which Port Quin Bay is approximately 0.3%). Landings in Port Isaac (all attributed to pots, nets and lines and likely representing the under 10 m vessels within the fleet), were 3,165 kg, 1,263 kg and 258 kg respectively, across 2023, 2024 and 2025. Port Isaac is the closest port to Port Quin Bay. Landings in Padstow attributed to pots, nets and lines and likely representing the under 10 m vessels within the fleet) is more substantive – however this data also includes larger vessels fishing further offshore and at more industrial levels.

The total species catches made were as follows:

2023:

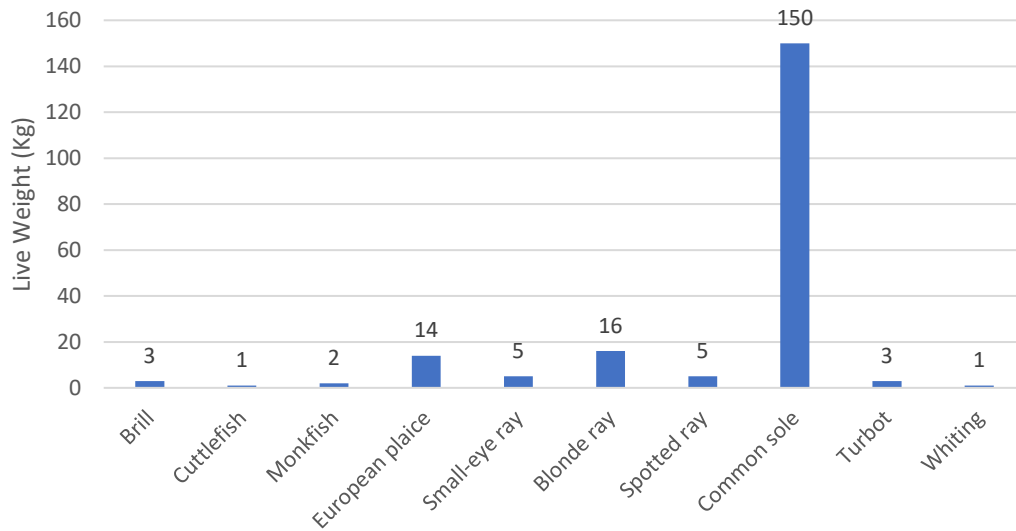




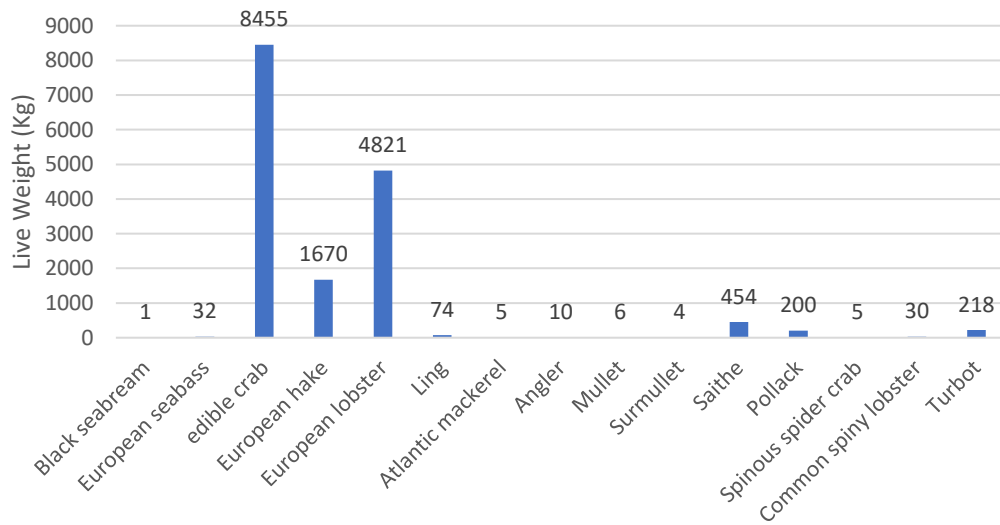
2024:

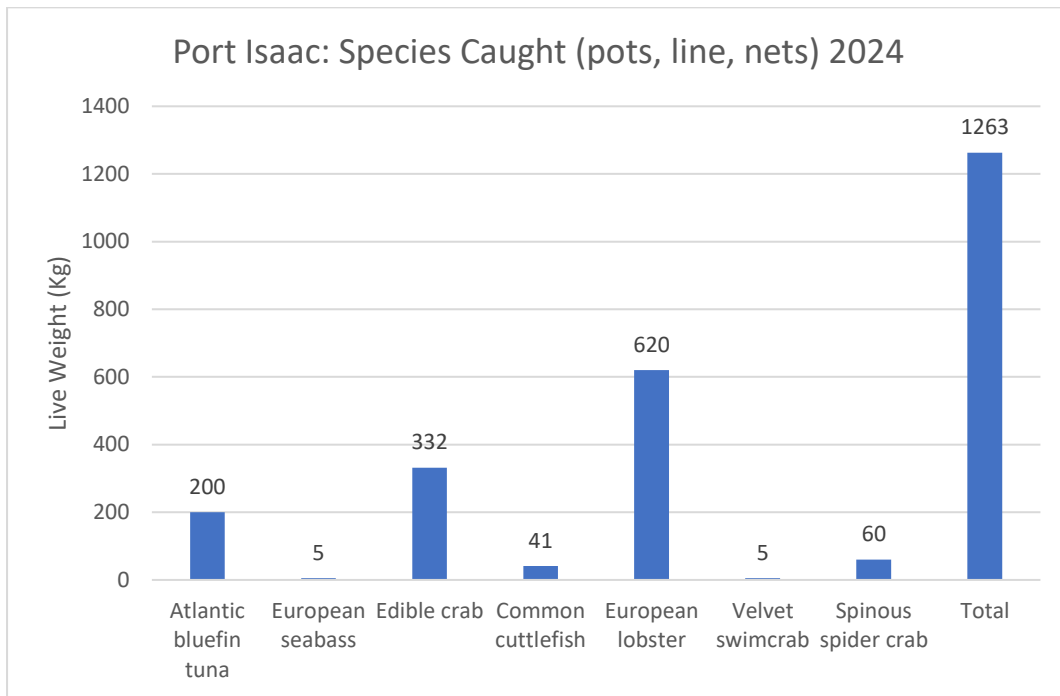


Padstow: Species Caught (beam trawl) 2024

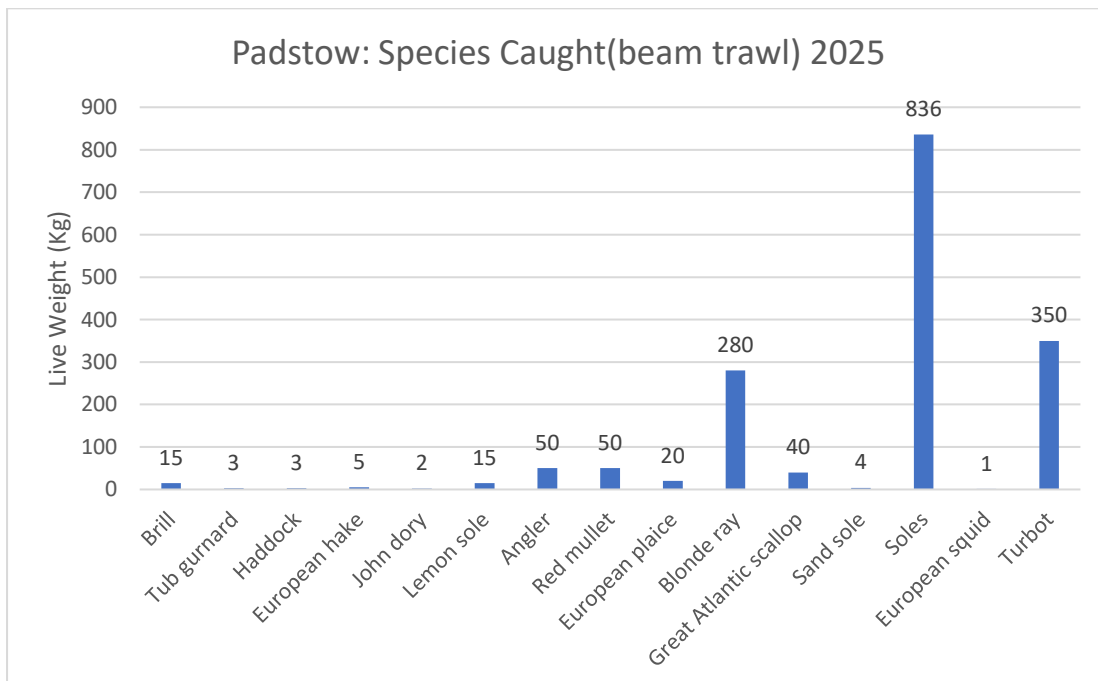


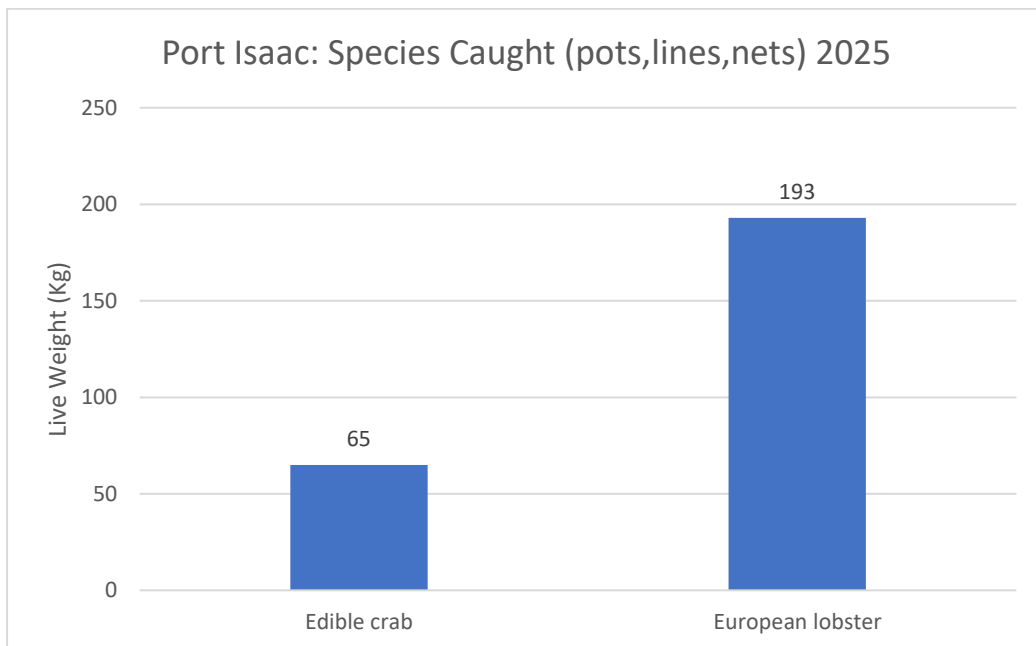
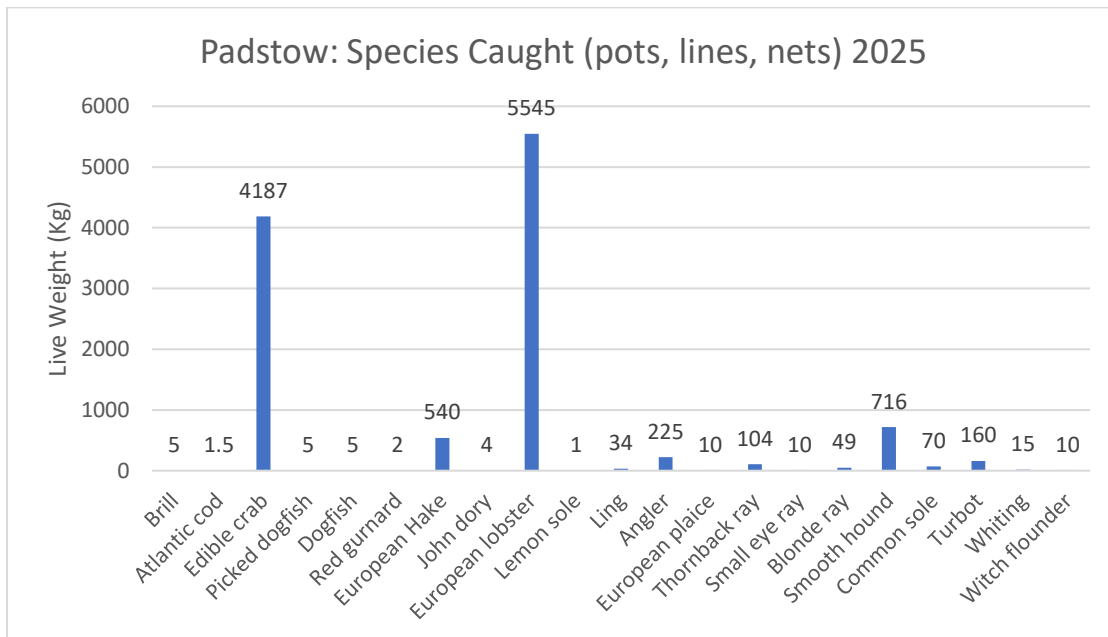
Padstow: Species Caught (pot, net, lines) 2024





2025:





The data presented assesses the contributions of fin fish and shellfish to the commercial landings. Shellfish is an important contributor to landings through potting.

The main spawning/nursery ground species landed were identified within the original fisheries impacts assessment for the region (with a separate HRA for Atlantic salmon). The complete list of species caught by beam trawl and pots, nets and lines (weights given in graphs (Kg) are:



Species caught/landed 2023-2025 (beam trawl)	Species caught/landed 2023-2025 (pots, nets, lines)
Whiting	Spiny Lobster
Turbot	Spider Crab
Squid	European Lobster
Sole – sand & common	Edible Crab
Cuckoo Ray	Pollack
Spotted Ray	Mackerel
Blonde Ray	Cuttlefish
Small-eyed Ray	Black Seabream
Pollack	European Seabass
European Plaice	European Hake
Monkfish	Ling
Megrim	Atlantic Mackerel
Lemon Sole	Angler
John Dory	Mullet
Haddock	Surmullet
Cuttlefish	Saithe
European Seabass	Turbot
Brill	Bluefin Tuna
Tub Gurnard	Velvet Swim Crab
Angler	Dogfish
Great Atlantic Scallop	John Dory
-	Whiting
-	Flounder

This additional assessment should satisfy the CEFAS ‘third-round statutory consultation round’ request to consider further evidence for commercial fisheries/species within the wider region beyond Port Quin Bay and is based on MMO-data as a source (Appendix 6: 12. Minor comment – no action). Landed quantities over three years are evidenced in Kg (see graphs). The reef cubes proposed for anchoring the reduced infrastructure in Port Quin Bay support juvenile fish and important commercial shellfish stocks through habitat creation and food provision (see 7.2). In addition, as per CEFAS comment (minor comment, no action), we include here that there is potential for other diadromous fish to be in the Bay area such as European eel, lamprey species, Allis shad and Twaite shade.

The appellants have used a different MMO data source to identify a range of fish within ICES30E5 than CEFAS recommended (Appendix 6: 15). However, upon inspection of the recommended data sets shows comparable lists (ICES Database on Trawl Surveys (DATRAS), 29/09/2025, ICES, Copenhagen, Denmark. <https://datras.ices.dk>)



In the CEFAS fisheries report (Appendix 6: 14. Minor comment – action), we are asked to address how juvenile fish will be protected within the farm during harvest periods – where seaweed is removed rapidly. They acknowledge the sediment type: coarse/sandy gravel is not a spawning ground. The appellants would have responded that the area of farm has been reduced by 50% through the withdrawal of MLA/2023/00308 and infrastructure (lines) reduced by 60%. Harvesting of the seaweed is a gradual process over three months. Lines can remain unharvested as ‘fallow’. In the Bay, there are natural kelp beds closer to the coastline which could accommodate the juveniles. And in addition, the bio-engineering reef cubes are a permanent structure for the life of the farm and are designed to create shelter and habitat for juvenile fish.

Otherwise, the CEFAS specialist and statutory advisor to the MMO was satisfied that the fisheries assessment was appropriate (Appendix 6). This is in contrast to the comments used by the MMO in determining the license:

‘There is no description of the methodology used to inform the Fisheries assessment. Data provided is not site specific and lacks any contemporary data sources. There is no assessment of impacts against receptors and does not adequately assess any impacts in a clear and replicable methodology.

Furthermore, the chapter does not assess either commercial fisheries or the fish and shellfish resources in a way to accurately assess the impacts of the site on any receptor group. There is a lack of data beyond that presented in Coull. (1998)’

MMO comments do not reflect CEFAS comments. However, this has now been fully addressed, as it would have been if the appellants had been given the opportunity to meaningfully engage with the CEFAS team.

Updated EDODNET data for fishing vessel densities: 2017-2023

Previously, EMODNET data (over 12 m vessels) indicated 0.26 hrs/km²/yr 2017-2020 average. This ranged from 0.45-0.06 hrs/km²/yr from 2017-2020 (The average would be 0.32 hrs/km²/yr if excluded 2020 (COVID)). These values are in the lower range of the scale.

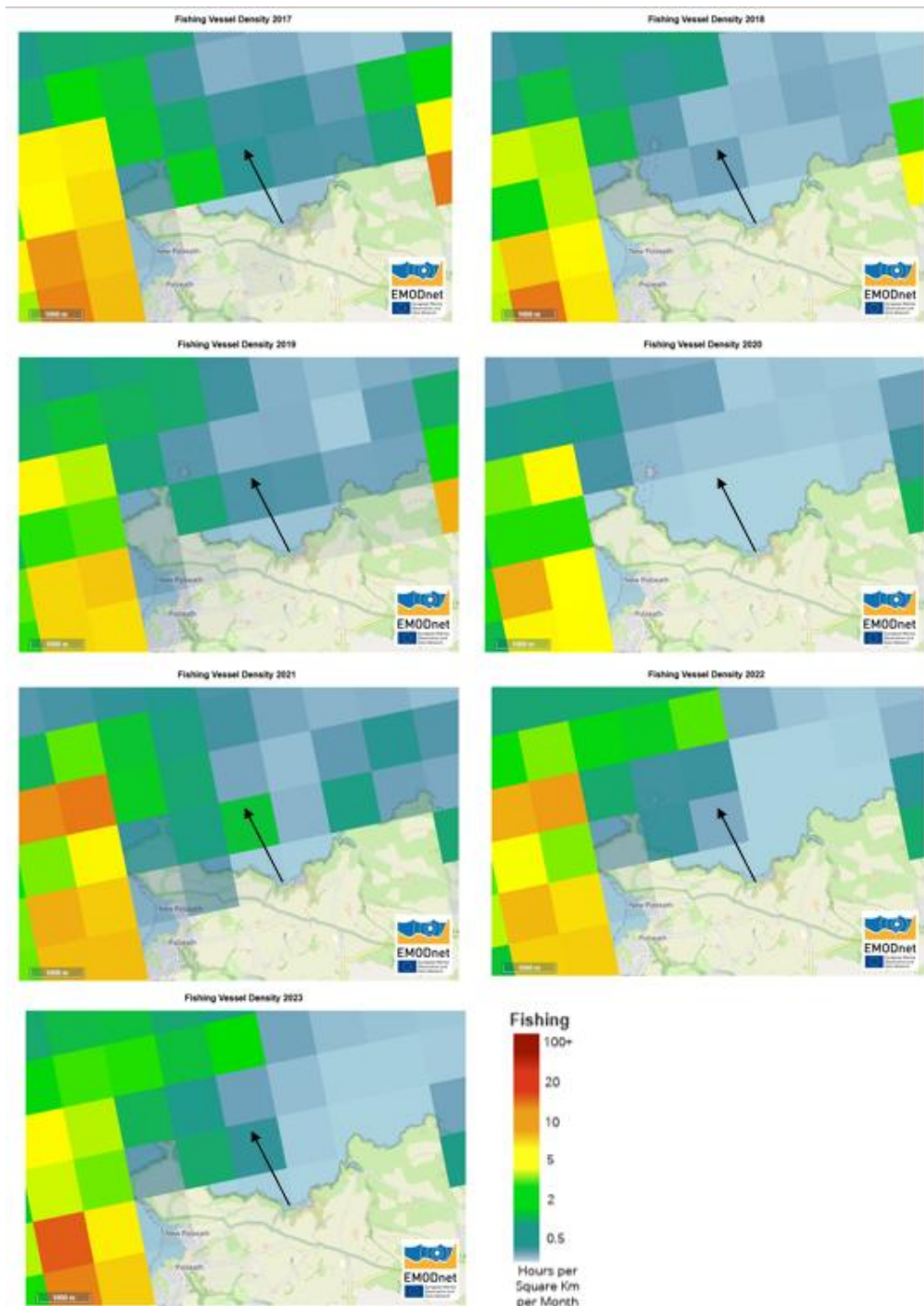
Recent data (from 2022 to 2023):

Analysis on EMODnet human	2017	2018	2019	2020	2021	2022	2023	2017-2023 av. including 2020	2017-2023 av. excluding 2020
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activities; average vessel densities (hrs/km2/yr).									
Fishing vessels	0.45	0.2	0.32	0.01	1.43	0.16	0.43	0.429	0.498

EMODNET maps representing this data are as follows:



Although higher, due to increased activity in 2021 (0.498 hrs/km/year), this is still within the lower range of activity (green) – see scale for reference.



iVHMS data for under 10 m vessels

CEFAS indicated (pre-decision) that they wanted to see an analysis of iVMS data (via the MMO) to indicate use of the Bay area by under 10 m vessels (Appendix 6). The data was requested from the MMO in August 2025. Camel Fish requested the data from the MMO through the formal channels. The MMO stated GDPR reasons for their refusal to share the data via email (Appendix 7). In the absence of this data, the combined data analyses, surveys and landings data presented in the tables/graphs provides the most accurate overview of fishing activity in the Bay and wider ICES region. This includes three rounds of direct input from fishers – the majority of whom operate vessels within the 10 m under range (the most vulnerable inshore fleet).

Commercial fishing within Port Quin Bay: survey data

The applicants/appellants aim to present the best available science and data evidence and information related to fishers and fishing activity. In the absence of the iVMS data sets for under 10 m vessels, input was sought from relevant fishers in the form of a third round of surveys (to be considered in combination with landings data). This would have been in response to CEFAS requests for information and engagement in the third round of statutory consultation, pre-decision.

At an early stage within the licence application, Camel Fish engaged 23 businesses directly working at sea (fishing and other businesses, including the sailing club at Rock). When asked about whether the proposed farms would impact fishing activities significantly, fishers responded with no issues for the proposed farm locations at the time (MLA/2023/00307 and MLA/2023/00308 (since withdrawn)).

Pre-decision, Camel Fish had presented survey data within the original FIR's (first submitted June/July 2024) relating to a number of under 10 m vessels operating in Port Quin Bay and the wider region (**MLA/2023/00307 FIR 1 and 2 Responses/HRAs**). CEFAS requested input into what those surveys constituted but the applicants were not given the opportunity to meaningfully engage.

It indicated that: Out of 15 responses from the local fleet (names and vessels provided), all were within the 10 m and under range bar one which was larger. And all responders indicated no issues related to significant impacts on fishing activity for the proposed farm locations at the time (MLA/2023/00307 and MLA/2023/00308 (since withdrawn)).

The second survey information was dismissed by the MMO within their decision-making process. CEFAS (third round of statutory consultation) required understanding of the meta-data associated with the surveys and suggested utilising iVMS data for under 10 m vessels



(recently implemented) as a method to add evidence toward assessing impact on fishers. They suggested direct engagement with themselves.

As part of expected ‘meaningful engagement’ post statutory consultation round three, the applicants/appellants issued a survey to a range of commercial fishing businesses operating out of Port Quin Bay - inclusive of capturing information from the 10 m and under fleet (September 2025).

This was done to support existing and valid data sets but also to support requests for information and engagement with the applicants/appellants from CEFAS. Unfortunately, the appellants were unable to fulfil the request due to the MMO’s decision to determine ahead of due diligence with a new statutory advisor.

Within the third round of fisher’s surveys, the purpose of the surveys was to ascertain levels of business activity, vessel activity and perceived impacts of the now single proposed farm in Port Quin Bay (MLA/2023/00307). The applicants/appellants can provide the original surveys to the appeal board as evidence and the sign-up sheet (21 businesses) for those the survey was provided to (if requested) in line with GDPR. However, the outcomes from returns are summarised below:

Business	1	2	3	4	5
Business type	Charter fishing vessel	Charter fishing vessel	Commercial fisher	Commercial fisher	Commercial fisher
Vessel size (m)	11.6	11.5	5.17	12	10
Years operating	30	12	30+ years	50+ years	Since 1978
Months in Port Quin Bay	Sept-Oct	March - Sept		June-July	None
Frequency/month	8-10 times	Not often	All year (weather permitting)	Most days	None
Hours/month	10	0-20	N/A	40 hours	None
Farm: Negative impacts on business?	No	No impact at all	No	No	No
Farm: negatively impact access in Bay?	No	-	No	No	No
Types of fishing			Pots, lines, nets for lobsters, bass & pollack	Crabs, lobsters, crawfish & nets	Gill nets
Aware of positives of seaweed farms?	Yes	Yes – currently not a lot of fish in that area.	Yes	Yes – as a habitat	Yes – positive impact
Types of vessels observed in Bay?	Sea safaris, commercial fishing, leisure & kayaks, commercial	-	-	-	-



Seasonal vessel presence	Winter: low Spring: Low Summer: Med Autumn: Low	-	-	-	-
Have you observed high sailing levels in the Bay during business operations?	No	-	-	-	-
Other comments	-	-	Welcome the addition of the seaweed farm as being fisherman, I know the habitual benefits it will bring.	I think the seaweed farm etc. is a very good idea in this zone or area. Totally gather nature in its glory and no chemicals etc. involved. Good all round in many ways. It will give jobs to local young men in this area and will not affect any second home owners that come here to live and possibly retire.	ATM (at the moment) we don't fish in the Bay. If we chose to in future. No negative impact.

The respondents were asked to indicate on Figure 2.0 where they use the Bay:

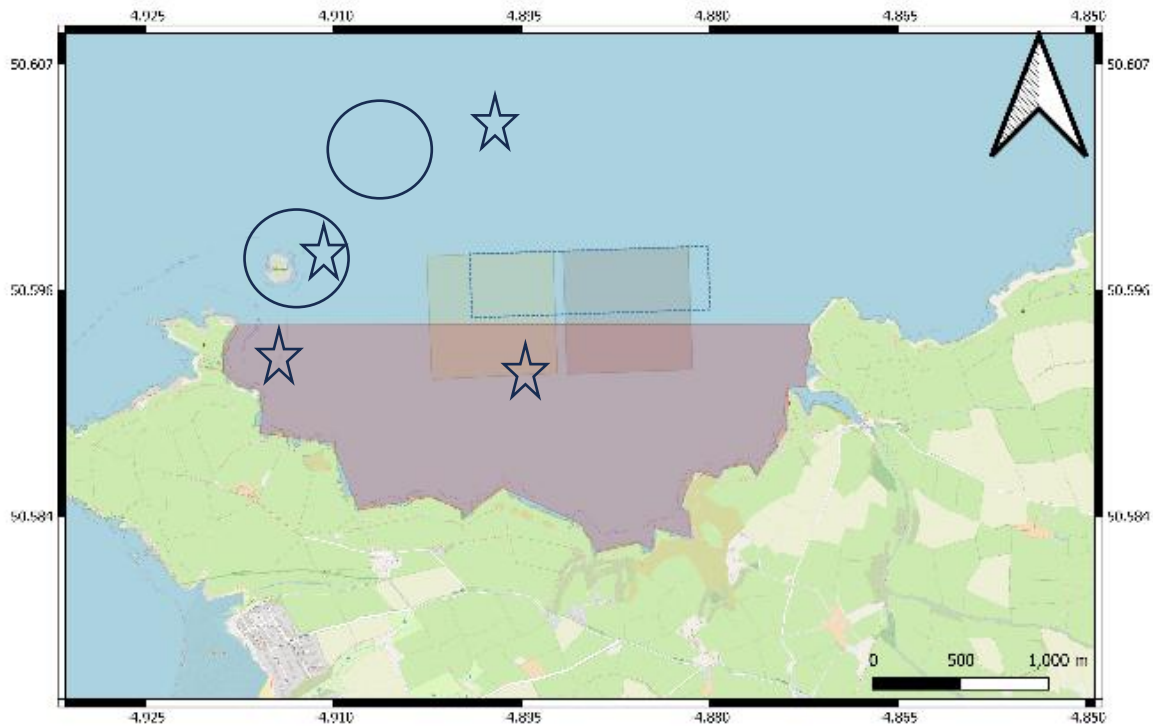


Figure 1.0: Utilisation of the Port Quin Bay areas by active fishers responding to the surveys (indicated by circles and stars).

The purpose was to formalise important perspectives from local operators working regularly in the Bay. A form of evidence the MMO confirmed would be acceptable pre-decision but where the appropriate opportunity to present it was not given – despite the fact it would have significantly informed the decision-making process.

The overall outcomes were supportive of the proposed farm, indicating no impacts on their business or access to the Bay, with professionals active in the Bay confirming low to medium levels of vessel activity.

In conclusion, CEFAS (Appendix 6) made a number of comments. Mainly minor (action). We have acted on a minor (no action) as well. All comments have been addressed based on the best data available (quantitative) and qualitative to supplement under 10 m information where quantitative data is unavailable to the appellants despite requesting it. A request was made to clarify sediment type within farm footprint and has been covered (see 6.4).

CEFAS agreed appropriate data had been used and timeliness of data was good. CEFAS felt the over 12 m vessels were assessed properly but the appellants have updated those data sources



too, as the whole process has gone beyond 22 months. CEFAS indicated the cumulative assessments were appropriate but this has now been significantly reduced, alongside line and infrastructure levels required (through withdrawal of MLA/2023/00308 and adjustments for navigational safety purposes within MLA/2023/00307).

The major comments were related to the under 10 fishing fleet and have now been addressed. However, in Appendix 6, it clearly states 'MMO are strongly advised to request this further information then re-consult CEFAS'. This was not followed. No offer to facilitate understanding with the fisheries officer/expert was made. Yet resolutions were possible. If meaningful engagement had been facilitated between the appellants and CEFAS at the point where they first become involved in statutory consultation (third round), the outcomes for fisheries and fishing would have been different, toward supporting the licence.

The appellants would ask the appeal board to consider a potential condition for the license (6.18) which would be to work alongside the CEFAS fisheries officer/expert to assist in further development of a detailed monitoring plan for fish/fisheries in replacement of the current high-level plan, if deemed appropriate.

CIFCA comments (third round of statutory consultation)

CIFCA forwarded a response on 27th November 2024 (Appendix 8), third round of statutory and wider consultation). Responses to CIFCA would have been facilitated alongside CEFAS if the MMO had facilitated meaningful engagement, pre-decision.

Based on the evidence presented within this statement, if the applicants/appellants had been facilitated that ability:

- Cumulative data sources present the levels of fishing activities within the statement. It clearly separates 12 m plus from 10 m and under vessels.
- The various sources of available and accessible data provide an overview on the fleet (all vessel sizes) within the 6 nm zone.
- The combined data used captures vessel data for a period between 2017 and 2025.
- The combined data, including surveys has been clarified and the importance of the ICES area where Port Quin falls for potting, lines and netting has been clearly identified and assessed.
- Camel Fish and Pentire Fishing acknowledge they are linked to the application but their knowledge cannot be dismissed. Their intention is not to represent the views of the whole local fleet – but rather impart valid knowledge from their professional perspective on those activities they can legitimately make comment on and supply evidence for.



- Within the various data sets and survey methods used, potting, lines and netting activities are clearly captured and differentiated. They are identified through species and quantities caught and are separated from beam trawls.
- The appropriate ICES area is covered.
- Their comments from a-f (Appendix 8) are resolved.
- Surveys consistently and repeatedly indicate direct support from the local fleet, covering a range of vessel size, types of fishing and locations – in the context of the proposed farms. There were multiple surveys from 2023-2025. A large number of local fishers are captured across these surveys – with a focus on owners of vessels 10 m and under (not captured within EMODNET or AIS data).
- Their comment related to Port Quin Bay not being a strategic area for marine aquaculture is questioned. Please refer to existing MMO maps (available on MMO website/portal) and direct CEFAS input to the applicants/appellants as highlighted within **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**. CEFAS created the maps based on very limited data. Port Quin Bay and the proposed location of the farm is a strategic area for aquaculture.
- CEFAS recognise it is likely to be suitable for seaweed farming. Other areas previously deemed potentially unsuitable for seaweed farming have been proven as suitable. CEFAS acknowledge limitations with the mapping system related to seaweed. CEFAS welcome updates and data from seaweed farmers, to continue to evolve and update the maps. They also welcome experienced farmers to share information and parameters around successful site selection and cultivation. This has included the original consultant (experienced seaweed farmer – see 7.1). Moreover, the applicants/appellants will apply a precautionary approach – trialling test lines with the Crown Estate, before expanding operations into the farm footprint gradually over time.
- Co-existence of legitimate users of the sea is to be promoted, as is aquaculture as a legitimate use of the sea. This is clearly addressed and answered positively.
- Diversification of fishers is to be supported and this is a clear case for Camel Fish. They are fishers, diversifying their future business endeavours sustainably in the face of changing politics related to fisheries and climate change. And maintaining their current 20+ years positive economic input into the North Cornwall area.
- CIFCA's concerns are reasonably and proportionately addressed and the outcomes remain: the proposed farm has no significant impact on fishing activity in the area. The two activities can co-exist. In addition, the overall farm impact has been reduced by 50% (withdrawal of MLA/2023/00308) and reduced by a further 60% for the purposes of navigational safety (increased line spacing and reduced infrastructure requirements).



NFFO

The NFFO (organisation representing fishers), forwarded comments for the first time within the third statutory consultation round. However, the applicants/appellants were not able to engage due to the MMO moving immediately to a decision.

Pre-decision, the appellants engaged the NFFO directly (see Appendix 5) who were willing to discuss and resolve issues, given meaningful engagement. This included clarification around impacts to fishing and comments around line spacing (50 m rather than 20 m). Which the appellants have subsequently incorporated.

The applicants/appellants informed the MMO at the pre-decision stage but this was ignored (Appendix 5).

The MMO relied on their comments within the final decision report (4.0). Which were a deciding factor in the negative determination.

MMO statements

MMO statements in the final decision reports were as follows:

'There is no description of the methodology used to inform the Fisheries assessment. Data provided is not site specific and lacks any contemporary data sources. There is no assessment of impacts against receptors and does not adequately assess any impacts in a clear and replicable methodology.

Furthermore, the chapter does not assess either commercial fisheries or the fish and shellfish resources in a way to accurately assess the impacts of the site on any receptor group. There is a lack of data beyond that presented in Coull. (1998)

The Fishery impact assessment in Chapter 13 provided Vessel Monitoring System (VMS), Automatic Identification System (AIS) and European Marine Observation and Data Network (EMODnet) data to inform the impacts on commercial fisheries.

However, EMODnet fishing intensity data only gives information on vessels over 12m. While the applicant has also used MMO landing data which covers fishing vessels of all sizes the time periods, the EMODnet data and landing data covers two separate time periods, 2022 and 2017-2020 annual average. In addition to this Figure 3 (page 241) includes fishing density data from 2020. The data suppresses the average totals due to the Covid-19 pandemic and should not be used. The interpretation of VMS does not account for the ping rate of VMS on vessels greater than 12m. Therefore, any conclusions drawn from VMS data is not reliable as the ping rate will not accurately capture fishing vessel density.



The assessment stated that fishing effort is relatively low and refers to the landing data to support this. However, landing data is not an indication of fishing effort and the MMO does not consider this sufficient to support the claim. The use of the landing data lacks any interpretation or discussion on what the information shows the MMO therefore is unable to understand the potential impacts.

The applicant quotes the Cornwall IFCA netting effort from 2017 to 2021 within International Council for the Exploration of the Sea (ICES) rectangle 30E5, as showing a decrease in effort of 0 to -1,000 Nh/km². The MMO note that the IFCA 2022 Summary Statistics are available. The 2018 to 2022 netting effort for ICES30E5 belted statistical area (BSA) 3A, shows an increase in effort between 0 to +1,000 Nh/km². The MMO note that these statistics and the landing data shows the importance of pots and nets within the statistical area that Port Quin falls into.

For fishing vessel activity of vessels under 12m in length that typically work in inshore waters, the spatial information contained within MMO landings data is too coarse to accurately represent the highly complex and dynamic activity of these fishers and it does not provide reliable information on where the fish was caught, but rather where it was landed. In light of this data limitation the applicant has informed their assessment using survey data from a fisher interview of ~12 local fishers that use static gears in vessels under 12m in length. The applicant concluded from their survey that whilst potting and netting is active within the Port Quin Bay area, the proposed farm locations and activity of seaweed farming will not affect their current operations and as a result, all the interviewees support the seaweed farm applications. While the survey results do provide a degree of qualitative information in support of their conclusions, the survey only captures about half of the under 12m vessel fishers that use Padstow and Port Isaac ports when landing their catch. Without being supplemented by additional quantitative fisheries data, the MMO does not have confidence that the interview and survey data is sufficient to represent the full range of fishing activity for under 12m vessels operating in the Port Quin Area.

The applicant stated within the assessment that “This data infers that activities such as trawling and dredging are not commonplace within the Bay area. This is further supported by our engagement with Pentire Fishing Limited, they discussed that they were the only fishers with a trawling vessel that was active within the bay, and they fully supported our proposed licensed site.” The assessment also references the “knowledge of Paul Blewett of Pentire Fishing Limited (Camel Fish) who has worked out of Port Quin for the past 20 years” as an evidence base to support their conclusions in their impact assessment on demersal gear fisheries. However, as

Paul Blewett is the lead applicant, this evidence base alone cannot be deemed appropriate and requires further confirmation from external sources.



The MMO received public representations from a fisher working from Port Quin who was unaware of the project during the initial consultation, they have also highlighted that their views nor those of the other fishers within the bay were sought by the applicant and have also highlighted the insufficient information within the assessments. Furthermore, there are conclusions throughout the document that, although may be valid, have not been supported by any published literature or appropriate evidence base being referenced.

In the Static Gear Fishing impact assessment, on page 225, the section stated that “During our communication with local fishers and potters (pre- engagement), they advised that whilst potting and netting is active within the Port Quin Bay area, the fishers have been able to adapt their static operations to take into account mariculture within the Bay.” As there is currently no aquaculture infrastructure in the Port Quin Bay area, it is not possible for static gear operations to have been adapted to accommodate any infrastructure.

The MMO cannot agree with some of the applicant’s conclusions and based on the available evidence is not satisfied that the project will not have significant impacts on fishing activity within Port Quin Bay.’

All the concerns listed by the MMO in the final decision letter (4.0) have been addressed by the applicants/appellants within this statement. If the applicants/appellants had been facilitated with meaningful engagement – specifically with CEFAS and the NFFO, but also CIFCA, pre-decision and following the third-round statutory consultations, the outcomes related to fishing and co-location, would have been determined differently.

- Methodology of assessment is clear. It is based on reasonable and proportionate data available to the applicants/appellants (following CEFAS advice). The appellants use contemporary landings and EMODNET data, in combination with sediment data (see 6.4 and 7.3) and fishing fleet views.
- All data available has been assessed appropriately – pre and post decision.
- The data differentiates between 12 m and 10 m or less vessels. It is based on complete and available data sets including surveys.
- The importance of the 10 m and under fleet, alongside pots, nets, lines and the shellfish contributions are clearly assessed.
- The applicants/appellants are expected to present the best data and science available for determination. They have made a more than reasonable effort to do so – especially if allowed appropriate meaningful engagement throughout the process.
- The local fleet were engaged on multiple occasions.



- Applicant knowledge and expertise/professionalism should not be ignored when expressed in context – and where imparting industry insights.
- Under 6.1 – the applicants/appellants were denied meaningful engagement with CEFAS, NFFO, the local fleet and even CIFCA, post third-round statutory consultation– which would have led to a different outcome – as demonstrated.

Conclusions

With regards to SW-FISH-1, SW-FISH 2 and SW-FISH 3:

SW-FISH-1 – Proposals that support sustainable fishing industry, including the industry’s diversification, should be supported.

The evidence supplied by the appellants pre-and post-decision would have clearly addressed all points in an evidenced-based manner to demonstrate support for a sustainable fishing industry. Moreover, this is an application for sustainable seaweed aquaculture (legitimate use of the sea) by an existing and proven fisher of 20+ years, wishing to diversify their income.

SW-FISH-2 - Proposals that enhance access for fishing activities should be supported.

Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference:

a) avoid

b) minimise

c) mitigate

- adverse impacts so they are no longer significant.

If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.

The impacts on fisheries and fishers are clearly and consistently demonstrated to not be *significant*. This is demonstrated within the combined evidence base presented. Whereas a low to lower-medium impact might be anticipated for potters, netters and line fishers within the Port Quin Bay area (particularly the 10 m and under fleet), there is consistent support from the 10 m and under fleet members/operators using these fishing methods – indicating that co-location and existence is possible.

Although not significant, the appellants have demonstrated respect to any levels of impact on fishers and a willingness to understand. They have demonstrated that with meaningful



engagement, post consultation, that they can clearly avoid, minimise and mitigate further (as evidenced).

SW-FISH-3 - Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, should be supported.

Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference:

a) avoid

b) minimise

c) mitigate

- adverse impacts so they are no longer significant.

The sediment type at the proposed farm site has been clearly and consistently identified pre- and post-decision (see 6.4, 7.3). It is coarse sediment (sandy gravel). Sandy gravel does not support spawning grounds.

NE clearly state the SAC (for porpoises, supporting habitats and feeding grounds) is not significantly impacted and this was based on two adjacent farms (MLA/2023.00307 and MLA/2023/00308), of which one was withdrawn pre-decision, halving potential impacts which were already deemed acceptable. A further 60% reduction in infrastructure on the same MLA/2023/00307 footprint of the proposed farm, further reduces what is already an acceptable level of impact (not significant adverse impact).

Migratory routes have been assessed and accepted as non-significant impacts within the HRA's (Salmon). See conditions (6.18).

Peer-reviewed research (Corrigan et al. 2024) demonstrates seaweed farms increase fish biodiversity – offering nursery and feeding grounds. When seaweed is harvested, that biodiversity would disperse to natural ecosystems within the Bay. And lines can be left unharvested (fallowed). The reef cubes (eco-blocks) to be used for anchorage of infrastructure clearly enhance biodiversity – especially in shellfish species which are commercially important to the under 10 m fleet (see 7.2). Proposals that enhance essential fish habitats should be supported.

The appellants have demonstrated no significant adverse impacts under SW-FISH-3. However, have gone further to avoid, minimise and mitigate further where possible, applying a reasonable and proportionate approach



6.4 Sediment Type

This section underpins a range of the South West Inshore Marine Spatial Plan codes used as justification by the MMO to reach a negative determination. It has significant bearing on SW-BIO-1, SW-BIO-2, SW-BIO-3, SW-MPA-1, SW-ML-2 and SW-DIST-1.

The consultant on the project used broadscale tools readily available to the public to initially establish the dominant sediment type in the area, such as EMODNET, DEFRA Magic Maps (refer to 7.1). The consultant correctly identified the sediment type as **coarse sediment**.

In addition, the applicants/appellants engaged two independent companies to further establish the sediment type.

The first company is Arc Marine (refer to 7.2). Arc Marine are a company of qualified professional marine engineers with 20+ years of experience. They specialise in reef-cube structures on the seabed for anchoring aquaculture infrastructure, protecting coastlines and enhancing marine biodiversity through artificial reef creation. They conduct a wide range of marine-based engineering projects, including projects in partnership with Regulatory Bodies and the MMO. www.arcmarine.co.uk. Arc Marine produced a report (Page 559 **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**). All engineering calculations conducted by Arc Marine for infrastructure stability were conducted using the sediment typology of **coarse**.

The second company is MSDS (refer to 7.3). MSDS are a British marine and coastal contractor. The team are experts and experienced professionals offering a range of maritime and marine archaeology and underwater cultural heritage services. A key part of their role is to identify sediment types for specific coastal locations. www.msdsmarine.com. MSDS produced a report (Page 488 **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**). They identified the dominant sediment type at the proposed farm site was **sandy gravel** within the original report submitted pre-decision.

Additional input from MSDS of relevance to classification of the sediment: Please refer to 7.3 (witness statement). Sandy gravel is identified once again (coarse sediment).

Ellwood (2011), within technical report (5) produced for JNCC (UKSeaMap) **defines coarse sediment as including gravel and sandy gravel**. As do the British Geological Survey (BGS).

Sandy gravel: gravel/shell gravel is the dominant particle size, with medium to fine sand particles making up the lesser fraction – which does not support the majority of fisheries for spawning (Runya et al. 2024).

Sandy Gravel is a **low sensitivity type benthic sediment** under NERC.

Information relating to the sediment type is clear and consistent throughout the application and independent reports. Coarse sediment is referred to **75** times throughout



MLA/2023/00307 FIR 1 and 2 Responses/HRAs. The sediment typology is consistently referred to as coarse sediment or sandy gravel – as they are scientifically and geologically the same thing.

However, within the Decision Report, the MMO state:

'Information relating to the seabed composition at the site is also unclear. While information was used from EMODnet seabed habitat mapping and DEFRA MAGiC maps to identify the habitat type, the data is too broadscale in this area to accurately assess the conditions at the site. This can be demonstrated by noting the differences between the site of the farms and the mapping data within the Padstow Bay and Surrounds MCZ which has had surveys undertaken. The MMO has also received information during the public representation that the habitat is sandy gravel as identified by the British Geological Survey seabed habitat mapping. The sediment composition is a key decision point on the overall integrity of the site and whether the eco-blocks would be sufficient as anchoring considering the sea conditions.'

The information reported by the MMO states the public/BGS identify the sediment type as **sandy gravel** (coarse sediment). This aligns with the sediment type identified throughout the application and information provided by the consultant/applicants and two independent groups of experts. The Padstow Bay and Surrounds MCZ surveys are 1 km + away from the proposed site (see 4.0 Decision Report). The specialist reports do not seem to have been considered by the MMO. The sediment typology *within the proposed site* has been determined using best available scientific expertise, data and evidence.

These facts could have easily been clarified with the MMO, given it is a '**key decision point**'. The appellants would have been able to point out it is clear and consistent, given the opportunity following the third round of statutory consultation (see 6.1). The applicants/appellants raised the issue with the MMO at the pre-decision stage. It was ignored (Appendix 5).

The MMO reported that CEFAS were originally satisfied with the benthic information provided by the applicants (4.0) within the third statutory consultation period.

However, in subsequent advice issued by CEFAS on 10th February 2025, CEFAS stated there was a lack of baseline benthic information (on sediment typology) and there was concern related to Pink Sea Fans being smothered by seaweed. It should be noted this information was received and accepted by the MMO two months after the third round of statutory consultation closed (see timeline).

The applicants/appellants were never provided with the responses from the CEFAS benthic team by the MMO. The applicants/appellants were not facilitated by the MMO to clarify the



new concerns or information with the CEFAS benthic team following the third round of statutory consultation (see 6.1) and additional comments on 10th February 2025.

Upon clarifying the sediment type with CEFAS, the presence of pink sea fans within the proposed sites would have been excluded (reef structures/rocks absent and they do not grow on sandy gravel). Pink sea fans require a hard, stable substrate for their basal holdfasts. A baseline survey would have been proposed by the applicants/appellants and agreed with CEFAS/MMO as a condition of the licence (see 6.18).

6.5 Marine Engineering

This section underpins a range of the South West Inshore Marine Spatial Plan codes used as justification by the MMO to reach a negative determination. This includes navigational safety (human health): SW-ACC-1, SW-CE-1, SW-TR-1 and SW-CO-1.

It also has significant bearing on marine life (environment) SW-BIO-1, SW-BIO-2, SW-BIO-3, SW-MPA-1, SW-ML-2, SW-DIST-1 and SW-CC-2.

The applicants/appellants submitted a professional marine engineering report to establish that the seaweed farm infrastructure would be stable within the conditions in and around Port Quin Bay. An independent company of marine engineers were consulted. It demonstrates the applicants/appellants robust approach toward providing information to the MMO and statutory consultants.

This is in contrast to seaweed farms in the region that have been granted a licence by the MMO – who did not submit independent marine engineering reports (refer to 7.1 and page 559, **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**).

The farms includes a 100 Ha licensed seaweed farm site in St Austell Bay (L/2023/00028/1), a 100 + Ha licensed seaweed farm site in Bideford Bay (L/2022/00127/1) and a 100 Ha licensed seaweed farm in Port Isaac (L/2023/00169/1: license retrospectively suspended (29th August 2025 to 27th February 2027) due to not providing a marine engineering report). Baseline sediment surveys pre-licence, were not required in any of the cases above. Data provided related to sediment typology was considered appropriate. L/2023/0028/1 and L/2023/00169/1 are actively located in Special Protection Areas (SPA's). All are located within an AONB (National Landscape). Please refer to 6.1 and Appendix 2 (related to band 2 and 3 status).

The Port Isaac licence was originally included by the applicants/appellants when assessing cumulative impacts – as it is in an adjacent Bay to Port Quin.



The independent company is Arc Marine (refer to 7.2). Arc Marine are a company of qualified professional marine engineers with 20+ years of experience. They specialise in reef-cube structures on the seabed for anchoring aquaculture infrastructure, protecting coastlines and enhancing marine biodiversity through artificial reef creation. They conduct a wide range of marine-based engineering projects, including projects in partnership with Regulatory Bodies and the MMO. www.arcmarine.co.uk.

Arc Marine produced a report (Page 559 **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**). All engineering calculations conducted by Arc Marine for infrastructure stability were conducted using coarse sediment (please refer to 6.4, and 7.2).

The calculations, assessments and report were conducted to a high and recognised standard/methodology: **DNV-OS-E301**.

Calculations are included for transparency. Data used within the calculations was in line with this standard/methodology and utilised *inter alia*, appropriate data sets related to currents, maximum waves and swell, 50-year storm data (accounting for climate change scenarios) and minimal water depths: all analysed over appropriate timeframes.

The result is resilient (stable) infrastructure, appropriately anchored for coarse sediment (sandy gravel) to ensure it remains in place within the proposed farm site, across the life of the farm, in all conditions. A conservative approach was consistently applied by the engineers to account for extreme scenarios.

In addition, the applicants/appellants clearly identify additional avoidance, minimisation and mitigation measures related to infrastructure stability within **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**. For example; detailed infrastructure maintenance schedules, regular line tensioning and the inclusion of GPS technologies to indicate the location and movement of lines. A clear schedule for deployment is described and a clear decommissioning method is described (refer to 6.14).

Within the decision letter, the MMO states:

‘The MMO note that there is an assessment of the hydrodynamics however this is considered relatively weak following consultation. Extreme wave events should also be considered due to the location of the site and a reason for using only data from between 2021 and 2023 is unclear. Information relating to the currents was also provided however information on where these figures were found was not included.’

‘Due to the lack of survey data on the habitat (sediment type) that is essential for ensuring eco-blocks will remain static over the lifetime of the farm, lack of information on the wave climate or consideration of future impacts due to climate change driving more storms into the South West and the site’s exposed location... the MMO based on the information it currently



holds cannot rule out significant impacts on marine life due to the risk of infrastructure failure, nor the risk to navigation within the bay that lost lines or buoys could pose.'

The engineering report was assessed by CEFAS Appendix 6). There was confusion around the CEFAS assessment which was relied on by the MMO to determine the licence negatively.

Following further investigation, CEFAS were assessing the wrong report/information. They did not assess the Arc Marine report. This is evident within the comments made (Appendix 6). Please refer to 7.2 (letter of support). This is a **significant procedural failure** – with the MMO not directing the statutory authority to the correct information or ensuring through due diligence that the correct information had been assessed. Which includes sediment assessment (6.4).

The MMO did not facilitate the applicants/appellants and Arc Marine to engage CEFAS – new statutory consultants (refer to 6.1). Which would have resolved this significant procedural failure.

The sediment typology and application of this to the marine engineering report (coarse sediment) and stability of the reef cubes (eco-blocks) is identified appropriately and referenced in the calculations (refer to 6.4). The design and anchorage of the infrastructure is stable and appropriately engineered.

Infrastructure stability will be addressed further under 6.6 (navigational safety) and 6.7 (marine mammals, birds and the SAC). As the CEFAS assessment was used to inform these sections within the MMO's negative determination.

The applicants/appellants raised issues with the MMO at the pre-decision stage. It was ignored (Appendix 5). Arc Marine, professionals and experts in their field were dismissed without engagement – despite adhering to a high-standard methodology and basing the report on best available science and data.

Updated Information:

Based on Biome Algae withdrawing their application for a 50 Ha farm in Port Quin Bay (MLA/2023/00308), plus sections 6.6, 6.7 and 6.9 MLA/2023/00307 remains an application for a 50 Ha farm (see 6.18) with identical infrastructure per line and within the Port Quin Bay:

The Camel Fish farm plan is for a single, maximum 50 Ha site in Port Quin Bay. Infrastructure lines are spaced 50 m apart instead of 20 m apart (see 6.6).

This is an initial **50% reduction** of infrastructure in the Bay, due to Biome withdrawing their application (MLA/2023/00308) – cumulative effects are significantly reduced (alongside the suspended license in Port Isaac).



It is also an **additional c.60% of infrastructure reduction** within the 50 Ha proposed site for MLA/2023/00307, due to a significantly reduced number of lines and buoys by increasing access lanes from 20 m to 50 m (see 6.6).

Rather than 144 grow lines, there is a total of **58 lines** with **116 anchor points** at maximum 50 Ha capacity (see 6.6). At each anchor point, 5 x appropriately weighted reef-cubes (placed flat and adjacent; with a combined total area of 20 m² per anchor point) will be required for stability (refer to page 559 **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**). In total, 580 **biodiversity enhancing** reef cubes are required. Covering **2,320 m²** total area of the seabed at full site capacity. A maximum of **464** buoys will be required (8 x per line, unlit), (reduced from 1,152). And **4** (not 8) navigational safety markers (lit) will be required. Only two rows of lines are required. Not four (see 6.6). The total weight of the blocks is **3,422 tonnef** (reduced from 8,496 tonnef).

Within the SAC, this covers **0.000039%** of the seabed – supporting habitat for Porpoise (total SAC area is 5,850 km²).

Natural England (NE) mentioned concern that the reef cubes (eco blocks) would be ‘piled up’ adding to instability (Appendix 9). That is not the information provided by Arc Marine within their report or by the applicants/appellants. The appellants and Arc Marine would have been able to further clarify this with NE had the MMO facilitated discussions following the third round of statutory consultation.

The significantly reduced, engineered infrastructure is appropriately stable and does not pose a significant risk to human health (navigation) or marine life (environment).

6.6 Navigational Safety

This section underpins a range of the South West Inshore Marine Spatial Plan codes used as justification by the MMO to reach a negative determination: SW-ACC-1, SW-CE-1 and SW-CO-1.

The appellants question the relevance of three of the South West Inshore Marine Spatial Plan codes used as justification by the MMO to reach a negative determination: SW-INF-1, SW-INF-2 and SW-PS-1.

Although the licence application remains for a 50 Ha farm, an adjacent seaweed farm was originally proposed within the same Bay under MLA/2023/00308 (Biome Algae Ltd). This application was withdrawn at the pre-decision stage (see timeline). The MMO had assessed



MLA/2023/00307 and MLA/2023/00308 together as a cumulative application (see Decision Report 4.0 which contrasts with Appendix 5).

In addition, a licenced 100 Ha farm in an adjacent Bay (considered against cumulative impacts) has been suspended for at least 18 months (L/2023/00169/1; from 29th August 2025).

As a result of Biomes withdrawal, the farm footprint has been slightly adapted to further improve navigational safety and access (risk to human health).

The applicants/appellants were not facilitated to engage with the MCA for the first time following the third round of statutory consultation (see 6.1), despite what is claimed in the Decision Report (4.0). Where concerns about the Navigational Risk Assessment and Emergency Response Plan (NSA) could have been discussed and clarified/amended (see 7.1). Particularly in light of the significant cumulative changes within the Bay that have material bearing. The applicants/appellants raised the issue with the MMO at the pre-decision stage (Appendix 5).

The NSA format and contents were similar in structure/content to a format previously agreed as appropriate between the consultant, the MMO and the MCA for similar seaweed farm license applications (see 7.1). The aim being to bring risks to ALARP (avoiding, minimising and mitigating where necessary).

As a result of the combined facts above, an updated NSA has been provided separately by the applicants/appellants for the appeal board to review (**NSA Sept 2025**). Aspects of the updated NSA are highlighted here within the appeal statement.

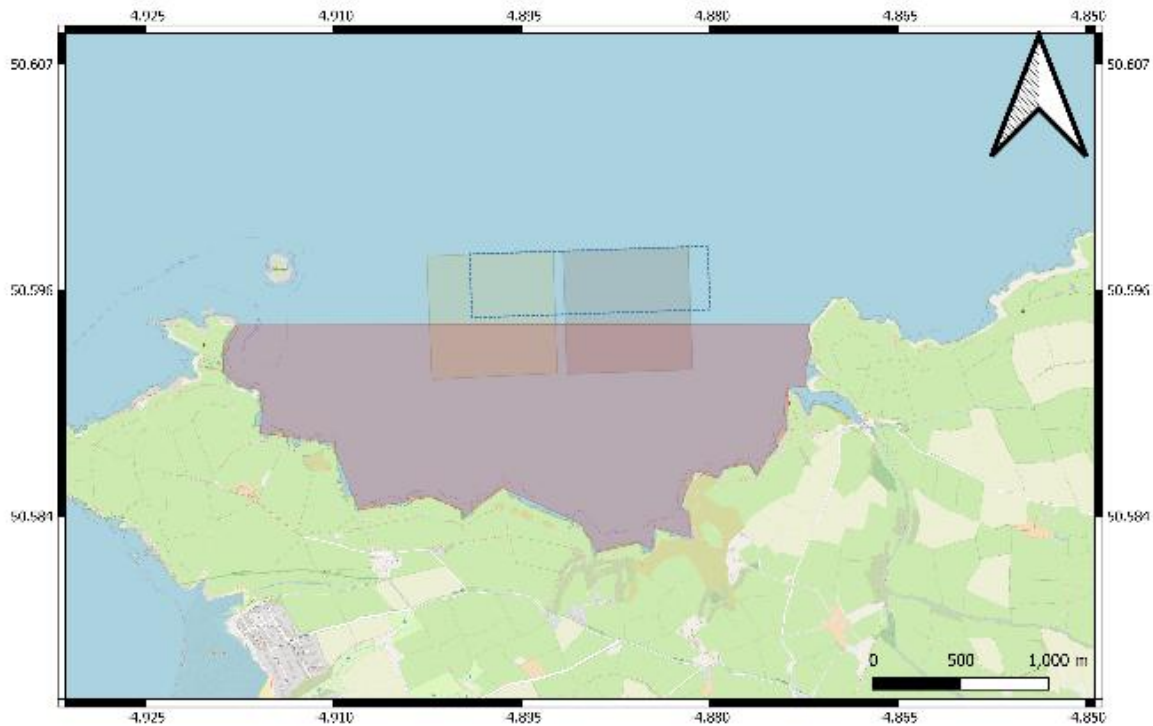


Figure 2.0: Updated farm footprint following Biome Algae's withdrawal under MLA/2023/00308). The pink area represents the Port Quin Bay area including safe anchorage area, as identified by the MMO/MCA. The two faded squares represent the farm footprints for MLA/2023/00307 and MLA/2023/00308 (cumulative). The blue rectangle is the adapted position for MLA/2023/00307, which would have been proposed with appropriate meaningful engagement.

The GPS points* for the adjusted 50 Ha farm footprint are:

- NW: -545383.614 / 6550424.115
- SW: -545365.084 / 6549854.983
- SE: -543226.206 / 6549929.102
- NE: -543247.383 / 6550495.587

* will require updating in original application



Line Spacing (NFFO)

Within the Decision Report (4.0), the MMO stated:

'The MMO also received representation from the NFFO stating that the 20m separation lanes were insufficient and that the "widely accepted" minimum safe distance is 50m. They further state that the tidal and environmental conditions in the region would inhibit safe transit through the site with only 20m clearance between the lines.'

The applicants/appellants reached out to the NFFO to engage following the third statutory consultation. The NFFO indicated they would have been open to discussing through their concerns raised for the first time, with the applicants/appellants to find resolution. The applicants/appellants informed the MMO, pre-decision. It was ignored (see Appendix 5).

Without being afforded meaningful engagement through the MMO, the ability to discuss the matter with the MCA and NFFO was not possible. However, had this been afforded, the outcome would have been that the applicants/appellants would have erred on the side of caution and spaced the lines at 50 m distances. The impacts of which are discussed within this section and in 6.5 and 6.7.

Updated Farm Plan, Metrics and Distances

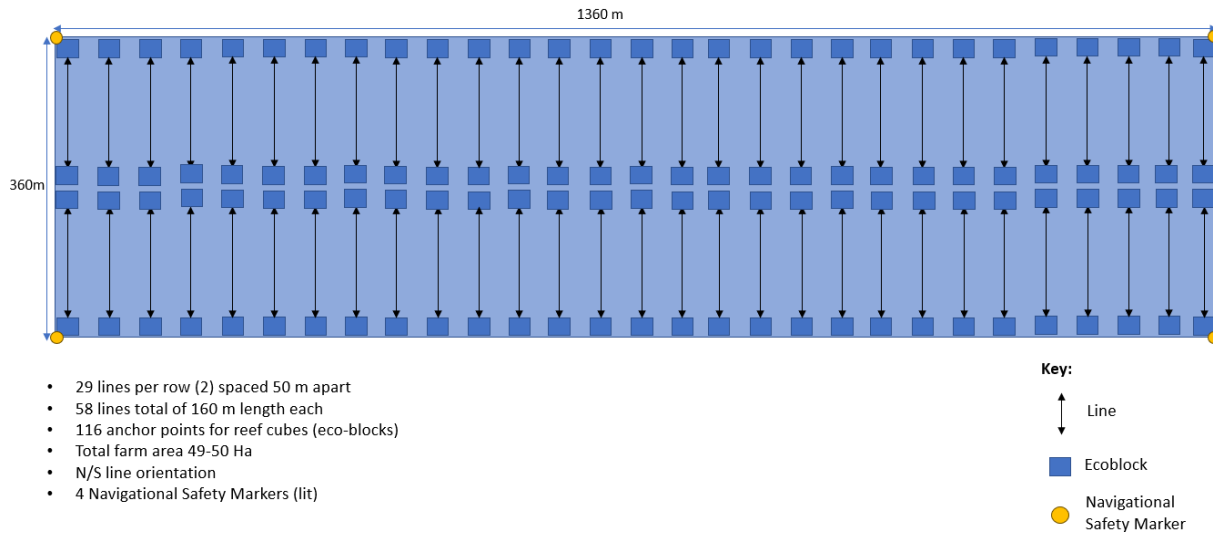
The farm plan required updating as the adjacent 50 Ha farm was withdrawn (MLA/2023/00308). Which had significant bearing on navigational safety. MLA/2023/00307 remains a 50 Ha seaweed farm application in the same location.

The c.50 Ha farm area is 1,360 m x 360 m. In terms of distances from the coastline – these have increased:

- 1 km from Moul's (west coast) which is in line with Natural England's suggestion to increase the distance from seal haul out sites and bird colonies.
- 900 + m from the south coast (closest point).

These distances remain similar:

- 640 m from Doyden Castle coast (east coast).
- 570 m from the east coast (closest point).



The infrastructure metrics of the previous combined licence applications (MLA/2023/00307 and MLA/2023/00308), the proposed Camel Fish site with 20 m spacing and updated Camel fish site with 50 m spacing (as recommended):

Infrastructure/metric	2 x 50 Ha farms	1 x 50 Ha farm (20 m line spacing)	1 x 50 Ha farm (50 m line spacing)
Navigational safety markers	8	4	4
Growing lines	288	144	58
Rows of lines	4 per adjacent farm	4	2
Maximum buoys	2,304	1,152	464
Total anchor points	576	288	116
Total reef cubes (eco-blocks)	2,880	1,440	580
Total area of seabed (each anchor point = 5 x reef cubes & totals 20m ² area)	11,520 m ²	5,760 m ²	2,320 m ²
Total weight reef cubes (Tonnes): 29.5 Tf per anchor point	16,992	8,496	3,422
Total area of seabed as a % of the Bristol SAC (supporting habitat): 5,850 km ²	0.00019	0.000098	0.000039



This highlights the significance of MLA/2023/00308 being withdrawn (50% reduction of the combined footprint) and a further 60% reduction of the infrastructure required for MLA/2023/00307.

Anchorage

Within the Decision Report (4.0), the MMO stated the following linked to navigational safety and risk to human health – which they rely on heavily for a negative determination:

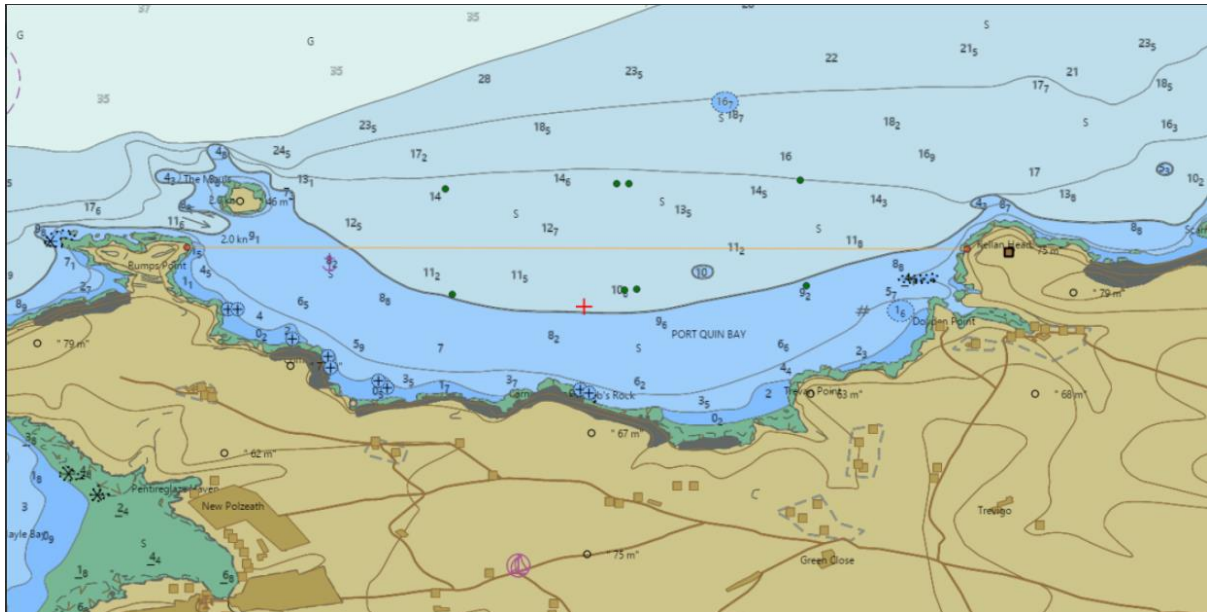
‘During the processing of this application the NSA has been revised with Trinity House and the MCA consulting on the document along with the application in general.

Despite these responses the Applicant has still not considered sufficiently the impacts of the project on navigation within Port Quin Bay. Following consultation with the MCA the MMO disagrees with the statement that 90% of the bay will remain open for other marine users. Port Quin Bay is an important anchorage for vessels in the event of adverse conditions. The Applicant has only considered the anchorage as a fixed point and stated on p.476 of the RFI document submitted on 22 October 2024 that “the proposed farms will not prevent them from accessing the Bay for shelter or the safe anchorage point”. However, Nautical Publication - West Coast of England and Wales Pilot Books published by the Admiralty in Chapter 2, Section 2.62 lists the Port Quin Anchorage as “between the promontory, of which Rumps Point (50°35′-64N 4°55′-48W) (2.56) is the W extremity, and Kellan Head (50°35′-72N 4°52′-20W) (2.58), 1 ¾ miles E, the E extremity”. This is shown by the orange line in the image below. The coordinates of the anchorage provided in the publication are also plotted in the image below as the red cross, which is within the proposed seaweed sites (shown by the green dots on figure 1). The proposed sites would therefore directly encroach on a recognised anchorage, both charted and noted in nautical publications. Larger vessels with 4m plus draught would prefer to anchor in deeper water where the farms would be located, rather than anchor in the two channels east and west of the farms which are in shallower water. Although there are not as many cargo vessels entering the bay to anchor as smaller recreational vessels, the anchorage is a charted location for vessels of any size to take safe harbour. The proposed farm along with the similarly proposed seaweed farm by Biome Algae Ltd (MLA/2023/00308) will squeeze available sea space. While EMODnet suggest navigation around the sites is feasible, this needs to be considered in the context of poor weather and poor visibility.’

The applicants/appellants were not given the opportunity to respond to the MCA comments from the third round of statutory consultation or engage meaningfully with them. If that had been facilitated, the information presented here would result in a different outcome.



Anchorage map provided by the MMO within the Decision Report (4.0):



The anchorage area is indicated in the map above (yellow line) and in Figure 2.0 (pink area). The original double farm locations can be seen in both maps (green dots/faded squares). The adjusted single farm location is indicated in Figure 2.0 (blue rectangle). The anchorage area is not operated or managed by Padstow Harbour Authority. It is outside of their jurisdiction. It is managed by the MCA.

Although the applicants/appellants do not agree that the 'red cross' is within the farm footprints, as the MMO suggest, it is clear from Figure 2.0 that the proposed farm footprint is outside of the designated anchorage area. It does not encroach on the recognised anchorage both charted and noted in nautical publications.

This frees up shallower and deeper locations throughout the Bay within the whole anchorage area, for vessels of various draughts to anchor safely. The applicants/appellants presented the MMO with **examples** of different vessels anchoring in the Bay over time (covering a range of sizes). It was not an exhaustive list. Vessel data has been updated in the NSA (**NSA Sept 2025**).

The new, extended distances from the farm site to the west coast (1 km +) facilitates good vessel access in adverse conditions without squeeze, along with the farms recorded location on nautical charts and presence of navigational safety markers, as per Trinity House instructions.

The distances are similar from the proposed farm site to the east coast as they were in the combined farm site applications. The distances are half a kilometre plus. The distance should



facilitate good vessel access in adverse conditions. However, the comments raise in the third round of statutory consultations raised concerns of squeeze in adverse conditions.

It is the applicants/appellants intention to further minimise and mitigate risks to human health and navigational safety. Therefore, the applicants/appellants suggest that if considered necessary by the appeals board, a condition of the licence could be to reasonably reduce the farm footprint on the east side to ensure ample access to the anchorage area for vessels of all sizes, even in adverse weather conditions or poor visibility. Please refer to 6.18. In addition, this would further reduce the infrastructure required.

This was all raised with the MMO pre-decision but was ignored (6.1) – particularly with respect to the withdrawal of MLA/2023/00308 (see Appendix 5).

The NSA & Vessel Assessments

Within the Decision Report (4.0), the MMO stated the following linked to navigational safety and risk to human health – which they rely on heavily for a negative determination:

‘The MMO has concerns over the data used to inform the Navigational Risk Assessment along with impacts on tourism and recreation within the bay.

The vessel tracking data used from EMODnet and Automatic Identification System (AIS) appears to be taken from 2017-2021. More recent vessel data should have been used in the NSA to assess the risks posed in the current operational environment. The data on cargo vessels is incomplete as the MMO are aware of other cargo vessels that have used the bay for anchorage from 2023 that are not included in the cargo vessel list on page 473 of the RFI document submitted by the applicant on 22 October 2024.

AIS (or EMODnet) data are not reliable indicators of use of an area by small craft, as the percentage carrying AIS transceivers is low. There is reference on page 343 to use of the RYA “seaTRK” [sic] and “Coast Atlas” [sic]. The RYA Coastal Atlas contains data from AIS and SafeTrx systems. While the Atlas shows low levels of recreational activity in Port Quin Bay, it is not compulsory for recreational boats to transmit AIS and SafeTrx is also a voluntary scheme. Therefore, the use of AIS in this area is not on its own an adequate indication of recreational activity. The Applicant notes that the proposed farm lies within the blind spots of National Coastwatch Institution observation stations so there is no visual data to support the applications, and reliance is made on conversations and anecdote.

References are made on several pages within the RFI to the “Pre-engagement log” to evidence the above consultations. The log indicates one individual from one sailing club offering “no objections” on the basis of a face-to-face conversation. The MMO does not consider this to be adequate consultation, or indeed evidence, as there is no indication as to the nature of the



information provided, the actual date of the conversation or the circumstances of the meeting. The column “Letter of Support” does not indicate that any clubs offered their formal support to the project, so the above statement is unsupportable by the evidence. Some comments in the pre-engagement log suggest consultation with the “Port Quin Sailing Club”. Information from consultation with both the RYA and from representations from the public consultation suggest that this club does not exist. The MMO has found no evidence that such a club exists.

The MMO therefore concludes that based on the available evidence, the MMO cannot rule out that the construction and operation of a seaweed farm within Port Quin Bay would not pose a risk to navigation, other sea users, and the ability of the relevant authorities to respond to any emergency within the bay.’

Various sources of vessel data were used to establish traffic levels within Port Quin Bay. This included AIS data sources (EMODNET and SeaTRK data) and Coastal Atlas data (recreational vessels).

The applicants/appellants provided data to assess traffic levels and present proportionate and best available data or evidence with regards to the licence application and the decision-making process. These were data sources that were previously used in combination by the MMO to assess traffic for similar seaweed farm licences in the region that were approved (7.1), which included L/2022/00127/1 and L/2023/00028/1.

The absence of NCI data is noted by both the applicants/appellants and the MMO. It is not possible for every coastal application to have access to this data given locations of the NCI in areas at most risk for navigational safety. However, the applicants approached businesses to provide an additional data set. This was to be used in combination with the numerous data sources submitted.

Post-decision and in preparation for this appeal, the applicants/appellants further surveyed local businesses operating at sea to further fortify data sets available. The aim is to provide additional local insight.

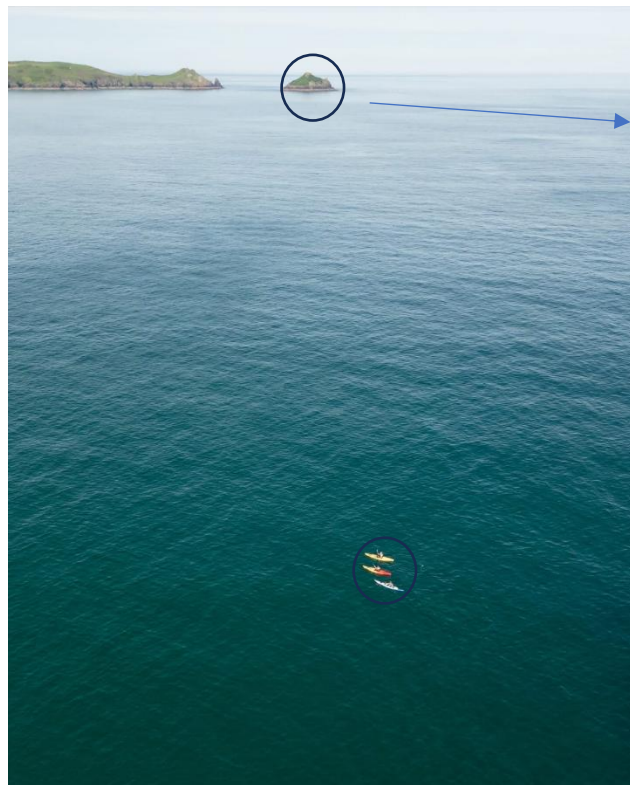
The information presented by the businesses assesses traffic types and vessel densities that agree with the other data sources presented – and includes input from Rock sailing club.

Figure 2.0 clearly demonstrates that the farm location is further offshore. There is a significantly reduced footprint (with regard to previous adjacent applications (MLA/2023/00307 and MLA/2023/00308 – 100 Ha and MLA/2023/00308 subsequently being withdrawn). There is 60% less infrastructure within the proposed farm site. The existing bay area open for other recreational uses is c.90% of the bay area (encompassing the whole safe



anchorage area), up to 900 + m offshore and access points in and out of the bay have been remediated (area in pink and to the west and east of the proposed site).

For approximate scale-based context, we provide a photograph (available in a public social media forum). It shows three kayakers (personal equipment for enjoying the sea recreationally) traversing part of the inner bay area in question (view restricted therefore expanse of the full inner bay area is not captured). The farm would be located 1 km to the east of Mouls Island (in rough direction of the arrow outside of the view captured) and what is visible is part of the west vessel access channel into the Bay. The island is visible c.1 km in the distance:



The aim is to reasonably/proportionately consider all the evidence in combination with the NSA (**NSA Sept 2025**), the standardised VIA's produced in 6.9 and assessments/information within the appeal statement for appeal board purposes. Combined, it demonstrates that safe access and co-location of legitimate uses of the sea is feasible. Furthermore, human health is not at significant risk. And risks can be bought to ALARP.

Please refer to section 6.12 and 6.13 related to Port Quin Bay sailing club and Combe Martin. And the updated NSA with contemporary vessel data for additional clarity, given the process took 22 months (**NSA Sept 2025**).



Water-borne businesses active in Port Quin Bay (excluding commercial fishing)

In the absence of NCI data and as part of expected 'meaningful engagement' post statutory and public consultation round three, the applicants/appellants issued a survey to a range of water-borne businesses operating out of Port Quin Bay (September 2025). This was done to support existing and valid data sets but also to support requests for information and engagement with the applicants/appellants from CEFAS. Unfortunately, the appellants were unable to fulfil the request due to the MMO's decision to determine ahead of due diligence with a new statutory advisor. These included sea safari companies, fishing charter companies and a diving company. The purpose of the surveys was to ascertain levels of business activity, vessel activity and perceived impacts of the proposed farm in Port Quin Bay. The applicants/appellants can provide the original surveys to the appeal board as evidence (if requested) in line with GDPR. However, the outcomes from returns are summarised below:

Business	1	2	3	4	5
Business type	Charter fishing vessel	Charter fishing vessel	Passenger tours	Dive school	RYA registered sailing club
Vessel size (m)	11.6	11.5	24	8	N/A
Years operating	30	12	Since 1977	30	Since 1970
Months in Port Quin Bay	Sept-Oct	March - Sept	March -October	April-November	May – end Oct
Frequency/month	8-10 times	Not often	Twice daily (weather permitting)	6+ per week	1,200 members – some access/use the Bay but mainly Camel Estuary & Padstow Harbour
Hours/month	10	0-20	1.5 per trip (60 Hrs +)	150	As above
Farm: Negative impacts on business?	No	No impact at all	No – not at all	No	Unlikely to impact
Farm: negatively impact access in Bay?	No	-	No – not at all	No	No
Aware of positives of seaweed farms?	Yes	Yes – currently not a lot of fish in that area.	Yes – attracts more birds and dolphins	Yes - seen good results in St Austell Bay* *(seaweed/mussel farms)	Yes – but members may not know
Types of vessels observed in Bay?	Sea safaris, commercial fishing, leisure & kayaks, commercial	-	Fishing vessels	Every type Sea safaris Fishing (limited levels in Bay)	Safari boats, boat trips, fishing, sailing, powerboats
Seasonal vessel presence	Winter: low Spring: Low Summer: Med Autumn: Low	-	Winter: N/A Spring: Low Summer: High Autumn: Low	Winter: None Spring: limited (4) Summer: 20 Autumn: 4	Winter: None Spring: commercial Summer: leisure



					Autumn: commercial
Have you observed high sailing levels in the Bay during business operations?	No	-	NO - never	No	Sailing is mainly other locations – planned & co-ordinated by PHC
Other comments	-	-	Not a problem for the business at all.	Would not affect business negatively – lots of positives with increased shelter for juvenile fish.	The main concerns with members are aesthetics & rotting seaweed on beaches

Note: the survey was issued to 21+ water-borne stakeholders covering businesses and fishers. A sheet was signed and dated by all recipients of surveys (can be provided as evidence to the appeal board if requested and under GDPR protections). The table represents all business returns (excluding commercial fishing).

Business respondents were asked to indicate on Figure 2.0 where they use the Bay:

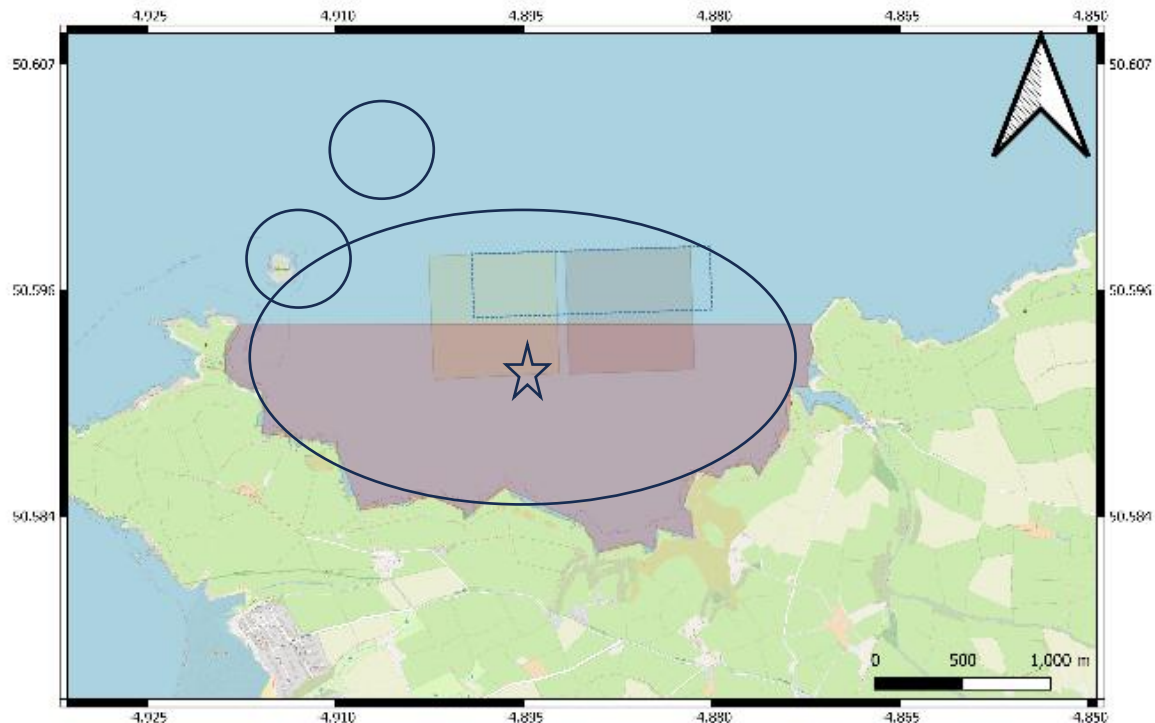


Figure 3.0: Utilisation of the Port Quin Bay areas by active water-borne businesses.



The purpose was to formalise important perspectives from local operators working regularly in the Bay. A form of evidence the MMO confirmed would be acceptable pre-decision but where the appropriate opportunity to present it was not given – despite the fact it would have significantly informed the decision-making process.

The overall outcomes were supportive of the proposed farm, indicated no impacts on their business or access to the Bay, with professionals active in the Bay and sailing clubs confirmed overall low to medium levels of vessel activity, with medium to higher levels observed in Summer (peak period).

NSA, ERP and the RNLI

With reference to the RNLI and safe navigation in emergencies, related to human health, the following is significant with regards to the project and role of the RNLI:

- The licence footprint has been reduced significantly (50% following withdrawal of MLA/2023/00308).
- The infrastructure required is significantly reduced (60%).
- The spacing between growth lines is significantly increased (by 30%) to 50 m.
- The number of rows of lines has been significantly decreased by 50% (two rows vs four rows previously).
- The proposed farm is further offshore outside of the Bay (see Figure 2.0) freeing up c.90% of the inner Bay area (within safe anchorage zone) for access.
- Channels to the west and east can easily accommodate the vessel sizes operated in the region by the RNLI.
- The applicants/appellants have consistently provided information on infrastructure maintenance/minimisation and mitigation methods – as described above.
- There is professional clarity around the sediment typology and engineered stability of the infrastructure.
- Clear mapping of the facilities on all navigational tools/admiralty charts and issuance of notices during active periods, as per licence conditions, will further protect human health.

Please refer to the updated **NSA Sept 2025**.

The applicants/appellants engaged with the RNLI pre- the Decision Report. The practicalities of securing human life as the priority in a risk scenario was discussed. The RNLI members interacted with indicated that the facilitation of practise drills around and within the farm would be important. The applicants/appellants supported this. And integrated it into the original NSA and the updated version (**NSA Sept 2025**).



The emergency response plan (ERP) within the NSA is standard/proportionate/in line with comparable licence conditions. It is implemented across a number of similar longline aquaculture facilities operating across the region (both seaweed and shellfish farms). The consultant used has witnessed this plan implemented successfully – working with the RNLI and harbour masters to ensure human life as the priority and navigational safety (see 7.1).

Sediment and Stability (Engineering)

In section 6.4 and 6.5, issues around the sediment typology and stability of the engineered infrastructure were clarified in conservative (extreme) conditions within Port Quin Bay. The sediment is clearly identified as coarse (sandy gravel) and the infrastructure stabilised by professional engineers using appropriate data and a recognised standard (DNV-OS-E301). The reduced infrastructure does not pose a significant risk to navigational safety. Further minimisation is clearly proposed through maintenance schedules and tensioning.

The South West (Inshore) Marine Spatial Plan

SW-ACC-1: Projects that support enhanced/inclusive public access will be supported.

There are clear opportunities for inclusive public access suggested by the applicants/appellants within the overall application.

Secondly, are there significant adverse access effects? The cumulative evidence presented by the applicants/appellants indicates access is not significantly impacted (including data and surveys). With (i) meaningful engagement post statutory and public consultation round three, as should have been afforded by the MMO, and (ii) the withdrawal of MLA/2023/00308; the avoidance, minimisation and mitigation measures suggested by the applicants/appellants within the appeal statement significantly reduces potential access impacts – further safeguarding human health.

SW-CE-1: The cumulative effects of projects/proposals need to be considered with other proposals/projects in the region. Existing, authorised and reasonably foreseeable projects/proposals should be considered. Pre-decision, the MMO were aware that MLA/2023/00308 was withdrawn (50 Ha adjacent farm). The Port Isaac license (100 Ha farm) in an adjacent Bay a few miles from Port Quin, post-decision has been suspended. But not fully revoked by the MMO at this stage – so considered by the applicants/appellants as still active. Cumulative effects have previously been assessed by the applicants and MMO, but these have not been adjusted accordingly by the MMO (see Appendix 5 and Decision Report 4.0).



Through the applicants/appellants due diligence with The Crown Estate, no other projects or foreseeable projects are proposed within Port Quin Bay and the conflict plan remains clear – When considered in combination, the cumulative effects are not significant and have been avoided in the case of MLA/2023/00308 being withdrawn.

SW-CO-1: Projects that optimise the use of space and incorporate use will be supported (co-existence). Please refer to SW-ACC-1 and SW-CE-1 above. Previous mitigations need to be considered alongside changes/suggestions based on appeal grounds (6.1-6.17); those implemented by the applicants/appellants, if they had been afforded meaningful engagement by the MMO, post statutory and public consultation round three. This is inclusive of additional licence conditions proposed by the appellants (see 6.18) to further avoid, minimise and mitigate impacts to a non-significant level. Furthermore, data sources and survey outcomes suggest no significant issues with co-location.

SW-INF-1, SW-INF-2 and SW-PS-1:

The applicants/appellants question the use of these codes by the MMO when determining the license negatively. It is believed they have been **applied inappropriately** within the Decision Report (4.0).

Initially, the applicants/appellants believed SW-INF-1 And SW-INF-2 was related directly to the actual at-sea farm infrastructure, sediment and stability (which has been clarified).

However, this is not the case.

SW-INF-1 and SW-INF-2 are related to projects being supported where marine-based activities directly support existing safeguarded landing (land-based) facilities or those same land-based facilities support marine-based activities from an infrastructure perspective. Specifically, this is supported where projects or proposals diversify sustainable marine industries (SW-INF-1). Moreover, it is to reject projects that require alternative infrastructure development at existing safeguarded landing facilities (such as Padstow harbour) or where the proposal is adjacent and opposite to a safeguarded landing facility which results in significant negative impacts for that facility (SW-INF-2). Please also refer to SW-PS-1 below.

The safeguarded landing facilities at Padstow do not require infrastructural development or adaptation in order to land seaweed dockside, as opposed to landing sediment, shellfish and fish through dredging, potting, netting, line-fishing and trawling activities (current activities). The landing facilities and equipment they have (and the applicants/appellants have, including vessels that already regularly dock there, offload and contribute to harbour running fees) is completely appropriate for landing seaweed. The landing of seaweed will occur in periods



where sediment is not being landed and will be in reasonable proportionate replacement of current Camel Fish and Pentire Fishing landings of fish and shellfish.

The reduced grow lines (50 m gaps) and withdrawn 50 Ha Biome site (MLA/2023/00308, results in less seaweed landed per season (60% and 50% overall, respectively). At maximum capacity, the proposed site would land c.**580 wet tonnes** total. This is significantly different to the previous c.**2,880 wet tonnes** that would have been landed in combination previously. Nothing has been landed to date from L/2023/00169/1 (2 years), nor can be landed from the same Port Isaac for an additional 18 months (suspension) - with a revoked licence a possibility.

The landing of seaweed represents a new, diversified sustainable marine industry in the region enabling fishers to diversify in parallel.

The proposed farm site is not in close proximity to or directly opposite a safeguarded landing facility (such as those designated for water-borne transport, logistics, wharves, docks or slipways – designated for the critical loading/offloading of goods or people) and therefore does not significantly obstruct their function. This is avoided (see distances to shore)

Regarding SW-PS-1: this refers to projects being supported that demonstrate a compatibility with current port and harbour activities. Please refer to SW-INF-1 and SW-INF-2 above. Open Port Duties are a significant factor here. Safeguarded landing facilities (in this case, Padstow Harbour Authorities) have a legal and statutory duty within their remit to provide a public service, to keep the port open and provide access for the loading/offloading of goods and passengers from **legitimate users of the sea**. This service is open to all. It is not exclusive. And should be facilitated in full by local authorities. Camel Fish (applicants/appellants) are already long-term functioning members of this port.

Further, SW-PS-1 refers to harbour authorities ensuring that no proposed project would interfere with compliance within their specific duties related to the Port Marine Safety Code - where support under this code would not be given if a proposal would have a detrimental and significant material effect on navigational safety within their area of jurisdiction. This applies to designated safe anchorage areas within their physical area of jurisdiction. The safe anchorage area in Port Quin is not within their jurisdiction area.

The MMO confirm themselves within the public information portal site depicting a timeline of licence progress for Port Quin, that Padstow Harbour Authority does not have jurisdiction.

Navigational safety and the safe anchorage area in Port Quin Bay have been addressed within this section. In conclusion, the applicants/appellants have supplied sufficient evidence to ascertain that MLA/2023/00307 will not have significant impacts on human health.



6.7 Marine Mammals, Birds and the SAC

This section underpins a range of the South West Inshore Marine Spatial Plan codes used as justification by the MMO to reach a negative determination: SW-BIO-1, SW-BIO-2, SW-BIO-3, SW-MPA-1, SW-ML-2, SW-CC-1 and SW-DIST-1.

The information presented within this appeal statement is relevant, and further clarified, if meaningful engagement with statutory bodies had been facilitated by the MMO, pre-decision and post the third round of statutory consultation. The withdrawal of MLA/2023/00308 pre-decision is also of material importance.

The MMO state that insufficient information was supplied to ascertain the proposed farm will not have significant impacts on the environment: The focus was on the integrity of infrastructure and entanglement risk:

‘During the consultation periods, questions and concerns around the integrity of the site have been received by the MMO. Within the RFI document submitted on 22 October 2024, the applicant provided a report from ArcMarine outlining the design of the site along with further information relating to the wave regime in the area.

The MMO consulted with the coastal processes team from CEFAS along with the MCA and Natural England, as the risk of a failure in the farm infrastructure could pose a risk to marine life and navigation.

The MMO note that there is an assessment of the hydrodynamics however this is considered relatively weak following consultation. Extreme wave events should also be considered due to the location of the site and a reason for using only data from between 2021 and 2023 is unclear. Information relating to the currents was also provided however information on where these figures were found was not included.

Information relating to the seabed composition at the site is also unclear. While information was used from EMODnet seabed habitat mapping and DEFRA MAGiC maps to identify the habitat type, the data is too broadscale in this area to accurately assess the conditions at the site. This can be demonstrated by noting the differences between the site of the farms and the mapping data within the Padstow Bay and Surrounds MCZ which has had surveys undertaken. The MMO has also received information during the public representation that the habitat is sandy gravel as identified by the British Geological Survey seabed habitat mapping. The sediment composition is a key decision point on the overall integrity of the site and whether the eco-blocks would be sufficient as anchoring considering the sea conditions.

Due the uncertainty regarding the integrity of the infrastructure the MMO does not agree with the applicant’s conclusions that the farm would not pose a risk of entanglement with marine mammals or birds. The applicant has considered monitoring measures such as



trackers, cameras and transponders on the main buoys. However, this does not reduce the risk of entanglement as it deals only with the recovery and not impacts on marine life between infrastructure failure and retrieval. While the applicant has presented information based on other seaweed farms globally, the MMO is concerned on reviewing the source documents that the applicant has been selective in interpreting the data and that the risk of entanglement has not been assessed fully.

Due to the lack of survey data on the habitat that is essential for ensuring eco-blocks will remain static over the lifetime of the farm, lack of information on the wave climate or consideration of future impacts due to climate change driving more storms into the South West and the site's exposed location and the lack of evidence based assessments on marine mammal entanglement the MMO based on the information it currently holds cannot rule out significant impacts on marine life due to the risk of infrastructure failure, nor the risk to navigation within the bay that lost lines or buoys could pose.'

CEFAS and MCA were consulted for the first time or made comments for the first time, respectively, in round three of statutory consultation. Meaningful engagement with either body was not facilitated by the MMO pre-decision.

- With regards to the MCZ within the vicinity of the proposed farm (1 km distance), it was agreed there would be no significant impact.
- With regards to the SAC the proposed farm occupies space in, it was agreed there would be no significant impact on species or supporting habitats.
- With regards to the specific HRA's, it was agreed no significant impacts were likely.
- The proposed farm is noted as being within the vicinity of an SSSI/Mouls (home to marine mammals/birds). Following NE feedback (round three consultation) and withdrawal of MLA/2023/00308, the distance is 1 km from the SSSI, as advised.
- Regarding assessments of entanglement risks for marine mammals and birds – these can be found on pages 48 and 93 of **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**. These are highly detailed assessments. They are evidence based. A very wide range of data sets, evidence and published research is applied in each assessment. For example, 32 references are used in the marine mammals assessment, 3 of which are local.
- Any clarification required from the applicant related to the global evidence sources used should have been requested through meaningful engagement with the applicants/appellants post the third round of statutory and public consultation. These could have easily been clarified with the consultant, who is a published marine researcher (24 peer-reviewed publications) and experienced seaweed farm operator.



- The evidence presented clearly indicates that on global and local levels, entanglement risk for marine life is low from aquaculture longline systems. The evidence includes appropriate local NGO reports analysed in depth.
- Please refer to 6.4 and 7.1, 7.2 and 7.3 with regards to sediment assessment.
- Please refer to 6.5 and 7.1, 7.2 and 7.3 with regards to infrastructure stability.
- Besides having monitoring plans in place to observe interactions of marine life with the proposed farm – there are other clear statements throughout the documents that indicate clear avoidance, minimisation and mitigation for entanglement risks assessed as not significant based on the best available data, science and evidence available.
- Clear avoidance, minimising and mitigation methods are proposed throughout **MLA/2023/00307 FIR 1 and 2 Responses/HRAs** and include regular maintenance and tensioning of the static infrastructure, clear seasonal operational profiles with protection/non-disturbance of marine life as a priority, clear statements to adhere to marine wildlife codes when operating within the farm and ensuring through appropriate marine engineering/sediment classification that infrastructure remains anchored across the life of the farm.
- The applicants/appellants do refer clearly within **MLA/2023/00307 FIR 1 and 2 Responses/HRAs** to waste minimisation and protocols at sea and recycling of infrastructure.
- The applicants/appellants are taking reasonable precautions to protect marine life.
- In addition, though unlikely, the NSA clearly states any lost infrastructure would be retrieved, as per the emergency response plan.

Furthermore, the removal of MLA/2023/00308 and adjustments to MLA/2023/00307 indicated within the appeal statement (for example 6.6), result in the following:

- Cumulative impacts on marine life are reduced by 50%.
- There is a significant reduction in infrastructure at sea for MLA/2023/00307 (60%).
- There are significantly fewer longlines and overall infrastructure deposited, with larger spaces for access between lines.
- There is significantly more open access space within the Bay area.

Seaweed farms have been evidenced as enhancing marine life and conservation objectives in peer-reviewed, published research.

The South West Marine Spatial Plan

Regarding SW-BIO-1, SW-BIO-2, SW-BIO-3, SW-MPA-1, SW-ML-2 and SW-DIST-1:



SW-BIO-1: Proposals that enhance the distribution of priority habitats and priority species will be supported.

Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference:

a) avoid

b) minimise

c) mitigate

- adverse impacts so they are no longer significant

d) compensate for significant adverse impacts that cannot be mitigated.

Enhancement of priority habitats is demonstrated through the presence of the farm and use of reef cubes. Risks to marine life through entanglement have been correctly assessed as low – based on a wide range of best available evidence (global and local). In addition, there are proportionate and reasonable efforts documented to prioritise the protection of marine life and their distribution/migration through avoidance, minimisation and mitigation. All aquaculture requires infrastructure and is located within marine environments. Priority species can be (and are) present due to their highly mobile nature. See overall section (6.7).

SW-BIO 2: Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported.

Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order

a) avoid

b) minimise

c) mitigate

- adverse impacts so they are no longer significant

d) compensate for significant adverse impacts that cannot be mitigated.

Please refer to SW-BIO-1 above.

SW-BIO-3: Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem 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 ecosystem services, and demonstrate that they will, in order of preference:

- a) avoid**
- b) minimise**
- c) mitigate**
- d) compensate for**
 - net habitat loss.**

Please see SW-BIO-1 and SW-BIO-2 above. In addition, the withdrawal of MLA/2023/00308 has significantly reduced space pressure within the Bay and wider marine area– as has the relocation of the proposed farm further offshore and significant reductions in required infrastructure. It is recognised within research that seaweed farms provide ecosystem services. Distances from areas of sensitivity for marine life have been significantly increased. Positive interactions of marine mammals and sea birds with longline aquaculture facilities are noted, recorded and photographed for transitioning and feeding purposes. Similar aquaculture facilities are currently and successfully co-located with a full range of marine life including birdlife within SPA's, haul out sites for seals and along migration routes for a range of marine mammals (porpoise, dolphins and whales).

SW-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 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.**

There is agreement between advisors that the proposed farm will not adversely impact the marine protected areas in question within the vicinity of the farm or the area that the farm is within (MCZ, SAC). Following the withdrawal of MLA/2023/00308, distances from the SSSI have significantly increased in line with statutory advice. And risks to birds and marine



mammals have been significantly reduced through minimisation and mitigation as stated above for SW-BIO-1, SW-BIO-2 and SW-BIO-3 and within this section (6.7).

SW-DIST-1: Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference:

- a) avoid
- b) minimise
- c) mitigate
- adverse impacts so they are no longer significant.

Please see SW-BIO-1, SW-BIO-2, SW-BIO-3 and SW-MPA-1 above and overall section 6.7.

SW-ML-2: Proposals that facilitate waste reuse or recycling to reduce or remove marine litter will be supported.

Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference:

- a) avoid
- b) minimise
- c) mitigate
- waste entering the marine environment. Proposals that facilitate waste reuse or recycling to reduce or remove marine litter will be supported.

Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference:

- a) avoid
- b) minimise
- c) mitigate
- waste entering the marine environment.

The applicants/appellants demonstrate within the core application documents and within this appeal statement that they have protocols in place to ensure marine litter is not entering the marine environment. This includes measures such as infrastructure engineering, waste management protocols (crew/vessels), reduced infrastructure deposited at sea, regular



maintenance protocols, marine monitoring plans, clear responses within the NSA and ERP to retrieving lost equipment and adherence with the polluter pays principle.

SW-CC-1: Proposals in the south west marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.

See SW-BIO-1, SW-BIO-2 and SW-BIO-3 above. In addition, refer to 6.4, 6.5, 7.2 and 7.3 above. The anchorage and infrastructure are engineered using appropriate data sources that account for resilience to the impacts of climate and coastal change over the life of the farm.

In conclusion, sufficient information has been supplied to ascertain that MLA/2023/00307 will not have significant impacts on the environment.

6.8 HRA (Fish Species)

This section refers specifically to a request by the Environment Agency (EA) regarding an assessment request related to Sea Trout that was raised for the first time in the third round of statutory consultation.

If the appellants had been facilitated by the MMO to engage with the EA or if the MMO had requested the HRA to fully inform their decision, the appellants would have conducted an HRA for Sea Trout. As they successfully did for Salmonids within **MLA/2023/00307 FIR 1 and 2 Responses/HRAs** on page 188 – which demonstrated no significant effect on similar fish transitioning from the estuary to the wider marine environment (migration routes).

Please refer to 6.18. Where the appellants suggest this assessment as a possible condition of a licence.

6.9 National Landscape and Visual Impact Assessment (VIA)

This section underpins two of the South West Inshore Marine Spatial Plan codes used as justification by the MMO to reach a negative determination: SW-TR-1 and SW-SCP-1.

The MMO states:

'The Project area is situated in the immediate waters of Port Quin Bay adjacent to, and within the setting of the Pentire point to Widemouth Bay of the Cornwall National Landscape (formerly Cornwall Area of Outstanding Natural Beauty). The protection afforded to the Cornwall National Landscape extends to any effects arising within its setting as would be the case with the proposed seaweed farm.'



Following an initial round of consultation with the Cornwall National Landscape authority the applicant had provided a visual impact assessment of the seaweed farm and considered the policies outlined by the National Landscape Authority. The RFI 7 document submitted on 22 October 2024 for the latest round of consultation included a section titled “Visual impact assessment.” However, it does not provide any methodology for undertaking the assessment. The impact assessment concluded that the visual impact would be “low to moderate” and “would not distract from the rugged tranquillity of the seascape in Port Quin bay”. The assessment also concluded that; the proposed visible infrastructure is compatible with its location in design, will not have a detrimental visual impact and will not erode the special qualities or features with the designated AONB. However, with the absence of any methodology the MMO does not consider this assessment to be sufficient. Renders of the site provided are too small to ascertain what the visual impact of the infrastructure would be.

Renders should be produced and provided in line with existing best practice as outlined in the Landscape institute technical guidance note 06/191 (Landscape Institute (2019), Technical guidance note 06/19 Visual Representation of Development Proposals (Available at: https://www.landscapeinstitute.org/wp-content/uploads/2019/09/LI_TGN-06-19_Visual_Representation-1.pdf). These, therefore cannot be considered as evidence that the impact of the farm would be “low to moderate”.

Based on the information currently provided the Proposal fails to meet the following policies as set out in the Cornwall AONB Management Plan 2022-2027:

- PD-P1 - All development within the AONB will be required to adopt a “landscape-led” approach*
- PD-P2 - Development management decisions should specifically consider the cumulative effects of individual developments on the designated landscape.*
- PD-P11 - Any development in, or within the setting of the AONB must be sustainable development that maintains local distinctiveness and contributes to the sense of place; it should respond to local historical, cultural and landscape context and enhance and feel part of the existing landscape.*
- PPW-P3 specific to the location of the seaweed farms (my emphasis): “Seek conservation and enhancement of the undeveloped character of the coast: for example, Witches Cauldron to Port Quin Bay...such that they return to having a more undeveloped character.”*

The MMO therefore conclude that based on the information it currently holds, insufficient evidence has been provided that the project will not have a detrimental impact on the Cornwall National Landscape.’



Within the second statutory and public consultation round, Cornwall National Landscape request a VIA to be produced – indicating the position, scale and visible infrastructure to be set within the seascape of Port Quin Bay. A VIA had not been requested for previously licensed seaweed farms within the region. No guidance was offered by the MMO at the stage that a ‘new requirement’ evolved for the first time as part of the marine licence application process for seaweed farms.

The applicants/appellants produced a VIA and submitted it within **MLA/2023/00307 FIR 1 and 2 Responses/HRAs** on page 264. It was only within the Decision Report (4.0) that the MMO referred to a standard that should have been applied with a link:

Landscape institute technical guidance note 06/191 (Landscape Institute (2019), Technical guidance note 06/19 Visual Representation of Development Proposals (Available at: https://www.landscapeinstitute.org/wp-content/uploads/2019/09/LI_TGN-06-19_Visual_Representation-1.pdf).

However, within the same application, where the MMO required a desk-based assessment for archaeology, they provided the applicants/appellants with a full description and links for the standard required. And the MSDS report was produced to meet those standards.

The MMO, as the licensing authority, requires applicants to provide **sufficient information** for them to assess the possible **environmental and social impacts** of a project. While the MMO relies on applicants to follow professional standards, a failure to provide *adequate* context or guidance is a factor in an appeal under the grounds of **procedural unfairness**.

The MMO in-part refused the licence application specifically because the VIA was deemed *inadequate* or *incomplete* and *technically flawed*. The applicants/appellants argue that:

- The MMO's own failure to provide clear, specific guidance on the required format, scope, or methodology **prejudiced** the applicant's ability to submit a fit-for-purpose assessment.
- The MMO's decision to reject the VIA was unreasonable because the applicant acted in good faith using generally accepted standards, and the MMO did not clarify its expectation.

The applicants/appellants were not provided an adequate opportunity to complete the VIA to the required standard, to confirm that visual impacts were low within the seascape setting of the Cornwall National Landscape that includes Port Quin Bay. This would have provided the MMO with sufficient evidence required for an accurate assessment and factored into the final decision differently.



Applying the standard

The applicants/appellants are supplying a VIA within this appeal statement to demonstrate that visual impacts remain low and are in keeping with the seascape when following 'Landscape institute technical guidance note 06/191 (Landscape Institute (2019), Technical guidance note 06/19 Visual Representation of Development Proposals.'

Methodology

The following methodology was applied as per the technical guidance:

1. A proportionate approach was applied in selecting methodology (visualisation type). This was based on the following (as per the guide):
 - Type and scale of project
 - Aim of the VIA
 - End users identified
 - Pre-empted magnitude of visual change

Preliminary work undertaken by the independent professionals (submitted to the MMO previously) enabled an assessment of the magnitude of change/level of effect at an early stage for the purposes of identifying the visualisation type required, under the new standard.

It was established that:

Criteria	Assessment
Type/scale of project	A seaweed farm where the visible structures are only buoys (all other infrastructure below sea level). For visualisation purposes. 50 Ha & 464 buoys, 58 lines, spaced 50 m apart in a farm footprint of 1, 360 m x 360 m. Located at distances of 900+ m out to sea from the south coastal path (nearest point), 1 km + from the west coastal path (nearest point) and 570-640 m from the east coastal path (nearest point) No visible structures can be seen above sea level and buoys are positioned horizontally, in line with sea level.



	Buoys are grey in colouration to integrate into the marine environment and 300 L each x 8 per long line (at maximum line weighting for predicted seaweed growth).
Aim of the VIA (visualisations)	To prove or disprove if a development is significantly visible and effectiveness of mitigation strategies. Illustrate if there is a likely significant change in view that may occur as a result of the proposed farm (development) being introduced into the view.
End users	Appeal board members Regulatory bodies (for appeal purposes); MMO, other key statutory bodies engaged previously and at a band 3 level (third round of statutory consultation) Public
Anticipated sensitivity (receptors) magnitude of visual change/level of effect	This informs the level of effect. Preliminary work conducted at an early stage by the same independent professionals and the information supplied within the table would indicate that visual change is likely to be low, as previously assessed and given the fact the infrastructure is significantly reduced, no adjacent farm is present (MLA/2023/00308 withdrawn) and the farm is further offshore. The visible infrastructure is buoys, at the sea surface – to be in potential human-eye view from coastal paths within Port Quin Bay.

- Based on the criteria above, the visualisation type selected was 3. It fits within categories B and C according to the standard (potentially A given appeal status). Professional judgement and implementation of the eventual MMO recommended standard is being applied. A formal EIA is not required within this application time frame (established and agreed on pre- and during application with the MMO). The reasons for selection of type 3 are based on the table above but in addition:



- Key locations have been identified.
- Scales are consistent between images.
- Overall approach is consistent.
- No screening is involved.
- Renders are non-complex.
- Host environment is open sea with island and coastline reference points.
- Viewing distances and enlargement factors have been considered appropriately.
- Low level of effect likely based on preliminary work completed at an early stage.
- Renders at sea level – only buoys are visible.

Table 2 Visualisation Types 1-4		Type 1	Type 2	Type 3	Type 4
		Annotated Viewpoint Photograph	3D Wireline / Model (non-photographic)	Photomontage / Photowire	Photomontage / Photowire Survey / Scale Verifiable
Aim of the Visualisation		To represent context and outline or extent of development and of key features	To represent 3D form of development / context	To represent appearance, context, form and extent of development	To represent scale, appearance, context, form, and extent of development
Photographic Equipment	Tripod	Recommended but discretionary	Not relevant	Recommended	Necessary
	Panoramic head	Not relevant		Recommended for panoramas	Necessary for panoramas
	Minimum Camera / Lens	Cropped frame or FFS + 50mm	Not relevant	Cropped frame or FFS + 50mm	Full Frame Sensor (FFS) + 50mm FL lens ¹
Locational Accuracy	Source of camera/viewpoint location data	GPS, OS Maps, geo-referenced aerial photography	Varies according to technology	Use good quality data: GPS, OS Maps, geo-referenced aerial photography, LIDAR	Use best available data: High resolution commercial data, LIDAR, GNSS, or measured / topographic surveys
	Survey-verified ²	Not relevant			When appropriate
Data & Presentation	Verifiable (SNH) ³	Not relevant			Required
	3D model	Not required	Required		
	Image Enlargement ⁴	Typically 100%	Not relevant	Typically 100%	100% - 150%
	Form of Visualisation	sketch / outline / arrows	massing / wireline / textured	wireline / massing / rendered / textured to agreed AVR level ⁵	
	Viewpoint mapping	Dedicated viewpoint location plan			Dedicated viewpoint location plan, + individual inset maps recommended
	Reporting of methodology and data sources	Outline description of sources and methodology recommended		Data, sources and methodology recommended	Verifiable data, sources and methodology required

Table 2 footnotes:

¹ FFS+50mm FL - note exceptions to 50mm lens FL. See Section 4 and Appendices 01 and 06.

² Survey-verified means the camera position and survey features being recorded by highly accurate survey processes. See Section 4 Locational Accuracy & Appendix 14.

³ Verifiable (SNH) has the same meaning as in SNH 2017 - the photographic process and image scaling is capable of being verified to agreed standards by reference to the original photograph with metadata. See Appendices 6 & 11.

⁴ Image Enlargement - see 3.8 below.

⁵ AVR level - see Appendix 6.4.

Visualisation type summary and requirements from the visualisation type 3 standard are presented above. And were applied appropriately. In addition, the following guides were followed for type 3 assessments:



Camera / lens	FFS + 50mm lens	Cropped frame + 28 or 35mm lens
Presented Field of View (H x V)	39.6° x 27°	Either 35mm = slightly narrower than FFS+50mm, or crop 28mm image to match FFS+50mm
Sheet size	A3	
Image size (mm)	390 x 260	
Enlargement relative to FFS / 50mm	100%	100 - 120%
Sheet size	Cylindrical Panoramic image @ A1 width	
	90° x 27° (VFoV as appropriate)	
Enlargement relative to FFS / 50mm	96%	
Image size (mm)	820 x 250 minimum (height as appropriate)	

In addition:



Camera / lens	FFS + 50mm lens	
Option	1	2
Captured Field of View (HFoV x VFoV)	39.6° x 27°	
Image scaling (see 3.8)	'Monocular'	'Binocular'
Sheet size	Single image @ A3	
Projection (see App 8)	Planar	
Image size (mm)	390 x 260	
Presented Field of View (H x V)	39.6° x 27°	27° x 18.2°
Enlargement relative to FFS / 50mm	100%	150%
Sheet size	Panoramic image @ A1 width	
Projection (see App 8)	Cylindrical (for baseline and very wide linear infrastructure)	Planar
Presented Field of View (H x V)	90° x 27°	53.5° x 18.2°
Enlargement relative to FFS / 50mm	96%	150%
Image size (mm)	820 x 250 minimum (height as appropriate)	

A 100-120% enlargement was selected, using an A3 format (planar) and FFS + 50 mm lens. A tripod was used, at 1.5 m height consistently across visuals.

Other metadata to be recorded is as follows:



Visualisation Types 1 2 3 4				Photography	Example Responses
✓	✓	✓	✓	Visualisation Types Methodology (see 3.7)	
		✓	✓	Method used to establish the camera location (e.g. handheld GPS/GNSS, GNSS/RTK, survey point, visual reference)	Aerial photography in GIS system
		✓	✓	Likely level of accuracy of location (#m, #cm etc)	Better than 1m
		✓	✓	If lenses other than 50mm have been used, explain why a different lens is appropriate	28mm lens required to capture the height of the development from views 1 and 3
			✓	Written description of procedures for image capture and processing	
			✓	If panoramas used: make and type of Pano head and equipment used to level head	Manfrotto Pano head and leveller
			✓	If working outside the UK, geographic co-ordinate system (GCS) used (e.g. WGS-84)	N/A
				3D Model / Visualisation	
		✓	✓	Source of topographic height data and its resolution	Combination LiDAR + OS Terrain 5m
		✓	✓	How have the model and the camera locations been placed in the software?	Based on survey coordinates
			✓	Elements in the view used as target points to check the horizontal alignment	Existing buildings, telegraph poles, LiDAR DSM
			✓	Elements in the view used as target points to check the vertical alignment	Topography, existing buildings
			✓	3D Modelling / Rendering Software	As used on project
				Generally	
✓		✓	✓	Any limitations in the overall methodology for preparation of the visualisations?	Timing of photography e.g. winter / summer

Visualisation Types 1 2 3 4				Photography	Example responses
✓	✓	✓	✓	Visualisation Type	Type 3
✓		✓	✓	Projection	Planar or Cylindrical
✓		✓	✓	Enlargement factor for intended sheet size	e.g. 100% @ A3 or 150% @ A1
✓		✓	✓	Date and Time of captured photography	3 March 2019, 13:05
✓		✓	✓	Make and model of camera, and its sensor format	Canon 6D, FFS
✓		✓	✓	Make, focal length of the camera lens(es) used.	Canon / Nikon / Sigma etc 50mm
✓		✓	✓	Horizontal Field of View (HFOV) of photograph / visual	39.6°
✓		✓	✓	Direction of View: bearing from North (0°) or Compass Direction	'90° from N' or 'Looking east'
		✓	✓	Camera location grid coordinates: eastings & northings to relevant accuracy; height of ground in mAOD	E123456, N654321 123m AOD
		✓	✓	Distance to the nearest site boundary, or key development feature, as most appropriate.	1200m to site boundary / turbine
			✓	Height of the camera lens above ground level and, if above 1.65m or below 1.5m, why?	1.5m
				Additional imagery	
		✓	✓	Baseline photograph	
			✓	A composite view generated by overlaying multiple layers of image data: the photograph, 3D model of terrain (LiDAR DTM) and / or 3D model of LiDAR DSM, 3D model of proposed development, 3D model of landscape mitigation. This can explain how the photomontage has been generated.	
			✓	A photograph of the tripod location to confirm the camera / tripod location	

Information and approaches were followed as per the tables and detailed guide for type 3 visualisations. This included all relevant equipment requirements, methodologies and meta data supplied.



The independent professional creating the visualisations followed all relevant guidance in the main text body and appendices appropriate for the visualisation type selected (3). This included instructions for photography on site. Renders of visible farm infrastructure were applied to photographs as guided – and in scale with the host environment, proposed farm dimensions, numbers of longlines within the farms, line spacing and number of visible buoys (refer to 6.6). It was ensured that the starting position of farm infrastructure was accurately distanced from the viewpoints and into the distant horizon. Co-ordinates and measured distances against scale were used to accurately position the renders. The sizes of the buoys (300 L grey) and 4 x navigational safety markers are to scale and real size within the images – as they would appear with distance.

3. Meta data for images is provided as follows:

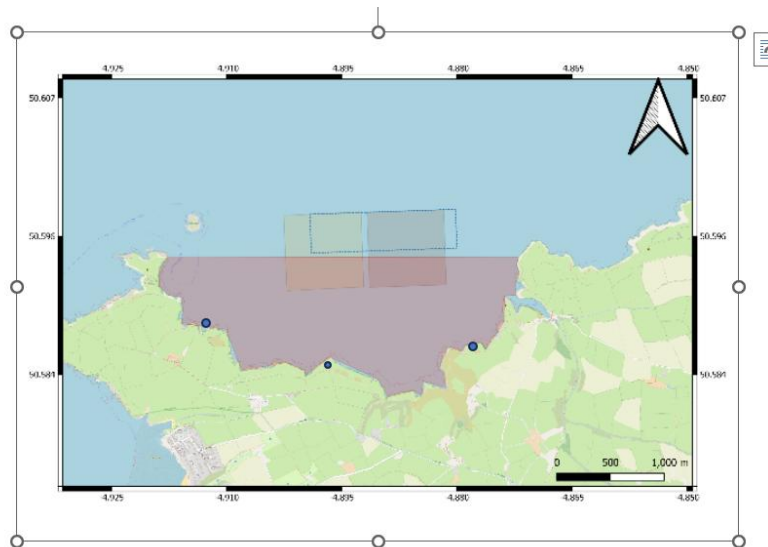
Method/Parameter	Images 1/2	Images 3/4	Images 5/6
Image type	Single @ A3	Single @ A3	Single @ A3
Format in statement	4K render can enlarge to A3	4K render can enlarge to A3	4K render can enlarge to A3
Enlargement relative to FFS/50mm	100%	100%	100%
Size guide (mm): when enlarged to A3	390 x 260	390 x 260	390 x 260
Projection	Planar	Planar	Planar
Height above ground: Tripod height (m)	1.5	1.5	1.5
Image composition	Photography + renders	Photography + renders	Photography + renders
Likely level of accuracy	Within 1 m	Within 1 m	Within 1 m
Software	Cinema 4D/photoshop	Cinema 4D/photoshop	Cinema 4D/photoshop
Alignment to site	Cinema 4D camera calibrator	Cinema 4D camera calibrator	Cinema 4D camera calibrator
Placing camera/model into software	Survey co-ordinates/measured distances	Survey co-ordinates/measured distances	Survey co-ordinates/measured distances
Season photographed	Autumn	Autumn	Autumn
Dates	18/09/2025	18/09/2025	18/09/2025
Camera model/make	Canon R5	Canon R5	Canon R5
Lens used	RF lens 50mm/FFS f1.8	RF lens 50mm/FFS f1.8	RF lens 50mm/FFS f1.8
Horizontal field of view (HfOV) – angle	39.6°	39.6°	39.6°
Direction of view	Looking west	Looking north	Looking east
Distances to nearest site boundary (m)	800	1000	1000
Camera locations	50°35'09.5"N 4°52'38.4"W	50°35'04.3"N 4°53'49.3"W	50°35'15.8"N 4°54'50.3"W
Baseline photographs	Yes	Yes	Yes



*Data from raw metadata files

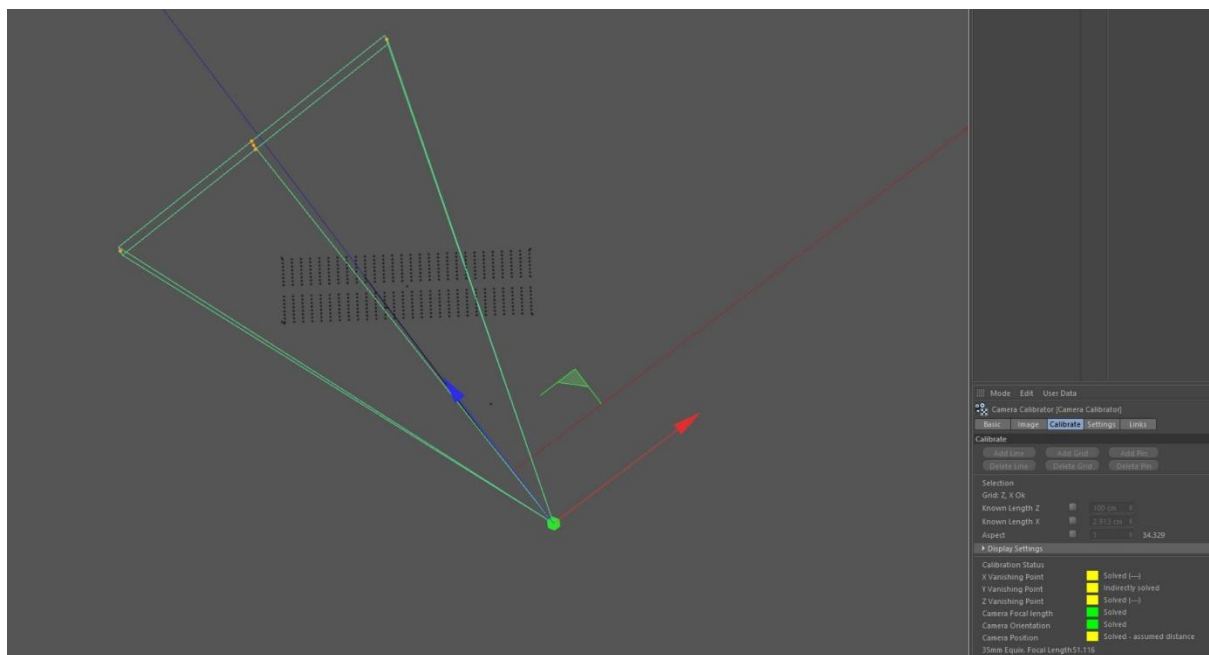
Angles assessed were as follows to capture the full proposed/visible farm across the bay area looking west, north and east from nearest coastal viewpoints: for shot 001, 002 and 003.

This is a map to show in relation to the bay, shots were captured (blue dots). The blue rectangle is the proposed farm (MLA/2023/00307):



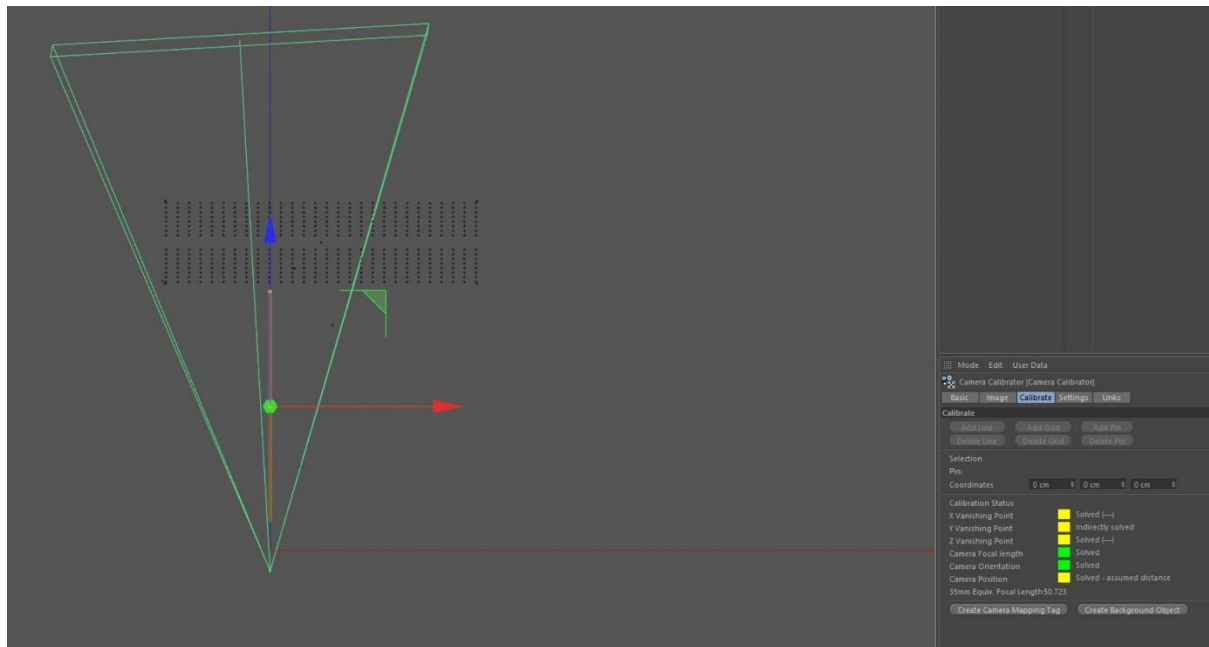
These are the capture data files to show the farm view from those same three locations:

Shot 001: looking west

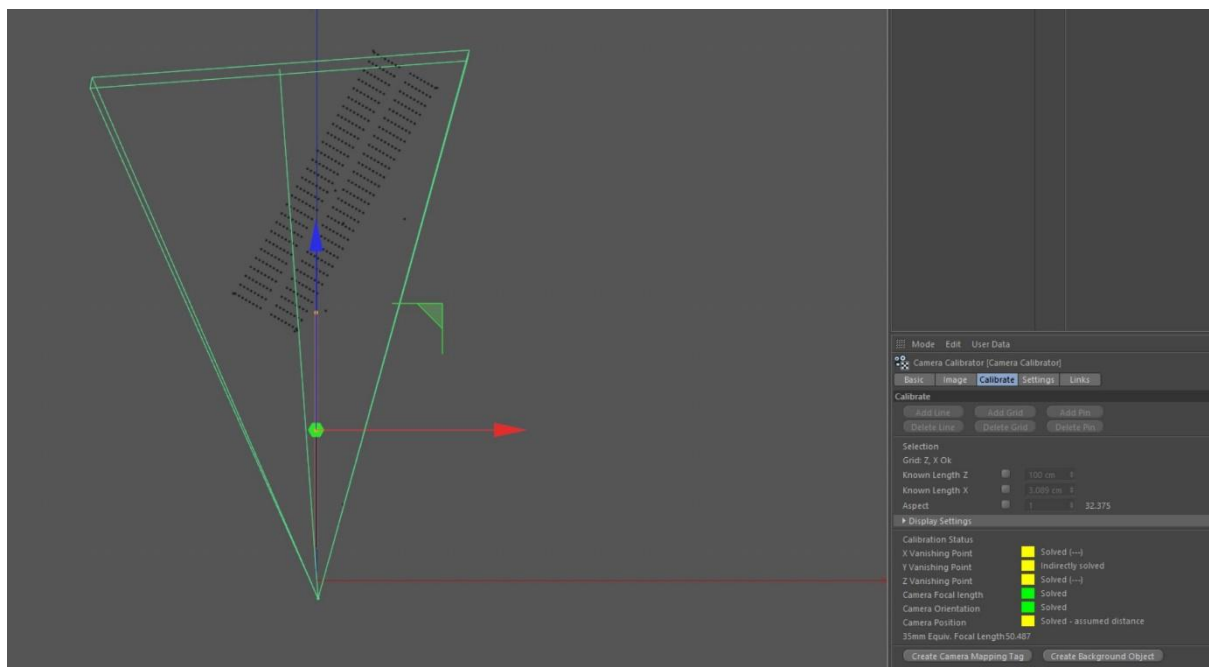




Shot 002: looking north



Shot 003: looking east





Images:

Images (including baseline shots) will be provided in WINRAR files in appropriate format – to enable printing at A3 (100% enlargement) from the 4K renders. Images are placed within the report for illustration purposes only. In the images labelled D1P1 for each shot (001 – 003) red dots have been added to highlight the start and end of each row and facilitate viewing of buoys. The red dots WILL NOT be present on the farm (visualisation purposes only). D1 for each shot (001-003) is as the farm will look naturally. NI for each shot (001-003) are simulated evening visualisations where the navigational safety markers would be lit for safety purposes. Baseline photos (without renders) are provided for each shot (001-003).

Baseline photos 001/002/003

Image 1: 001 – looking west





Image 2: 002 – looking north





Image 3: 003 – looking east





Image 1: 001 – looking west

D1: natural – renders in place





D1: P1 (with red dots to assist visualisation)





N1:





Image 2: 002 – looking north

D1: natural – renders in place





D1: P1 (with red dots to assist visualisation)





N1:





Image 3: 003 – looking east (fullest farm view)

D1: natural – renders in place





D1: P1 (with red dots to assist visualisation)





N1:



In summary:

Image 001: D1/D1P1/N1 – looking west: D1 (natural), D1P1 (red dots to demarcate starts and end of lines for visualisation purposes), N1 (evening renders)

Image 002: D1/D1P1/N1 – looking north (natural), D1P1 (red dots to demarcate starts and end of lines for visualisation purposes), N1 (evening renders)

Image 003: D1/D1P1/N1- East (fullest farm view) (natural), D1P1 (red dots to demarcate starts and end of lines for visualisation purposes), N1 (evening renders)

Discussions

Within the daytime images, the physical farm is slightly visible but given the reduced number of lines, reduced number of buoys, greater spacing between lines, colouration and horizontal placement of the buoys (only visible structure at sea level) and relative size of the buoys at distance, they are difficult to see from the coastal paths with the human eye. The visual impact from all angles in the daytime is still objectively assessed as very low (not significant). The



farms presence does not distract from or likely effect the seascape within the National landscape encompassing Port Quin Bay.

Within the evening simulations, the four navigational safety markers (lit) are the only visible structures. They are visible. In the viewing angles west and north, only two of the four are visible. In viewing angle east, all four are visible at distance. They are static. They will have an impact on the seascape at night – but not a significant adverse effect. This is likely to be lower than or on par with vessels moored in the safe anchorage area or traversing the bay area at night. Particularly larger vessels where more lights would be present. The lit buoys are similar to lights fishers attached to pots in the Bay – for traceability and safety. It has been established that there are low to medium levels of potting, netting and line fishing activities within Port Quin Bay (See 6.3).

It is worth noting that within Devon and Cornwall, areas for strategic aquaculture, as identified by CEFAS and the MMO within their mapping system, are consistently located within National landscapes/seascapes (previously AONBs). Other licensed farms are active within National landscapes. Co-location of the National landscapes and marine plans have to be accommodated on this basis, provided they do not significantly/adversely impact the seascape – reasonably and proportionately in line with the joint policies.

With the withdrawal of MLA/2023/00308, the number of lit navigational safety markers is reduced by 50% (from 8 to 4). These are not lit in the day.

With the VIA now in accordance with the standard required by the MMO, but not indicated by the MMO until the decision stage, the MMO would have had sufficient evidence upon which to base the final decision – and the outcomes would have differed.

Conclusions

SW-TR-1: Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported.

Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference:

- a) avoid
- b) minimise
- c) mitigate
- adverse impacts so they are no longer significant.



Please refer to 6.6 for an assessment of the proposed farm activities against navigational safety and tourism. There are no significant adverse impacts, especially given that MLA/2023/00308 was withdrawn and that the proposed farm has significantly reduced infrastructure – combined with evident and clear local business support from businesses active at sea.

Given the VIA evidence (alongside all other evidence) supplied, this will not create a significant adverse outcome for local tourism. This is clearly evident through visuals. In addition, the applicants/appellants suggest, if appropriate, placing information boards along the National Landscape coastal path (within view) to inform tourists of why a seaweed farm is important; what it contributes to a greener future, education, the economy of north Cornwall and conservation and why it is important for fishers to diversify. An ‘embrace it’ approach and something to be proud of as a region. A ‘flagship’ and something for locals and local NGO’s to be proud of working with.

One that will promote increased business for local safari businesses, diving businesses, increase fish availability for local charter line fishing businesses, support general businesses locally, employ and train locally, contribute to taxes and revenue for the region and provide vital scientific information about aquaculture and the marine environment to NGOs to support their work, regionally.

Furthermore, it will support land-based farmers with seaweed-based products that will enhance approaches to regenerative farming, horticulture and hydroponics through enhanced yields and reduced water consumption (futureproofing).

This can all be achieved without ruining the nature of the seascape within the National Landscape. Instead, promoting north Cornwall as empowered thought leaders and a hub for how it can be done to secure the region’s future. Especially in terms of fishers diversifying away from traditional practices into sustainable ones, to help achieve longer governmental and social goals.

SW-SCP-1: Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area.

The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape.

Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference:

a) avoid



b) minimise

c) mitigate

- adverse impacts so they are no longer significant.

If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area.

Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.

The VIA to the MMO standard required, indicates no significant adverse effect on the National Landscape or seascape within. The applicant/appellant has ensured that further through minimisation in terms of design of farm, orientation of buoys, reduced infrastructure and line numbers/rows as well as spacing. This includes moving it further offshore. All these measures would have been taken if 'meaningful engagement' had been followed post the third round of statutory and public consultation with relevant bodies as they requested. Moreover, it would have been addressed, pre-decision, if the MMO had provided the applicants/appellants with the correct expected standards.

PD-P1: The project has always been and continues to be led by a landscape/seascape approach with regards to the national landscape. The aim was/is always to avoid or minimise impact. Which is achieved. It has also been about co-locating aquaculture within coastal zones in line with designated areas within the marine spatial plan for aquaculture – without significantly creating adverse effects for a national landscape. Which is achieved.

PD-P2: This refers to cumulative effects. The MMO stated in Appendix 5 that the withdrawal of MLA/2023/00308 (50 Ha adjacent farm in the same bay) would not significantly influence its decision-making process. As detailed throughout this appeal statement, the overall cumulative application has been reduced by 50% as a result (from 100 ha to 50 Ha). That must have significance. Moreover, the response of the applicants/appellants, if they had been given the opportunity to 'meaningfully engage' with relevant bodies according to due process should have been considered pre-decision. It has resulted in a further 60% reduction of infrastructure for the remaining 50 Ha proposed farm, further offshore (see overall appeal statement; for example, 6.3 and 6.6). There are no other industrial or otherwise projects proposed in this region (confirmed by Crown Estate documents).

PD-P11: The proposed seaweed farm is a scientifically proven sustainable development and is a legitimate use of the sea (one supported under SW-AQ-1 and SW-AQ-2, as a result). The



design (and purpose) of the farm ensures it will maintain local distinctiveness, a sense of place and is part of the existing landscape/seascape.

PPW-P3: As per PD-P1, PD-P2 and PD-11 above, the proposed farm is in line with the conservation of undeveloped coast. It is not a significant adverse change for the area from Witches Cauldron to Port Quin Bay, as supported by the overall evidence and VIA evidence supplied. It maintains the bays current status as an undeveloped coast due to its nature and design. And removable/non-permanent nature

Finally, it should be noted that the infrastructure and buoys (visible) do not constitute a permanent change on the National landscape or seascape within. They are removable. The seascape can be fully restored to baseline condition (see reference photographs) if needed/required. Similar to moorings in a harbour.

6.10 Employment/Economy

This section underpins the South West Inshore Marine Spatial Plan code used as justification by the MMO to reach a negative determination: SW-EMP-1.

Within the Decision Report (4.0), no specific reference is made (justification given) as to why the application failed to meet the SW-EMP-1 code.

Therefore, referring back directly to the code within the South West Inshore Marine Spatial Plan:

'Proposals that result in a net increase in marine-related employment will be supported, particularly where they meet one or more of the following: 1) are aligned with local skills strategies and support the skills available 2) create a diversity of opportunities 3) create employment in locations identified as the most deprived 4) implement new technologies -in, and adjacent to, the south west marine plan areas.'

And

'The creation and maintenance of quality jobs is a key component to delivering sustainable economic growth, and for ensuring that everyone is able to access its associated opportunities ([Employment and Skills Strategies in England, United Kingdom](#)). SW-EMP-1 supports existing national policies and strategies (e.g. the [UK Marine Policy Statement](#) and the UK's [Industrial Strategy: building a Britain fit for the future](#)) by encouraging decision-makers and proponents



to deliver additional employment benefits from proposals, particularly those benefits associated with the listed policy criteria. SW-EMP-1 seeks to maximise sustainable economic activity, prosperity and opportunities for all both now and into the future'

Within the main document (**MLA/2023/00307 FIR 1 and 2 Responses/HRAs**) the applicants/appellants have provided (voluntarily) an economic assessment (pg. 292). Within this assessment, alignment with national, regional and local policies are highlighted.

The proposed project would result in continued and additional (net gain) of marine employment within a company that, to date, has positively contributed to the economy of Cornwall and the North Cornwall region. This has been through tax contributions and wider employment, as well as supporting local businesses. Camel Fish has a long-standing reputation in the community and region where it is located.

The proposed project supports existing skill bases within the region. It supports national policies and strategies in an area acknowledged as requiring the opportunities to grow prosperity-wise, in the face of economic and employment challenges.

As a result of the project, there will be clear opportunities for employment growth and additional local business benefits across operations meeting listed policy criteria. In addition, regional positives include harbour funding through business activities, additional revenues and taxes, engagement of academics, students and trainees, employment and training opportunities, main stream schooling educational opportunities and the possibility of creating inter-generational opportunity, retaining skilled, young people within the region.

The increases in biodiversity within the farm offer opportunities to businesses which focus on tourism in the Bay – such as diving companies and operators of sea 'safaris' where the presence of a seaweed farm and the associated positives can form a focal point as an example of sustainable practices with conservation benefits within the marine environment.

Moreover, section 6.3 demonstrates that fishers will not be adversely impacted economically, by the presence of the farm.

This is in contrast to and conflicts with the MMO conclusions (within the Decision Report) that the proposed licence activity fails to meet the criteria of the South West Inshore Marine Spatial Plan under SW-EMP-1. Despite their access to the economic report pre-decision.

6.11 Incorrect Information/Mis-facts/Process Hinderance

This section refers to general information within the final MMO Decision Report (4.0). The appellants demonstrate that the MMO relied on information presented by the public within



their representations, rather than information provided by the applicants/appellants and independent experts/professionals and based on the best scientific evidence available. Information relied on by the MMO was incorrect. Mis-facts were presented within the Decision report (4.0).

The overall document approach, directed by the MMO hindered the public and statutory consultation process.

The appellants drew the MMO's attention to these matters at the pre-decision stage and were ignored (Appendix 5). Incorrect information and mis-facts remained in the final MMO Decision Report (4.0). The final Decision Report remained identical to the pre-decision report.

It includes the information presented under 6.1 (meaningful engagement) and 6.5, related to sediment typology. Examples of the incorrect information, mis-facts and process hinderance are as follows:

6.12 Port Quin Bay Sailing Club

Within the Decision Report (4.0), the MMO state the following as a reason to negatively determine the licence application in relation to sailing club engagement:

'References are made on several pages within the RFI to the "Pre-engagement log" to evidence the above consultations. The log indicates one individual from one sailing club offering "no objections" on the basis of a face-to-face conversation. The MMO does not consider this to be adequate consultation, or indeed evidence, as there is no indication as to the nature of the information provided, the actual date of the conversation or the circumstances of the meeting. The column "Letter of Support" does not indicate that any clubs offered their formal support to the project, so the above statement is unsupportable by the evidence. Some comments in the pre-engagement log suggest consultation with the "Port Quin Sailing Club". Information from consultation with both the RYA and from representations from the public consultation suggest that this club does not exist. The MMO has found no evidence that such a club exists.'

A pre-engagement log was provided by the appellants at the date of application: 12th July 2023 – uploaded to MMO portal. The only sailing club in the area was engaged ahead of submitting the marine licence. A letter of support was provided by the club (Appendix 10). This was provided to the MMO at the pre-decision stage and was with the Rock Sailing & Waterski Club.

The original and updated pre-engagement log do not suggest consultation with the 'Port Quin Sailing Club'.



The 'Port Quin Sailing Club' was mentioned (in place of the Rock Sailing & Waterski Club) by the applicants in an original report submitted with the application on 12th July 2023. The applicants raised and discussed the human error with the MMO ahead of producing the document in response to FIRs in June 2024 (**MLA/2023/00307 FIR 1 and 2 Responses/HRAs**). It was accepted by the MMO at the time that it was a genuine human error and all parties agreed it would be removed from the document moving forward – which was actioned.

The applicants/appellants raised the issue with the MMO at the pre-decision stage. It was ignored (Appendix 5).

In response to their right to be 'meaningfully engaged' at all stages, the applicants/appellants engaged the Rock Sailing and Waterski Club again. In September 2025. The General Secretary completed a survey (can be provided as hard material evidence/meta data upon request by the appeal board in line with GDPR policies).

The response indicated sailing vessel membership had operated and visited the Port Quin Bay area since 1970 (55 years). Main sailing activities were described as concentrated within the area encompassing Padstow Harbour and Camel Estuary. In terms of Port Quin Bay – it was established members use the area from May to the end of October, annually. With a membership of 1,200. When presented with the project and Figure 2.0, it was stated that negative impacts on current business activities in Port Quin Bay were '**unlikely**'. In response to a question related to the project, Figure 2.0 and the proposal limiting Bay access, the response was '**no**'. When questioned about the types of vessels operating in the bay, they responded, 'Winter: N/A, Spring: mainly commercial, Summer: leisure boats, power boats and in Autumn: commercial'. When questioned about the proposed farm location, sailing levels in Port Quin Bay and with regard to racing and markers, the response was '**no concern**'.

Rock is an RYA-registered 'active-at-sea' sailing club within the vicinity of the farm (55 years existence, 1,200 members) the response has significant bearing on RYA input. The club raised no issues. There were no concerns for human health and/or navigational safety.

6.13 Combe Martin

Within the Decision Report (4.0), the MMO state the following as a reason to negatively determine the licence application with regards to the Navigational Safety Assessment (NSA):

'The MMO is also concerned that the Safety Assessment and Risk Matrices are not satisfactory and are a duplicate copy of another marine licence application for a seaweed farm in Combe Martin, Devon (MLA/2023/00227). The MMO is therefore concerned as to whether the NSA is site specific with appropriate consideration given to local navigational features.'



The applicants/appellants submitted an NSA at the time of application (12th July 2023). This was updated through the MMO FIR requests in June 2024.

The NSA in question was site specific and of a similar structure to NSAs that had been provided by the appellants consultant as part of previously successful marine licence applications for seaweed farms of 100 Ha+ (refer to 7.1). Through facilitation by the MMO, the NSA format had been discussed at length with the MCA and consultant on those occasions with changes and edits accepted by all parties ahead of determination – a process not facilitated by the MMO for the appellants in this case.

The Combe Martin license application (MLA/2023/00227) was not undertaken by the consultant (refer to 7.1). This was undertaken independently by Aqua Botanika. Aqua Botanika were requested to submit a thorough NSA in June/July 2024. All documents submitted by the appellants were available through the public portal at this time, as were previous NSAs submitted for the successful licence applications.

The statement made by the MMO is incorrect. The applicants/appellants raised the issue with the MMO at the pre-decision stage. It was ignored (Appendix 5).

6.14 Decommissioning

Within the Decision Report (4.0), the MMO state the following as a reason to negatively determine the licence application in relation to decommissioning:

‘Trinity House confirmed the marking requirements for the site consisting of pillar-shaped special mark buoys with yellow St Andrews cross top mark, with 5 second flashing yellow lights, however they also remained concerned over decommissioning plans should the applicant fall into administration.’

The applicants refer to a clear decommissioning plan on pages 322, 343, 400, 403, 429, 430, 431, 443 and 446 of **MLA/2023/00307 FIR 1 and 2 Responses/HRAs** and specifically within the NSA.

Within **MLA/2023/00307 FIR 1 and 2 Responses/HRAs** on page **431**, the appellants clearly state they have been in constant communication with The Crown Estate. Ensuring funds are available from the applicants/appellants financial resources is The Crown Estates remit as landlords of the seabed. The Crown Estate issue a licence to the applicants/appellants for tenancy post a marine licence being obtained. The Crown Estate will ring-fence the applicants/appellants funds to ensure decommission can be completed. This is a Crown Estate policy and condition of their licence.



The MMO are and should be aware of this policy/condition. If they thoroughly reviewed the document submitted by the applicants/appellants, this concern would have been resolved with Trinity House (given opportunity) and for themselves.

The applicants/appellants raised the issue with the MMO at the pre-decision stage. It was ignored (Appendix 5).

6.15 Staged Development

Within the Decision Report (4.0), the MMO state the following as a reason to negatively determine the licence application in relation to test line deployment and staged expansion into the licenced site:

‘In addition to this, the MMO does not have sufficient information on the plans to upscale the site and the proposed dimensions at each phase.’

In a 22-month period and following FIRs, the MMO did not once request specific dimensions for the staged expansion. However, it was clear that the applicants/appellants planned a staged expansion over several years and starting with test lines (in the original application documents (Appendix 1) and in **MLA/2023/00307 FIR 1 and 2 Responses/HRAs**).

If requested, the information could be easily supplied – in conjunction with The Crown Estate input. The appellants clearly state they have been in constant communication with The Crown Estate. The Crown Estate issue a licence to the applicants/appellants for tenancy post a marine licence being obtained. The Crown Estates remit as landlords of the seabed is to agree dimensions of test lines and scaling into the licensed site over time. This is a Crown Estate policy and condition of their licence.

The MMO are and should be aware of this policy/condition. If they specifically requested this information to inform their decision, this concern would have been resolved. The applicants/appellants raised the issue with the MMO at the pre-decision stage. It was ignored (Appendix 5).

It is likely that at stage 1, an area of 1-2 Ha will be used for test lines. In subsequent years, a staged expansion will occur, in agreement with The Crown Estate license. Please refer to 6.18 where the appellants suggest the degree of scaling is possibly included as a condition of the license.



6.16 Information Dissemination

On several occasions the MMO placed information, pertaining to the marine licence and progress, into the public domain before updating the applicants/appellants. Whereas apologies were received from the MMO, this adds to the overall systematic failure of the MMO process, to the detriment of the applicants/appellants.

6.17 Report Format

The MMO requested that the applicants/appellants place all of the individual reports into one large document (**MLA/2023/00307 FIR 1 and 2 Responses/HRAs**) for reference in the third round of public and statutory consultation. This resulted in a very large document, rather than discreet reports for signposting. It was our consultants experience (refer to 7.1) that this had not been requested previously for identical licence applications.

As a result, the public felt the single document was a strategy by the applicants/appellants to confuse and overwhelm public consultation. Which was not the case.

Furthermore, the MMO confirmed directly with the applicants/appellants during a teams call to discuss the pre-decision letter that statutory consultees had been directed to assess specific sections of the document. Not to review the whole document. As a result, statutory consultants missed key information – which could have been remedied/clarified by the applicants/appellants if further engagement had been facilitated by the MMO with existing and new consultees (6.1). The key example of this is CEFAS reviewing the water framework directive rather than the marine engineering report – which had considerable impact on licence determination (6.5).

6.18 Proposed Licence Conditions

The following are suggestions from the applicants/appellants for conditions that the appeal board may wish to add to the license decision, should it be overturned, alongside any other conditions they feel are appropriate:

- The applicants/appellants to conduct baseline survey work ahead of infrastructure installation (under the guidance of the appropriate regulatory body) and to add to monitoring data over time.
- Appellants to work alongside CEFAS fisheries expert to assist in the development of a detailed monitoring plan for fish/fisheries in replacement of the high-level plan. And



to work alongside CEFAS experts with regards to the Arc Marine engineering report for assessment if deemed appropriate.

- An HRA for sea trout, as per the HRA for salmonids, could be conducted if deemed appropriate – although likely significant effects are unlikely.
- The applicants/appellants to complete a WSI, as per recommendations of Historic England, ahead of scheduled works.
- The applicants/appellants can indicate scaling targets with dimensions over time (from trial lines to full site expansion), as agreed with the Crown Estate and relevant regulatory body, if deemed appropriate.
- If deemed appropriate by the appeals board, the east side of the farm can be reasonably reduced to further expand the eastern entry channel into the bay (navigational safety).

6.19 Appellants Conclusions

The applicants/appellants have demonstrated throughout the appeal statement and supportive documents submitted, that there is a clear systematic failure of the MMO in determining MLA/2023/00307.

Appellants were not afforded appropriate meaningful engagement with important statutory bodies, where reasonably expected and even required and requested by those bodies. There was a significant change in application circumstances (withdrawal of MLA/2023/00308) and important standards (guidance) were not made clear in a timely way by the MMO in information requests.

The MMO had, for all purposes, treated the two adjacent and identical seaweed farm proposals (MLA/2023/00308 and MLA/2023/00307), as one and cumulatively assessed them (see Decision Report 4.0). MLA/2023/00308 was withdrawn ahead of the Decision Report at the pre-decision stage. This reduced impacts by 50%. And facilitating further avoidance, minimisation and mitigation proposals by MLA/2023/00307 that should have been considered by the MMO within their decision-making process. Not dismissed.

The applicants/appellants have provided evidence to the appeals board which, given meaningful engagement, they would have been able to provide to the MMO, pre-decision. New evidence is reasonable, proportionate and based on best available science at the time. Clarity on MMO confusion and inaccuracies points is also provided. In each case, the decision-making process outcomes would have been different.

Overall, Camel Fish and their representative/consultant have provided a comprehensive application pre- and post-decision. One whose process is reflected in the form of Seafish/CEFAS Regulatory Guidance (2025) related to the licensing process for seaweed farms



in England (Appendix 11: Seafish, 2025). The appellants consultant and representative contributed to this document and was acknowledged as such (7.1).

The applicants/appellants have provided reasonable and proportionate information, clarity and evidence/data to counter all of the South West Marine Spatial Plan (inshore) codes that were stated as reasons for negative determination by the MMO within the Decision Report (4.0).

Importantly, this appeal highlights the inconsistent/ad hoc approach and significant procedural errors the MMO apply when determining licenses of an identical type in terms of size and purpose (seaweed farms/longline aquaculture). There were constantly changing goalposts for the appellants across the process. Appendix 11 illustrates this should not be the case – a framework format is fundamental. In their important role as a Regulatory Body in marine licensing, there are no acceptable excuses for MMO mistakes/inaccuracies and for there not to be a clear, consistent framework that is applied – ensuring the applicant has the ability to meaningfully engage at all critical stages – providing sufficient evidence in response to requests/comments.

With these conclusions in mind, the applicants/appellants kindly ask the appeal board to weigh up all the information provided and determine if:

- They uphold the MMO decision regarding MLA/2023/00307.
- Overturn the decision and grant the licence for MLA/2023/00307.
- Modify the decision and grant the licence for MLA/2023/00307 with conditions.

Submitted with this appeal statement:

WINRAR files (VIA) baseline photos

WINRAR files (VIA) rendered images

MLA/2023/00307 FIR 1 and 2 Responses/HRAs

NSA (Sept 2025)



7.0 Section 2: Witness Statements/Letters of Support

7.1 Dr Angela Mead

I am providing this witness statement in my own independent capacity on 30th September 2025.

I have a degree from Swansea University (BSc.hons Marine Biology). I have a Masters (MSc) from Hong Kong University in Environmental Law and Management. I have a PhD in Marine Biology (University of Cape Town) and I have a PGCE (Teaching: science and biology).

I have held a career in marine biology (coastal ecosystems and human drivers of change) that spans 30+ years. In that period, I have worked internationally and in the UK across a number of pivotal and impactful projects. I am a peer-reviewed, published researcher with over 24 publications within journals, as book chapters and in the form of Governmental reports.

I have been involved with the aquaculture industry since 2014. I established my own family-run, small-scale seaweed farming and processing company in 2018 and have been active within that industry since 2020. Therefore, I am experienced in licensing, regulation and practical operations at sea and on land.

I have been involved in applying for and assisting new entrant seaweed farmers with licensing procedures and processes since 2018, with a degree of success. Projects I have been involved in include 100 Ha seaweed farming sites in St Austell and a 100 Ha seaweed farming site in Bideford Bay – which were granted licenses. I have not been involved in any formal capacity (at the application stage) with the seaweed farms located in Torbay (10 Ha) or Port Isaac (100 Ha). I was not formally involved with the 100 Ha Combe Martin application (since withdrawn). My company applied for licenses in Start Bay, Torbay and Port Quin, over a period of seven years. And I have consulted with Camel Fish during their licence application in Port Quin (MLA/2023/00307).



In the course of the licensing work, I became familiar with the legal and information requirements when applying for an MMO license. I recognise that those requirements may evolve over time. However, I am aware that seaweed farm licensing by the MMO is not approached in a consistent format. For example, previously approved licenses I have been involved in securing have not required VIA's or engineering reports.

However, I support that a rigorous approach is best. In fact, I have applied my knowledge of the system positively and helped to formulate guidance and policy, including the latest regulatory guidance from Seafish released in 2025 (Appendix 11). Camel Fish have supplied a wide range of required and additional reports to support their license application – in order to provide sufficient information to the MMO, statutory consultees and to re-assure the public surrounding concerns raised.

Camel Fish (and I, as consultant) have worked alongside independent professionals to ensure we supplied high quality information. And continue to do so.

Based on my experiences with other license applications, the MMO have facilitated 'meaningful engagement' with all statutory consultees at the appropriate time, pre-decision. This was during 'resolution stages', where clarification, adaptation, mitigation, minimisation and avoidance (where possible) could be discussed, agreed and determined between experts. In my actual experience, the MMO facilitated this with MCA, CEFAS, Natural England, IFCA and the RYA. Following 'meaningful engagement' the MMO had sufficient evidence upon which to base a license determination.

Based on my experiences, the same data sources used in assessments, methods of assessment and approaches to assessment applied by Camel Fish have been accepted by statutory consultees and the MMO on that basis.

In my professional opinion, I do not believe that the MMO have approached the determination of MLA/2023/00307 to the standard expected – in terms of the systematic



failures, inconsistencies, serious procedural errors, lack of due diligence and actions preventing the applicants from accessing fair due process.

I believe the facts set out above to be true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement of truth without an honest belief in its truth.

A Mead

Dr Angela Mead (30th September 2025)



7.2 Marine Engineers: Arc Marine (Letter of Support)

LETTER/EMAIL of SUPPORT: Re Marine Engineering Report.

Received 30/09/2025 Via Email.

Hi Angela

Please see below ARC marine's response after review by Tom (CEO), Harrison (Engineering Manager), and Ben (Chief Finance Officer):

Having been back and forth on this a bit, we wanted to provide you with a more complete response and avoid any misunderstanding.

We have reviewed the original 2023 Camel Fish / Biome Algae MMO application and its associated documents, so that we properly understood the basis for the MMO's decision. From that review, it seems there is a fair amount of confusion – and simply having ARC issue a witness statement would not actually resolve the issue.

To be clear: the technical questions you are referring to and are trying to rebut come from CEFAS (note dated 2 December 2024). All of these comments relate to the "Water Framework Directive Assessment" prepared by Biome Algae in July 2023, not to ARC's stability report. The Biome Algae report predates ARC's work, which was delivered in May 2024. In other words, the CEFAS team were not commenting on ARC's report at all.

For example, where they state:

"A relatively weak assessment of the hydrodynamics is provided in sections 2.2 (currents) and 2.3 (waves) of Document 1. Notably, I believe this assessment should consider extreme wave events as well as presenting time series; and the applicant's reason for using a two-year subset of the data (between 2021 and 2023) is unclear."

This is lifted directly from their review of the Biome Algae document (their "Document 1"), not from ARC's report. ARC's report already addressed extreme wave events, seabed conditions, and conservative design assumptions.



The difficulty is that in the Marine Licence Decision Report (dated 4 April 2025), the MMO conclusions (see section 6.5) explicitly cite a stability assessment “authored by ARC”. But when setting out their reasoning, the MMO simply repeats the CEFAS commentary – which, as noted above, was directed at the 2023 Biome Algae report and not at ARC’s later work.

So, in effect, the MMO appears not to have properly reviewed ARC’s stability report at all, but instead relied on CEFAS’s earlier comments on a different document.

That’s why we can’t meaningfully “rebut” those specific points – because they weren’t raised against ARC’s analysis in the first place.

We stand by the ARC stability assessment. It was carried out to the appropriate standards, on a conservative basis, and with input from a chartered engineer with over 20 years’ experience. We have already answered your repeated queries around qualifications, methodology, and data sources in detail, and nothing material has changed in that regard.

If you intend to appeal the MMO decision, the central point should be that CEFAS reviewed and criticised the wrong report — Biome Algae’s 2023 submission — and that the MMO then relied on those criticisms in its refusal, rather than on the ARC report prepared in 2024. In other words, the decision is founded on comments directed at a different document entirely, which is a clear error on their part.

We are, of course, happy to keep supporting where we can. We wish you the best of luck in your appeal and hope the further developments on the Port Quin Bay farm are all positive for the success of Biome Algae & Camel Fish.

Kind regards,



7.3 Marine Archaeologists: MSDS



Witness Statement

Marine License Application: MLA/2023/00307

Camel Fish Ltd. vs MMO

Appeal Under: The Marine Licensing (Licence Application Appeals) Regulations 2011 No. 934.

(Submitted to PINS)

Name: Sally Evans
Company: MSDS Marine
Company Number: 9782276

Address:
MSDS Marine Ltd
The Dairy, Boothswood Farm
Moorside Lane
Holbrook
Belper
Derbyshire
DE56 0TU

The following witness statement is to provide information relevant to the above Appeal, following a decision by the MMO to reject the licence application on 4th April 2025.

I (Sally Evans) am a Director at MSDS Marine. I hold an Undergraduate Degree (BA), Masters Degree (MA) and PhD in Archaeology. I have worked in archaeology for 15 years and marine archaeology for c. 13 years.

MSDS Marine are a specialist archaeological contractor, primarily working in the marine environment. MSDS Marine offer a full range of archaeological services including, but not limited to consultancy, research, desk-based services, remote sensing, geoarchaeological assessment, conservation, ground-truthing, and diving services. Our team includes individuals who are specialists in the support of development projects, Quaternary geology, diving, historic vessels, heritage management, historic and archival research, assessments and management of significance, surveying, conservation, and stakeholder engagement.

MSDS Marine has been established since April 2011 with recent clients including B.P, DeepOcean, Carcinus, The Cultural Heritage Agency of the Netherlands, E.ON, ERM, GoBe,

   @MSDSMarine

www.MSDSMarine.co.uk

info@MSDSMarine.co.uk

MSDS Marine, The Dairy, Boothswood Farm, Moorside Lane, Holbrook, Derbyshire DE56 0TU
VAT Registration Number: 168 0292 02 Company Number: 9782276

Tel: 01332 300043

MSDS Heritage is a trading name of MSDS Marine Ltd Registered in England and Wales.





Historic England, Isles of Scilly IFCA, MarineSpace, National Grid, Ørsted, Offshore Shellfish, Royal Haskoning DHV, RPS, Total Energies and WSP. Professionally we work to the high standards established by the Chartered Institute for Archaeologists (Cifa) and are a Cifa Registered Organisation, and are also ISO 9001 : 2015 and ISO 45001 : 2018 certified.

We have worked on a wide range of marine development-led projects, in particular Offshore Wind Farms (for example, Hornsea Projects Two, Three and Four; London Array; Salamander; Erebus; Whitecross; Morgan; Mona; Marr Bank; Berwick Bank etc), Cable routes (e.g. EGL3 EGL4, EGL5 and smaller scale cables), aggregate areas (including numerous individual areas in the Humber Region, East Channel Region Thames Region and Anglian Region) and aquaculture sites (including seaweed, shellfish and mussel farm sites). We therefore have extensive experience undertaking marine archaeological assessments for a range of development types. These studies typically contain an assessment of the potential for maritime, intertidal, aviation and submerged prehistoric remains.

Our interest in seabed composition principally arises in relation to:

- The preservation potential of different sediment types, in terms of the likelihood of archaeological remains of shipwrecks, aircraft and other sites surviving within the sediments; and
- Submerged prehistoric deposits and palaeoenvironmental evidence which can form part of the sediments themselves.

Our desk-based assessment for the Port Quinn application site included an assessment of these areas. As this was a desk-top assessment (common for pre-application stage) we relied solely on existing sources, which were as follows:

- British Geological Survey (BGS) GeoIndex (online, available at: <https://www.bgs.ac.uk/map-viewers/geoindex-offshore/>, in particular the layer showing Seabed Sediments 250k);
- BGS Offshore Regional Report (Evans, C.D.R. 1990. United Kingdom offshore regional report: the geology of the western English Channel and its western approaches. BGS); and
- BGS mapping (available via the GeoIndex, and in particular Harrison, 1987. Seabed Sediments and Quaternary Geology 1:250,000 Series. BGS).

The BGS sources all show the seabed composition within the site as Sandy Gravel.

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Three grab samples are recorded by the BGS within Port Quin Bay: a single grab sample taken from the site in 2009 describes the seabed sediment as 'fine sand' and two further samples from beyond the site record 'sand' and 'sand + shells'. This information is contained within the 'Survey Information' layers on the BGS GeolIndex.

The BGS mapping and ORR rely on both geophysical and wider geotechnical data (including the grab samples discussed above). The BGS mapping in particular cites particle size analysis of grab samples and analysis of shallow cores as key sources in its determination of sediment classifications (Harrison, 1987). Therefore while the grab samples cited above found sands, the other data feeding into the BGS mapping and ORR are believed to have led to the overall classification of the area as Sandy Gravel.

The data on seabed sediment composition within the application area used within our desk-based assessment is therefore based entirely on BGS data. No new sampling or remote sensing was undertaken to feed into our assessment.

I believe the facts set out above to be true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement of truth without an honest belief in its truth.

Date: 26/09/2025

Signature: 

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8.0 Section 3: Appendices

Appendix 1: Original Marine License Application

Application type

Please select the type(s) of application you are applying for.

If you wish to apply for a section 36 or 36A consent or a safety zone in addition to your marine licence application please tick the relevant box.

If you wish to also apply for consent under a local Act or Order please tick the Local Act consent box. Please explain which local Act or Order consent you are applying when giving details of the project background below. You should also upload a copy of the local Act or Order there too.

Application type

Marine licence

Please tick all additional application types that are relevant.

Additional application types

- Section 36 and Section 36A: Electricity Act 1989.

- Local Act Consent: Consent under a local Act or harbour order.

☐ Section 36

☐ Section 36A

☐ Local Act consent

☐ Safety zone

Project details

Project title

Enter the title of your project (max. 250 characters)

Seaweed Farm in Port Quin Bay

Project background

You should explain the background to the project. This should include the aims of the project, the need for the project, whether it forms part of a larger project and any other relevant information. (max. 2000 characters)

This is an application for a marine licence for a sustainable seaweed farm, to be located in Port Quin Bay; outside of Padstow harbour jurisdiction.

Camel Fish Limited is planning to expand into a seaweed farming business. The seaweed is all native to the UK and is grown to provide food, low-carbon animal feed and fertilizer alternatives and biomaterials to replace single-use plastic and take away cartons. Farming seaweed does not require freshwater, land, feed, fertilisers and it does not produce waste. It can however sequester carbon at a rate 6 x that of trees. Seaweed has many benefits for the marine environment such as habitat restoration and increased marine life (See Camel Fish WFD Assessment).

The development of aquaculture, inclusive of seaweed farming, is in line with UK Marine Strategies and policies. This includes the South Inshore Marine Spatial Plan (see 'Camel Fish Marine Policy Assessment').

We are applying for a marine licence for a farm site in Port Quin Bay (see 'Camel Fish Farm Location') and site details within the application). The site is 50.4 Ha. It will farm the seaweed using a tried and tested farm model, including stable infrastructure which will occupy a total of 5 Ha of the 50.4 Ha site. The remaining space is required for farm access and operation, as well as navigational safety (see 'Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan' and 'Camel Fish Water Framework Directive Assessment'). Camel Fish will be co-operatively working with Biome Algae Limited who will be working with local Universities to measure the effects and benefits of seaweed farming on marine environments.

It is expected that the farm will have a positive economic effect within the region, providing local employment, training and support local businesses as we source our materials and equipment from them.

Camel Fish Farm Location.png 1 MB
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07-JUL-2023 11:33:40

Camel Fish Farm Plan.jpg 45 KB
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07-JUL-2023 11:34:04

Camel Fish ACINB and English Heritage Assessment.pdf 1 MB
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12-JUL-2023 12:51:36

Camel Fish Biosecurity Plan.pdf 623 KB
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12-JUL-2023 12:51:37

Camel Fish Draft Marine Emergency Action Card.pdf 508 KB
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12-JUL-2023 12:51:38

Camel Fish Fisheries Impact Assessment.pdf 706 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:39

Camel Fish Habitat Regulations Assessment MCZ.pdf 541 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:41

Camel Fish Habitat Regulations Assessment Pink Sea Fan.pdf 541 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:41

Camel Fish Habitat Regulations Assessment SAC.pdf 643 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:43



Camel Fish Marine Monitoring Plan.pdf 394 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:44

Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan.pdf 1 MB
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12-JUL-2023 12:51:47

Camel Fish Marine Policy Assessment.pdf 697 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:51

Camel Fish Seabed, Fisheries and Marine Mammals Assessment.pdf 1 MB
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12-JUL-2023 12:51:53

Camel Fish Water Framework Directive Assessment Scoping.pdf 283 KB
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12-JUL-2023 12:51:53

Camel Fish Water Framework Directive Assessment.pdf 1 MB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:51:55

Crown Conflict Plan.pdf 944 KB
Created By: MR DINNIS BLEWETT
18-AUG-2023 14:19:27

Crown Conflict Proximity Report.pdf 91 KB
Created By: MR DINNIS BLEWETT
18-AUG-2023 14:19:28

Programme of works

You should detail the proposed programme of works for the project. This should include proposed start and end dates for the overall project and individual elements of the project. It should also include details of any elements that need to be completed by a certain date and details of any time periods during which activities could not be carried out and the reasons for this. It should also include proposed working hours. (max. 2000 characters)

The proposed start date is 1st September 2023. There are three main elements that make up the work programme.

1. Deployment of the main infrastructure (headlines, risers and screw anchors/eco-blocks/oil rig anchors) which comprises of 144 x 160 m longlines. Deployment of long lines will take place over the course of 2-3 years, incrementally. Deployment of infrastructure takes place annually ahead of the deployment of seeded lines. It has to take place in September. It is expected this activity will cease by 2027.
2. Deployment of seeded lines onto the main headlines. This takes place annually for the duration of the licence and can only occur when the sea temperature is favourable. Therefore this takes place in October/early November.
3. Removal of seeded lines (harvesting). This takes place annually for the duration of the licence and has to occur when growth is maximised but biofouling is avoided. The majority of species are harvested in April/May.

Works are carried out using appropriate vessels, equipment and a qualified and insured crew. Works are carried out in daylight hours and when conditions at sea and weather present safe working conditions. Working hours may be tidally driven and so variable but would not include night-time or overnight hours. In between activities 1-3, Camel Fish will be responsible for monitoring the farm site and maintaining the lines regularly. See 'Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan', 'Camel Fish Farm Plan' and 'Camel Fish Water Framework Directive Assessment'.

Related consents and applications

Have any other applications been made to the MMO in relation to this project?

☒ Yes ☐ No

Please give details (including application reference numbers if possible)

(max. 2000 characters)

Camel Fish Limited is cooperatively working with Biome Algae Limited, who will be applying for a licence for a seaweed farm site situated adjacent to the farm proposed in this application. The site will lie to the East of this proposal and be identical - including the exact same infrastructure (please refer to the 'Camel Fish Farm Plan'). Both licence applications will be running independently of each other (Refer to the 'Camel Fish Biosecurity Plan'). Although the licence applications run independently of each other all pre-engagement with stakeholders and the preparation of applications have been worked on together with Biome Algae acting as consultants in Camel Fish Limited's application process. Please refer to 'Camel Fish Farm Location' and 'Biome & Camel Fish Farm Location'.

It should be noted that all pre-engagement with the local fishing community and sailing clubs was conducted with the stakeholders being aware that there is going to be two applications going in for sites within the bay. All stakeholders responded with NO OBJECTION on to the two site proposals and this is evident in the 'Camel Fish Pre-engagement Log'. The local fishing community and the local sailing clubs are in full support of the Camel Fish proposed site and the Biome Algae proposed site.

Biome & Camel Fish Farm Location.png 1 MB
Created By: MR DINNIS BLEWETT
07-JUL-2023 14:09:48

Camel Fish Farm Location.png 1 MB
Created By: MR DINNIS BLEWETT
07-JUL-2023 14:09:54

Camel Fish Pre-engagement Log.pdf 179 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:08:21

Has there been any other contact with the MMO in relation to this project?

☐ Yes ☒ No

Have any applications been made to or consents issued by other authorities in relation to this project?

This could include applications for planning permission, environmental permits, development consent orders, transport and works orders, marine licences or any other type of licence, permit or consent. This could also include consents from local authorities, Government regulators, harbour authorities, devolved administrations, other European countries and any other type of authority.

☐ Yes ☒ No

Do you have statutory powers to consent or undertake without consent any aspect of this project?

This could include statutory powers of a coast protection authority, harbour authority or lighthouse authority or any other type of statutory powers.

☐ Yes ☒ No

Is the project located within the jurisdiction of a statutory harbour authority?

This includes the jurisdiction of municipal, private and trust ports where they are a statutory harbour authority.

☐ Yes ☒ No



Applicant details

This is the person, company or organisation that will hold the licence.

Contact type

☐ Individual ☒ Organisation

Trading title (if applicable)

Camel Fish Limited

Title

Mr

Forename

Dinnis Paul

Surname

Blewett

Organisation name

CAMEL FISH LIMITED

Reg number

05654403

Position in organisation

Director

Contact within company

Hannah Clark

Postcode

PL25 4DD

Postal address

9 TREGARNE TERRACE
ST. AUSTELL

Telephone number

+44 7837194105

Fax number

Email address

paulblewett@btinternet.com

Sustainable development

The MMO strongly advise that a strategic appraisal is completed. Issues that should be considered include:

- i. Identification of any conflicts between the project and the relevant marine plan.
- ii. Identification of alignment of the project with the Marine Policy Statement and any relevant National Policy Statement.
- iii. Identification of the environmental, social and economic drivers for a project that have been identified through existing feasibility studies or discussions with other public bodies (e.g. Local Authorities or Local Economic Partnerships).
- iv. Identification of any potential issues that may arise due to UK law (e.g. Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, Marine Strategy Regulations 2010, Conservation of Habitats & Species Regulations 2017), and how these can potentially be avoided, or mitigated, at the strategic level.
- v. Identification of any priority issues that may need addressing with regard to cumulative effects.
- vi. Options appraisal undertaken by the applicant, and the social, economic and environmental reasoning behind why the preferred option has been chosen.

Please provide your Strategic Appraisal (if completed) by clicking the link below

[Camel Fish Marine Policy Assessment.pdf](#) 697 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:12:22

Environmental impact assessment

Has an environmental statement been produced to support this project?

Environmental statements are required for projects of a type listed in the Marine Works (Environmental Impact Assessment)

Regulations 2007. If you are not certain whether your project falls within this category, please contact us before proceeding with your application.

☐ Yes ☒ No

Habitats regulations assessment

Have the effects of the project on European sites been considered?

☒ Yes ☐ No





Please give details
(max. 2000 characters)

The proposed farm is located within Port Quin Bay. Therefore it is situated within the Bristol Channel Approaches SAC. It is also located at a distance from the Padstow Bay and Surrounds MCZ. The project has been assessed in depth in relation to both these sites. The conclusions were that there were no pathways that could negatively impact any of the protected features or species. Please refer to 'Camel Fish Habitats Regulations Assessment x3 (SAC, MCZ, Pink sea fan)' as well as 'Camel Fish Water Framework Directive Assessment' and 'Camel Fish Seabed, Fisheries and Marine Mammals Assessment'. In addition to these assessments, Camel Fish will be operating biosecurity plans and maintaining a regular monitoring programme during farm operations. Please refer to 'Camel Fish Biosecurity Plan', 'CIFCA Biosecurity Plan 2019' and 'Camel Fish Marine Monitoring Plan'.

In addition to these assessments, Camel Fish has assessed the project in relation to the AONB and English Heritage (Shipwrecks). See 'Camel Fish AONB and English Heritage Assessment'.

If possible, please provide a copy of the assessments done

Camel Fish Habitat Regulations Assessment MCZ.pdf 541 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:15:19

Camel Fish Habitat Regulations Assessment Pink Sea Fan.pdf 541 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:15:21

Camel Fish Habitat Regulations Assessment SAC.pdf 643 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:15:23

Marine conservation zone assessment

Have the effects of the project on marine conservation zones been considered?

☒ Yes ☐ No



Please give details
(max. 2000 characters)

The proposed seaweed farm site is not located within the Padstow Bay and Surrounds MCZ and is at 350 m + distance from the boundary of said MCZ. Although a formal MCZ Assessment is not required, Camel Fish has considered the MCZ within the following: 'Camel Fish Habitats Regulations Assessment: Marine Conservation Zone', 'Camel Fish Habitats Regulations Assessment: Pink Sea Fan', 'Camel Fish Water Framework Directive Assessment' and 'Camel Fish Seabed, Fisheries and Marine Mammals Assessment'. It was concluded that there were no clear pathways to impact the protected features and species from the proposed farm. In addition to these assessments, Camel Fish will be operating biosecurity plans and maintaining a regular monitoring programme during farm operations. Please refer to 'Camel Fish Biosecurity Plan', 'CIFCA Biosecurity Plan 2019' and 'Camel Fish Marine Monitoring Plan'.

If possible, please provide a copy of the assessments done

Camel Fish Habitat Regulations Assessment MCZ.pdf 541 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:14:23

Sites of special scientific interest

Have the effects of the project on sites of special scientific interest (SSSI) been considered?

☒ Yes ☐ No

Please give details
(max. 2000 characters)

The proposed farm site is 500 m + offshore and therefore at a distance from SSSIs designated along the Pentry coastline and surrounds which are located from the intertidal zone and landward. There are no clear pathways to the SSSIs. Please refer to 'Camel Fish AONB and English Heritage Assessment' and 'Camel Fish Water Framework Directive Assessment'.

If possible, please provide a copy of the assessments done

Camel Fish AONB and English Heritage Assessment.pdf 1 MB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:23:35

Water Framework Directive compliance assessment

Have the effects of the project been considered in accordance with the Water Framework Directive?

☒ Yes ☐ No



Please give details
(max. 2000 characters)

A full assessment of the proposed farm has been taken against the Water Framework Directive and information available for the Bay. The project is IN ACCORDANCE with the Water Framework Directive. Please refer to 'Camel Fish Fisheries Impact Assessment', 'Camel Fish Water Framework Directive Assessment: Scoping' and 'Camel Fish Water Framework Directive Assessment'. In addition to these assessments, Camel Fish will be operating biosecurity plans and maintaining a regular monitoring programme during farm operations. Please refer to 'Camel Fish Biosecurity Plan', 'CIFCA Biosecurity Plan 2019' and 'Camel Fish Marine Monitoring Plan'.

If possible, please provide a copy of the assessments done



Camel Fish Water Framework Directive Assessment Scoping.pdf 283 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:23:44

Camel Fish Water Framework Directive Assessment.pdf 1 MB
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12-JUL-2023 12:23:46

Consultation and advertising

Has public consultation taken place and/or has the project been advertised?

☒ Yes ☐ No

Please give details

(max. 2000 characters)

The project will be advertised in accordance with the licensing procedures once submitted to the MMO for assessment.

A program of pre-engagement was undertaken ahead of the application being submitted.

This included a range of individuals, organisations or institutes, with regards to co-locating the project with existing sea users and bay activities with a clear aim of avoiding or minimising/mitigating displacement. There was no opposition to the project from any engaged stakeholders mentioned below. Consultees included:

Kings Harbour Master and Harbour representatives
Fishers operating in the bay
Potters operating in the bay
Trawlers operating in the bay
Sailing clubs: Padstow, Port Isaac, Port Quin
Diving clubs
RYA
Aquaculture operators within the Bay
Charter and boat tours in the bay
Recreational bay users
Trinity House
Crown Estate

The pre-engagement record with outcomes is summarised in the 'Camel Fish Pre-engagement Log'. In addition, a number of letters of support were provided ('Camel Fish Letters of Support') and evidence of Pre-engagement can be seen in 'Camel Fish Pre-engagement Evidence'.

All communications with consultees have been collated and maintained as evidence of this process. Information provided by these consultees has been integrated into the overall application and supporting documents. Refer to 'Camel Fish Water Framework Directive Assessment', 'Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan', 'Camel Fish Fisheries Impact Assessment'.

Camel Fish Pre-engagement Evidence.zip 621 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:27:18

Camel Fish Pre-engagement Log.pdf 179 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:27:19

Camel Fish Letters of Support.pdf 312 KB
Created By: MR DINNIS BLEWETT
18-AUG-2023 14:20:14

Has consultation about the project with any other statutory body taken place?

☒ Yes ☐ No

Please give details

(max. 2000 characters)

The project will be advertised in accordance with the licensing procedures once submitted to the MMO for assessment.

A program of pre-engagement was undertaken ahead of the application being submitted.

This included a range of individuals, organisations or institutes, with regards to co-locating the project with existing sea users and bay activities with a clear aim of avoiding or minimising/mitigating displacement. There was no opposition to the project from any engaged stakeholders mentioned below. Consultees included:

Kings Harbour Masters and Harbour representatives
Trinity House
Crown Estate

The pre-engagement record with outcomes is summarised in the 'Camel Fish Stakeholder Engagement Log'. In addition, a number of letters of support were provided ('Camel Fish Letters of Support Log').

All communications with consultees have been collated and maintained as evidence of this process. Information provided by these consultees has been integrated into the overall application and supporting documents. Refer to 'Camel Fish Water Framework Directive Assessment', 'Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan', 'Camel Fish Fisheries Impact Assessment'.

In addition, Camel Fish consulted the coastguard for AIS/non-AIS data access and importantly, an approval of the draft MEAC prepared. See 'Camel Fish Draft Marine Emergency Action Card'.

It should be noted that Camel Fish are currently waiting for an Archeological Report is in the process of being completed and will be uploaded when done.

Camel Fish Draft Marine Emergency Action Card.pdf 508 KB
Created By: MR DINNIS BLEWETT
12-JUL-2023 12:28:20

Do you consider this application to be for emergency activities?

Emergency activities are those undertaken for the protection of life, property or the environment from an imminent risk.

☐ Yes ☒ No

Do you consider this application would qualify for the accelerated licensing process for dredging?

The accelerated licensing process applies to certain types of small-scale low-risk dredging activity.

☐ Yes ☒ No

Proposed licence start date

01-SEP-2023

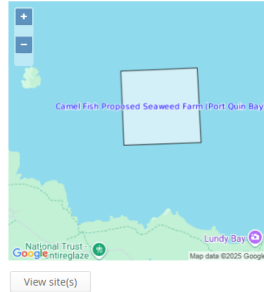
Proposed licence end date

31-AUG-2073

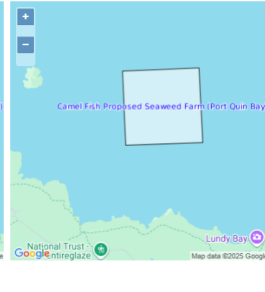


Sites

Applicant



MMO



Camel Fish Proposed Seaweed Farm (Port Quin Bay)

Site sensitivities

You should provide details of any protected areas (European or Ramsar sites, marine conservation zones, sites of special scientific interest, areas of outstanding natural beauty etc) and protected features (scheduled monuments, protected wrecks etc). You should also provide details of other areas and features of social, economic or environmental value. This could include shipping lanes, fishing grounds, recreational sailing areas, material assets, unprotected habitats and species and any other feature. (max. 2000 characters)

Please refer to the following reports supporting this application:

- Camel Fish Water Framework Directive Assessment: Scoping
- Camel Fish Water Framework Directive Assessment
- Camel Fish Seabed, Fisheries and Marine Mammals Assessment
- Camel Fish AONB and English Heritage Assessment
- Camel Fish Habitats Regulations Assessment: Marine Conservation Zone
- Camel Fish Habitats Regulations Assessment: Special Area of Conservation
- Camel Fish Habitats Regulations Assessment: Pink Sea Fan
- Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan
- Camel Fish Biosecurity Plan
- CIFCA Biosecurity Plan 2019
- Camel Fish Marine Monitoring Plan
- Camel Fish Marine Policy Assessment
- Camel Fish Fisheries Impact Assessment

These reports assess the proposed farm against all of the potential site sensitivities listed. In Port Quin Bay and its surrounds, there is a SAC, MCZ, SSSI, a section of the AONB, wrecks (unprotected), fishing grounds and sailing areas. Camel Fish concludes that the proposed location of the farm and activities involved present no clear pathways to impact, or are impacts that can be avoided through using a biosecurity plan and regular monitoring. The farm is at a significant distance from protected features and species. Where potential impact has been identified Camel Fish has ensured the selected location minimises or avoids it in each case. There is a shipping lane at a significant distance from the proposed farm site. This is detailed within each report.

Camel Fish AONB and English Heritage Assessment.pdf 1 MB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:16
Camel Fish Biosecurity Plan.pdf 623 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:19
Camel Fish Draft Marine Emergency Action Card.pdf 508 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:21
Camel Fish Habitat Regulations Assessment MCZ.pdf 541 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:27
Camel Fish Habitat Regulations Assessment Pink Sea Fan.pdf 541 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:28
Camel Fish Habitat Regulations Assessment SAC.pdf 643 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:29
Camel Fish Marine Monitoring Plan.pdf 394 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:30
Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan.pdf 1 MB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:32
Camel Fish Marine Policy Assessment.pdf 607 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:38
Camel Fish Seabed, Fisheries and Marine Mammals Assessment.pdf 1 MB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:40
Camel Fish Water Framework Directive Assessment Scoping.pdf 283 KB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:42
Camel Fish Water Framework Directive Assessment.pdf 1 MB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:45
CIFCA Biosecurity Plan 2019.pdf 1 MB Created By: MR DINNIS BLEWETT 12/JUL/2023 12:31:48



List of activities at this site

Activity	Site	Activity type	Actions
Deployment of main seaweed farm infrastructure	Camel Fish Proposed Se...	Other deposits	
Deployment of seeded lines onto main seaweed farm infrastructure	Camel Fish Proposed Se...	Other deposits	
Removal of seeded lines (harvesting) from the main seaweed farm infrastructure.	Camel Fish Proposed Se...	Other removals	

Activity details

Activity type

Please select the type of activity that would take place. If more than one activity would take place you should enter the details of one activity here and then add another activity.

Activity type

Deposit of any substance or object

Activity subtype

Other deposits

General

Activity title

Enter the title of this activity (max. 250 characters)

Deployment of main seaweed farm infrastructure

Activity description

You should include a detailed description of the activity. For construction activities, this should include the dimensions of the works and materials to be used. (max. 2000 characters)

The proposed seaweed farm comprises 144 x 160 m longlines that form the main farm infrastructure. Of the 50.4 Ha licensed site, the infrastructure occupies 5 Ha, with the rest of the water left open for farm access and operations, as well as navigational safety reasons. Each longline comprises a 40 mm polysteel rope that forms the headline and risers. The risers attach the headline to the seabed. The risers are attached to the seabed using a 30 cm diameter marine grade stainless steel screw anchor (10 m long), eco-block, or oil rig anchor (refer to 'Camel Fish Biosecurity Plan'). The headlines are supported by grey buoys (300 l) attached using 10mm polysteel rope ties. These lines will be deployed over a 2-3 year period and once deployed will be regularly monitored and maintained. The screw anchors/eco-blocks/oil rig anchors will only require depositing once over the farms' full licence term.

Using screw anchors/eco-blocks is a proven method within Torbay (scallop farm and seaweed farm) and has resulted in increased infrastructure stability - the longlines cannot move. Depositing of the main infrastructure will require 5 days or less in September each year until 2026/27. Then this activity will cease.

See 'Camel Fish Farm Plan', 'Camel Fish Navigational Safety Assessment and Emergency Response Plan' and 'Camel Fish Water Framework Directive Assessment' and 'Camel Fish Biosecurity Plan' for illustrations of the longlines and farm plan.

Activity methodology

Your method statement should clearly explain how you are going to carry out the activities providing detail on any materials and plant to be used as well as proposed programme timings. (max. 2000 characters)

The main infrastructure including screw anchors/eco-blocks/oil rig anchors, will be deposited using a fully qualified and experienced and insured boat crew with an appropriate vessel. The screw anchors will be deposited using a manually operated ROV, operated by the same professional team who deployed the same screw anchors for the scallop farm in Torbay. Depositing of the lines will be staged over 2-3 years. Each year, approximately 48 lines will be deposited, at a rate of 10 lines per day. Therefore 5 days of infrastructure depositing will take place in September annually. Depositing will occur during daylight hours and during safe weather conditions. This must occur in September, as the next stage: depositing of seeded lines needs to happen in October/early November in line with the water temperature drop which indicates the start of the growing season.

Activity start date

01-SEP-2023

Activity end date

31-AUG-2073

Activity programme

You should detail the proposed programme of works for the activity. This should include proposed start and end dates for the activity. It should also include details of any elements that need to be completed by a certain date and details of any time periods during which the activity could not be carried out and the reasons for this. It should also include proposed working hours. (max. 2000 characters)

Although the Activity end date above is set to the life of the farm licence, this is only a precaution. It is expected that the main infrastructure will be rolled out over a 3-year period, starting in September 2023. The longlines would require a 5-day period annually in September for depositing of screw anchors/eco-blocks/oil rig anchors, risers, headlines and buoys. Once the screw anchors/eco-blocks/oil rig anchors are in place, they should not need replacing over the lifetime of the marine licence and farm. Ropes will require monitoring and maintenance. This activity has to occur in September, ahead of the second depositing activity - seeded lines, which have to be deposited in October/early November, when the sea temperature drops sufficiently to indicate the start of the growing season.

Potential impacts

You should detail the potential impacts this activity may have. This should include social, economic and environmental impacts. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

Please refer to the following reports supporting this application:

Camel Fish (CF) Water Framework Directive Assessment
CF Seabed, Fisheries and Marine Mammals Assessment
CF AONB and English Heritage Assessment
CF Habitats Regulations Assessment x 3 (Marine Conservation Zone, Special Area of Conservation, Pink Sea Fan)
CF Navigational Safety Assessment and Emergency Response Plan
CF Biosecurity Plan
CIFCA Biosecurity Plan 2019
CF Marine Monitoring Plan
CF Marine Policy Assessment
CF Fisheries Impact Assessment



These reports assess the proposed farm against all of the potential impacts. In Port Quin Bay and its surrounds, there is a SAC, MCZ, SSSIs, a section of the AONB, wrecks (unprotected), fishing grounds and sailing areas. Camel Fish concludes that the proposed location of the farm and activities involved present no clear pathways to impact, or are impacts that can be avoided through using a biosecurity plan and regular monitoring. The farm is at a significant distance from protected features and species. Where potential impact has been identified Camel Fish has ensured the selected location minimises or avoids in each case. There is a shipping lane at a significant distance from the proposed farm site. This is detailed within each report.

It is expected that the farm will provide local employment and training opportunities, will provide revenue to Padstow Harbour (landing fees and remunerated use of harbour infrastructure), will support local businesses (through them supplying the farm with equipment etc.), will generate taxable revenue as a company and will support local University research programs and training opportunities for masters and PhD students. The resultant seaweed will provide feed and fertiliser alternatives for farms in the region, food for restaurants and extracts that can be used to replace plastics in packaging. Seaweed also locks down carbon at high rates, contributing to the industry meeting carbon reduction goals by 2030 and 2050.

Proposed mitigation

You should detail the mitigation you propose in response to the potential impacts. This should include a detailed explanation of the mitigation measure and evidence to demonstrate that the mitigation is likely to be successful. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

The mitigation and avoidance are clearly detailed within the same reports that identify the potential impacts:

Camel Fish Water Framework Directive Assessment
Camel Fish Seabed, Fisheries and Marine Mammals Assessment
Camel Fish AONB and English Heritage Assessment
Camel Fish Habitats Regulations Assessment x 3 (Marine Conservation Zone, Special Area of Conservation, Pink Sea Fan)
Camel Fish Navigational Safety Assessment and Emergency Response Plan
Camel Fish Biosecurity Plan
CIFCA Biosecurity Plan 2019
Camel Fish Marine Monitoring Plan
Camel Fish Marine Policy Assessment
Camel Fish Fisheries Impact Assessment

The reports assess each potential impact in detail. If a potential impact is identified, the avoidance or mitigation method is detailed in-depth and success is indicated.

Residual risks

You should detail the residual risks from the activity following the mitigation. This should include an assessment of the significance of the risks and evidence to show why these risks cannot be avoided or further mitigated. (max. 2000 characters)

There are no residual risks.

Additional supporting information

You should use this section to provide any further information about this activity that you wish to have taken into account in the processing and determination of this application. (max. 2000 characters)

Not required: covered within the application and supporting reports/documents.

Other deposits

Material details

Start date	End date	Description	Amount to be deposited (kg)
01-SEP-2023	31-AUG-2073	Deployment of the main seaweed farm infrastructure (screw anchors/eco-blocks/oil rig anchors, risers, headlines and buoys) x 144 over 3 years. Infrastructure comprises marine grade stainless steel screw anchors, 40 mm polysteel headline/riser rope, 10 mm polysteel rope (attaching buoys) and 300 l grey buoys.	50000

Further details

Additional information
(max. 2000 characters)

Not required.

Supporting documents

Activity details

Activity type

Please select the type of activity that would take place. If more than one activity would take place you should enter the details of one activity here and then add another activity.

Activity type

Deposit of any substance or object

Activity subtype

Other deposits

General

Activity title

Enter the title of this activity (max. 250 characters)

Deployment of seeded lines onto main seaweed farm infrastructure

Activity description

You should include a detailed description of the activity. For construction activities, this should include the dimensions of the works and materials to be used. (max. 2000 characters)

In October/early November annually, Camel Fish will deploy seeded lines (droppers) onto the main infrastructure deployed. This is in line with the sea temperature dropping sufficiently to indicate the start of the growing season. The seeded lines are seeded with native seaweed 'seeds'. The lines comprise 4 m long seeded droppers spaced a metre apart along the headline. The droppers are made of 12-14 mm polysteel rope. They are attached to the headline using 10 mm polysteel rope.

See 'Camel Fish Farm Plan', 'Camel Fish Navigational Safety Assessment and Emergency Response Plan' and 'Camel Fish WFD Assessment' for illustrations of the longlines and farm plan.

Activity methodology

Your method statement should clearly explain how you are going to carry out the activities providing detail on any materials and plant to be used as well as proposed programme timings. (max. 2000 characters)

The seeded droppers will be deposited using a fully qualified and experienced and insured boat crew with an appropriate vessel. Depositing of the lines will occur annually, requiring 36 deployment days when the farm is at full longline capacity (144). Depositing will occur during daylight hours and during safe weather conditions. This must occur in October/early November in line with the water temperature drop which indicates the start of the growing season.

Activity start date

01-OCT-2023

Activity end date

31-AUG-2073



Activity programme

You should detail the proposed programme of works for the activity. This should include proposed start and end dates for the activity. It should also include details of any elements that need to be completed by a certain date and details of any time periods during which the activity could not be carried out and the reasons for this. It should also include proposed working hours. (max. 2000 characters)

It is expected that the seeded droppers will be deposited annually in October/November each year for the duration of the license. Seeded droppers will require monitoring and maintenance during their deployment. At full farm capacity, they will be deployed over 36 days annually to fill all 144 longlines. This activity has to occur in October/November each year as the sea temperature is sufficiently low to indicate the start of the growing season. And the weather/sea conditions are safer than later in the year. The proposed start date is October 1st 2022 and the same time annually for the duration of the marine licence. The deployment will occur during daylight hours.

Potential impacts

You should detail the potential impacts this activity may have. This should include social, economic and environmental impacts. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

Please refer to the following reports supporting this application:

Camel Fish (CF) Water Framework Directive Assessment
CF Seabed, Fisheries and Marine Mammals Assessment
CF AONB and English Heritage Assessment
CF Habitats Regulations Assessment x 3 (Marine Conservation Zone, Special Area of Conservation, Pink Sea Fan)
CF Navigational Safety Assessment and Emergency Response Plan
CF Biosecurity Plan
CIFCA Biosecurity Plan 2019
CF Marine Monitoring Plan
CF Marine Policy Assessment
CF Fisheries Impact Assessment

These reports assess the proposed farm against all of the potential impacts. In Port Quin Bay and its surrounds, there is a SAC, MCZ, SSSI, a section of the AONB, wrecks (unprotected), fishing grounds and sailing areas. Camel Fish concludes that the proposed location of the farm and activities involved present no clear pathways to impact, or are impacts that can be avoided through using a biosecurity plan and regular monitoring. The farm is at a significant distance from protected features and species. Where potential impact has been identified Camel Fish has ensured the selected location minimises or avoids in each case. There is a shipping lane at a significant distance from the proposed farm site. This is detailed within each report.

It is expected that the farm will provide local employment and training opportunities, will provide revenue to Padstow Harbour (landing fees and remunerated use of harbour infrastructure), will support local businesses (through them supplying the farm with equipment etc.), will generate taxable revenue as a company and will support local University research programs and training opportunities for masters and PhD students. The resultant seaweed will provide feed and fertiliser alternatives for farms in the region, food for restaurants and extracts that can be used to replace plastics in packaging. Seaweed also locks down carbon at high rates, contributing to the industry meeting carbon reduction goals by 2030 and 2050.

Proposed mitigation

You should detail the mitigation you propose in response to the potential impacts. This should include a detailed explanation of the mitigation measure and evidence to demonstrate that the mitigation is likely to be successful. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

The mitigation and avoidance are clearly detailed within the same reports that identify the potential impacts:

Camel Fish Water Framework Directive Assessment
Camel Fish Seabed, Fisheries and Marine Mammals Assessment
Camel Fish AONB and English Heritage Assessment
Camel Fish Habitats Regulations Assessment x 3 (Marine Conservation Zone, Special Area of Conservation, Pink Sea Fan)
Camel Fish Navigational Safety Assessment and Emergency Response Plan
Camel Fish Biosecurity Plan
CIFCA Biosecurity Plan 2019
Camel Fish Marine Monitoring Plan
Camel Fish Marine Policy Assessment
Camel Fish Fisheries Impact Assessment

The reports assess each potential impact in detail. If a potential impact is identified, the avoidance or mitigation method is detailed in-depth and success is indicated.

Residual risks

You should detail the residual risks from the activity following the mitigation. This should include an assessment of the significance of the risks and evidence to show why these risks cannot be avoided or further mitigated. (max. 2000 characters)

There are no residual risks.

Additional supporting information

You should use this section to provide any further information about this activity that you wish to have taken into account in the processing and determination of this application. (max. 2000 characters)

Not required: covered within the application and supporting reports/documents.

Other deposits

Material details

Start date	End date	Description	Amount to be deposited (kg)
01-OCT-2023	31-AUG-2073	Deployment (depositing) of seeded lines (droppers) which comprise 12-14 mm polysteel rope seeded with native seaweed 'seeds'. The 4 m long droppers are attached to the headline using 10 mm polysteel rope.	50000

Further details

Additional information
(max. 2000 characters)

Not required

Supporting documents



Activity type

Please select the type of activity that would take place. If more than one activity would take place you should enter the details of one activity here and then add another activity.

Activity type

Removal of any substance or object

Activity subtype

Other removals

General

Activity title

Enter the title of this activity (max. 250 characters)

Removal of seeded lines (harvesting) from the main seaweed farm infrastructure.

Activity description

You should include a detailed description of the activity. For construction activities, this should include the dimensions of the works and materials to be used. (max. 2000 characters)

The seeded lines (droppers) that were deposited in October/early November will be removed from the main infrastructure (longlines) which will remain deposited. This activity will occur annually at the end of the growing season and before biofouling occurs. Harvesting of the seeded lines occurs in April/May each year. Although a potential red species to be farmed (Dulse) could be harvested in August. It will require 36 days per year when the farm is at full operational capacity (144 lines).

Activity methodology

Your method statement should clearly explain how you are going to carry out the activities providing detail on any materials and plant to be used as well as proposed programme timings. (max. 2000 characters)

The seeded droppers will be removed using a fully qualified and experienced and insured boat crew with appropriate vessel (they currently operate the scallop and mussel farm). Removal of the lines will occur annually, requiring 36 removal days when the farm is at full longline capacity (144). Removal will occur in daylight hours and during safe weather conditions. This must occur in April/May annually in line with the water temperature rise and biofouling which indicates the end of the growing season.

Activity start date

01-AUG-2024

Activity end date

31-AUG-2073

Activity programme

You should detail the proposed programme of works for the activity. This should include proposed start and end dates for the activity. It should also include details of any elements that need to be completed by a certain date and details of any time periods during which the activity could not be carried out and the reasons for this. It should also include proposed working hours. (max. 2000 characters)

It is expected that the seeded droppers will be removed annually in April/May each year for the duration of the license. At full farm capacity, they will be removed over 36 days annually from all 144 longlines. This activity has to occur in April/May each year as the sea temperature is sufficiently high to indicate the end of the growing season and encourage the biofouling of the seaweed. The proposed start date is April 1st 2023 and the same time annually for the duration of the marine licence. Harvesting will occur during daylight hours.

Potential impacts

You should detail the potential impacts this activity may have. This should include social, economic and environmental impacts. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

Please refer to the following reports supporting this application:

Camel Fish (CF) Water Framework Directive Assessment
CF Seabed, Fisheries and Marine Mammals Assessment
CF AONB and English Heritage Assessment
CF Habitats Regulations Assessment x 3 (Marine Conservation Zone, Special Area of Conservation, Pink Sea Fan)
CF Marine Navigational Safety Assessment and Emergency Response Plan
CF Biosecurity Plan
CIFCA Biosecurity Plan 2019
CF Marine Monitoring Plan
CF Marine Policy Assessment
CF Fisheries Impact Assessment

These reports assess the proposed farm against all of the potential impacts. In Port Quin Bay and its surrounds, there is a SAC, MCZ, SSSI, a section of the AONB, wrecks (unprotected), fishing grounds and sailing areas. Camel Fish concludes that the proposed location of the farm and activities involved present no clear pathways to impact, or are impacts that can be avoided through using a biosecurity plan and regular monitoring. The farm is at a significant distance from protected features and species. Where potential impact has been identified Camel Fish has ensured the selected location minimises or avoids in each case. There is a shipping lane at a significant distance from the proposed farm site. This is detailed within each report.

It is expected that the farm will provide local employment and training opportunities, will provide revenue to Padstow Harbour (landing fees and remunerated use of harbour infrastructure), will support local businesses (through them supplying the farm with equipment etc.), will generate taxable revenue as a company and will support local University research programs and training opportunities for masters and PhD students. The resultant seaweed will provide feed and fertiliser alternatives for farms in the region, food for restaurants and extracts that can be used to replace plastics in packaging. Seaweed also locks down carbon at high rates, contributing to the industry meeting carbon reduction goals by 2030 and 2050.



Proposed mitigation

You should detail the mitigation you propose in response to the potential impacts. This should include a detailed explanation of the mitigation measure and evidence to demonstrate that the mitigation is likely to be successful. If this has already been detailed elsewhere in the application it is sufficient to reference that. (max. 2000 characters)

The mitigation and avoidance are clearly detailed within the same reports that identify the potential impacts:

Camel Fish Water Framework Directive Assessment
Camel Fish Seabed, Fisheries and Marine Mammals Assessment
Camel Fish AONB and English Heritage Assessment
Camel Fish Habitats Regulations Assessment x 3 (Marine Conservation Zone, Special Area of Conservation, Pink Sea Fan)
Camel Fish Marine Navigational Safety Assessment and Emergency Response Plan
Camel Fish Biosecurity Plan
CIFCA Biosecurity Plan 2019
Camel Fish Marine Monitoring Plan
Camel Fish Marine Policy Assessment
Camel Fish Fisheries Impact Assessment

The reports assess each potential impact in detail. If a potential impact is identified, the avoidance or mitigation method is detailed in-depth and success is indicated.

Residual risks

You should detail the residual risks from the activity following the mitigation. This should include an assessment of the significance of the risks and evidence to show why these risks cannot be avoided or further mitigated. (max. 2000 characters)

There are no residual risks.

Additional supporting information

You should use this section to provide any further information about this activity that you wish to have taken into account in the processing and determination of this application. (max. 2000 characters)

Not required: covered within the application and supporting reports/documents.

Are there any conditions you consider should be added to the marine licence?

Any suggested conditions will be considered as part of the application and may be applied to the consent. However, proposed conditions may also be edited or removed and other conditions may be applied in addition to or in place of any conditions you propose.

☐ Yes ☒ No

Grid view	List view						
Central Contact Details	Team Coordinator	Edit/Prepare Application	Submit Application	Applicant	Co-applicant	Copy Recipient	Invoice Addressee
DINNIS BLEWETT paulblewett@btinternet.com CAMEL FISH LTD +44 (0)7887 512 568 Role	☒	☒	☒	☒	☐	☐	☒

Fees and charges

Cost of project seaward of mean high water springs (£)

Specify pounds only or pounds and pence, e.g. 1000 or 1000.10

150000

Public register

Permission to add your data to the MMO evidence base:

The Marine Management Organisation (MMO) has gathered information from a number of existing sources to support marine planning, marine licensing and associated functions of the MMO. The MMO is continuously adding to the evidence base to support future decision making, with the aim to ensure a sustainable future for our coastal and offshore waters.

A new marine plan led system of marine management will set the direction for decision making on marine use and will:

- guide marine users to the most suitable locations for different activities;
- manage the use of marine resources to ensure sustainable levels; and
- consider all the benefits and impacts of current and future activities that occur in the marine environment.

1. The MMO would like your permission to use any of the data you submit in a digital format that can be entered into a geographical information system. This data may be used to inform MMO functions.

Can we use your data to inform MMO functions?

☒ Yes ☐ No

2. Under section 101 of the Marine and Coastal Access Act 2009 the MMO must maintain a register of activities where it is the appropriate licensing authority. Information contained within or provided in support of this application will be placed on the MMO's Public Register unless:

- The Secretary of State determines that its disclosure would be contrary to the interests of national security; or
- The MMO determines that its disclosure would adversely affect confidentiality of commercial or industrial information where such confidentiality is provided by law to protect legitimate commercial interest.

Is there any information in your application (including any supporting documents) that you believe should be withheld from the Public Register?

☐ Yes ☒ No



**Appendix 2: Letter A;
MLA202300307_MLA202300308_Application Update
Request (FIRs)**



Marine
Management
Organisation

Lancaster House
Newcastle Business Park
Newcastle upon Tyne
NE4 7YH

T +44 (0)300 123 1032
info@marinemmanagement.org.uk
www.gov.uk/mmo

Dr Angela Mead
Biome Algae Ltd.

Mr Dinnis Paul Blewett
Camel Fish Ltd.

Our reference:
MLA/2023/00308
MLA/2023/00307

(Email only)

02 May 2024

Dear Dr Mead and Mr Blewett,

Seaweed Farm in Port Quin Bay – MLA/2023/00307 & MLA/2023/00308

The MMO have been reviewing your applications for seaweed farms in Port Quin Bay, alongside our advisors. Following our review of the consultation responses, we consider we require further information is required in order to progress with our determination. In order that your application can be progressed you are asked to provide the required updates by **30 May 2024**.

We have also noted below what we would be minded to condition on any determination we may make.

Please note, no further action will be taken on your application until the further information is submitted.

1. Historic Environment

- 1.1 The MMO note this Archaeological Desk Based Assessment (DBA) has been produced by MSDS Marine on behalf of Camel Fish and Biome Algae Limited to support the marine licence applications for two adjacent seaweed farms in Port Quin Bay, north Cornwall. In doing so, we feel this presents a measured and considered approach to begin addressing the potential impacts generated by the proposed developments. The MMO found the DBA to be of a good standard, utilising a range of sources, considering the development related impacts, and providing recommendations.
- 1.2 There are, however, some areas of the document that would benefit from checking and further clarification. The MMO request that positions of the two geophysical anomalies (W_004 and W_005) within 'Table 7 Gazetteer of archaeological sites within the study area' be checked for accuracy, with a clearer, additional annotated





figure showing the locations of these features in relation to the proposed seaweed farm.

- 1.3 Following this, additional consideration needs to be included as to the mitigation strategy necessary for these features, either as a phased approach to understanding their nature and associated significance, or as a more standardised approach of precautionary avoidance. Furthermore, the MMO need to see from the assessment how the limitations of the geophysical survey data may affect what approach may be most suitable – given the proposed developments design parameters. For instance, would a survey utilising a combination of geophysical and hydrographical techniques, or an archaeologically targeted evaluation be required, prior to any archaeological exclusion zones being proposed?
- 1.4 With regard to the three proposed development options (in summary: 1. Screw anchors; 2. Eco-blocks; 3. Oil rig anchors and chains) the MMO note that the latter is the preferred choice. As such, to understand this option in more detail, additional consideration should be provided as to what impact all associated chainage may have on the seabed during not only daily tidal changes, but extreme weather events. This is in part due to the possibility that direct impacts from the introduction of such chains may in fact extend way beyond the footprint of the placed anchors, whilst also creating impacts at depth within the seabed.
- 1.5 Should the 'option 1 Screw anchors' be taken forward, there is a similar need for the DBA to explain how an archaeological written scheme of investigation (WSI) can incorporate appropriate means of mitigation to sub-surface deposits of potential archaeological and geoarchaeological interest – prior to construction. This is due to the limited direct information currently attained for these locations, and on reflection of the research aims in the South West England Research Framework Action Plan's. Such as Theme C: Environment and Dating – landscape change and methodologies. Therefore, the MMO require to have these points be clarified in the DBA, such that it can inform any post-consent WSI, and thereby commit to the procedures that need to be included.
- 1.6 The DBA must incorporate clearer recommendations for mitigation (perhaps through future archaeological work) to enable a greater understanding of potential heritage assets and associated deposits of interest residing on/within the seabed at the proposed location. With specific consideration provided of where existing marine geophysical survey data is currently unsuitable or insufficient to inform appropriate measures of mitigation.
- 1.7 The MMO also note that there is no need to reference the National Planning Policy Framework (2012) in section 2 'Legislation, policy and guidance'.



2. Navigational Safety

- 2.1 There is an incorrect reference in the submission to International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) documentation which has been superseded since 2013 by IALA G1162 2021. The MMO request that you correct this.
- 2.2 The MMO note that Trinity House requires the mid points of the sides of the site to be marked with unlit, yellow pillar-shaped special marks with yellow St Andrew's Cross topmarks. In addition, the corners of site are to be marked with lighted, pillar-shaped special mark buoys with yellow St Andrews cross topmark, and a characteristic of FI Y 5s. The MMO would likely condition these on any determination we are minded to make.
- 2.3 The MMO note concerns from Trinity House over any liability if the project goes into administration, or is not decommissioned fully, as it could fall on Trinity House, as the General Lighthouse Authority for England, Wales and the Channel Islands, to ensure the area is safely marked until made safe for other marine users with associated costs having to be covered by Trinity House and the general lighthouse fund. The MMO is minded to address this on any determination we make to ensure any future owner, or receiver, is liable to make the area safe and not abandoned.
- 2.4 The MMO are minded to include the following advisories and conditions on any marine licence we determine for these applications:
- An advisory to state that "During the period from the commencement of construction of the authorised project, to the completion of decommissioning seaward of Mean High Water Springs, exhibit such lights, marks, sounds, signals and other aids to navigation, and take such steps for the prevention of danger to navigation as Trinity House may from time to time direct."
 - In case of damage to, or destruction, or decay of the authorised project or any part thereof, the MMO, MCA, Trinity House and the UKHO should be notified as soon as reasonably practicable and no later than 24 hours following the awareness of any such damage, destruction or decay.
 - All buoys should be maintained to IALA Category 3 Availability of 97%
 - An advisory to state that "Reports must be provided to Trinity House on the availability of aids to navigation using the reporting system provided by Trinity House."
 - A notification must be sent to The Source Data Receipt team, UK Hydrographic Office, Taunton, Somerset, TA1 2DN (Email: sdr@ukho.gov.uk) of completion of the licensed activities, no later than 10 days after their completion.



A copy of the notification must be sent to the MMO within one week of the notification being sent.

- f. Trinity House and UKHO are to be provided with accurate positions of buoys in Latitude/Longitude WGS84 within 24 hours of buoys being established.

3. **Fisheries impact assessment**

- 3.1 The data used incorporates data from the MMO, IFCAs, EMODnet, Marine Traffic and the National Coastwatch Institute. This encompasses information on vessels and fishing vessels which have automatic identification system (AIS) and Vessel monitoring system (VMS) and are predominantly over 12 metres (m) in length. Although it will likely capture data from vessels of less than 12 m to a lesser extent. The fisheries impact assessment has referenced the aforementioned data sources throughout, however, the area which relates directly to the data is not consistently defined and is therefore unclear. The MMO would ask that the spatial extent is clarified throughout the application.

3.2 Fishing Activity in Port Quin Bay

The MMO note that the MMO landings data presented in Table 1 and Table 2 and would outline that although the fish/ shellfish are landed into Port Isaac, it does not necessarily follow that they are sourced from the area encompassed by the proposed location of the MLA. Please update the impact assessment to reflect this.

3.3 Static Gear Fisheries

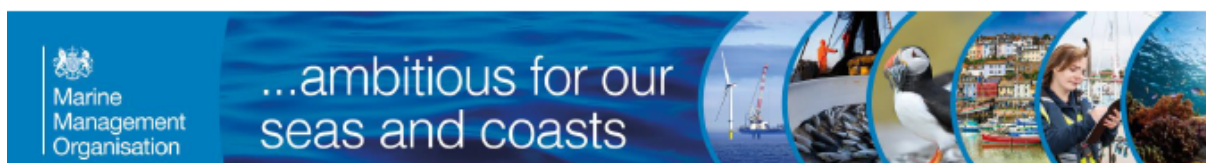
This static gear fisheries section of the environmental reports state that the seaweed farm "...is located in an area where static gear fishing contributed to all of the landed catch for the area", this doesn't relate to a timeframe or have a defined spatial reference, (e.g. International Council for the Exploration of the Sea (ICES) rectangle), it is therefore unclear where this information has come from and exactly what defined area it refers to. Can you please clarify the timeframe and spatial extent.

- 3.4 The Cornwall IFCA data encompassing up to and including the year 2021 can be found here:

https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Research_Reports/21-Summary-StatisticsL.pdf. Cornwall IFCA can be contacted if you have any questions or wish to discuss the data. The MMO request that the most up to date information should be used within the application, namely the 2021 Summary Statistics.

- 3.5 In relation to the Cornwall IFCA summary statistics data between 2017 – 2021, please see the below points of relevance:

- a. This illustrates a slight decrease in the annual average potting effort along the north coast, between 2017 – 2021, within band A (inshore 0 – 3nm), which encompasses





Port Quin Bay.

- b. The average annual potting effort (Ph/km²) along the north coast of Cornwall indicates some variation between 2016 – 2021 (inclusive), with a small increase noted between 2020 – 2021. There is also clear seasonal variation shown during the year 2021 within band A, which appears to correspond with the majority of the five-year average (2016 – 2020 inclusive).
- c. Inshore (0 – 3nm) the annual demersal netting effort along the north coast of Cornwall increased slightly from 2020 – 2021. However, within the belted statistical area which encompasses Port Quin Bay, appears to show a slight decrease in netting effort (as an annual average between 2017 – 2021 inclusive).
- d. The average annual demersal netting effort (Nh/km²) along the north coast of Cornwall indicates little variation between 2016 – 2021 (inclusive). There appears to be relatively little seasonal variation during 2021, within band A, which appears to correlate with the five-year average (between 2016 – 2020 inclusive).
- e. Cornwall IFCA statistics: total shellfish (including crab, crawfish, lobster and spider crab) 2022: 13,914 kg total declared removed and landed by Port Isaac boats, presumed landed into the port of Port Isaac.
- f. Cornwall IFCA statistics: for the statistical belted area 30E53A from 2022, the total removed and landed 18,391 kg, encompassing the species crab, crawfish, lobster, and spider crab.

3.6 Impact Assessment on Static Gear Fishing

This section of the Fisheries impact assessment states that the *“proposed farm lies within an area of active static gear fishing efforts that specifically target shellfish, demersal and pelagic species...”* then continues that the data from the MMO and Cornwall IFCA have been analysed and “suggest that the farm’s impact on these efforts will be low”. This statement appears to contradict the MMO landings data in Table 1 & Table 2 within the assessment, and the Cornwall IFCA data, synopsis of 2021 data given above. The following statement is also noted, *“During our communication with local fishers and potters (pre-engagement), they advised that whilst potting and netting is active within the Port Quin Bay area, the fishers have been able to adapt their static operations to take into account mariculture within the Bay.”* The MMO would ask you to clarify this statement, as adaptation of fishing practices for mariculture is not evidenced within the ‘Biome Pre Engagement Log’.

- 3.7 The MMO acknowledges your response regarding the different data sources available to yourselves, as well as the limitations of the data which have been acknowledged. The MMO consider that the lack of fine resolution data does not give the detail required to enable you to make general statements regarding the presence or absence of activity in the area of the proposed MLA. In light of the lack of evidence as to the importance of the specific area to the <10m vessels, it is worth





noting that if the area is important, these small vessels are limited in their ability to move further offshore. In view of the above points, the MMO would query how this assessment has been carried out, particularly as the cumulative impact of both proposed seaweed farm sites (MLA/2023/00308 and MLA/2023/00307), and the consented seaweed farm in Port Isaac Bay (Case ref: MLA/2022/00180 and Licence ref: L/2023/00169/1) have not been considered. The MMO request that consideration is given to these.

3.8 Demersal Gear Fisheries

The MMO would clarify that demersal is defined as that dwelling at or near the bottom of a body of water, with demersal fisheries being defined by the type of fishing activity, the gear used, and the varieties of fish and shellfish caught (K. Brander, International Council for the Exploration of the Sea (ICES), Copenhagen, Denmark). In regard to demersal fisheries, the Fisheries impact assessment has identified that the average landings by demersal gears comprised an average of 2.51% into Port Isaac and 17.55% in Padstow (encompassing 2021 and 2022 MMO data). You continue that *"demersal gear fishing landings at Padstow will be caught in the area of the Port Quin Bay."* In addition, the report states that *"This data infers that activities such as trawling and dredging are not commonplace within the Bay area. This is further supported by our engagement with Pentire Fishing Limited, they discussed that they were the only fishers with a trawling vessel that was active within the bay and they fully supported our proposed licensed site."*

The MMO would outline that the MMO data only encompasses two years of information which is a relatively short time period and would clarify, in regard to the focus on trawling in this section, that certain types of netting and species caught would be classified as a demersal fishery. In addition, there are other ports in the vicinity into which fishing vessels operating demersal gears can land their catch.

3.9 Impact Assessment on Demersal Gear Fisheries

The MMO would reiterate the clarification given in the section above regarding demersal gear fisheries, particularly as the impact assessment within this section appears to be solely focussed on trawling – *"...as the only fisher that trawls within the proposed site locations."* Given the demersal gear MMO landings data detailed within Table 1 and 2 of the fisheries impact assessment, indicating that nets are used in the Port Quin Bay area to target demersal or shellfish species by vessels which are predominantly under 10m in length, which is further evidenced by the stakeholders detailed within the *'Engaged Fishers & Companies Vessel Size Letter'*. The MMO asks you to elucidate upon their negligible impact assessment.

3.10 Additional Supporting Evidence

The MMO would highlight that the data given by EMODnet only includes vessels over 12 m in length. The majority of vessels operating within the area of the proposed seaweed farm are vessels of <10m in length, which are not encompassed by EMODnet data. Therefore, the low fishing activity determination made within the Fisheries impact assessment does not encompass the majority of fishing vessel





activity within the area of the proposed seaweed farm. The Figure 2 caption is unclear. It states, "Data is taken from the overview year of 2021 and averages the years of 2017 – 2020." The MMO request clarification as to whether the data encompasses the years 2017 – 2021.

- 3.11 VMS data included in this application will not identify any use of the area by fishing vessels of <12m in length which operate in and around the site of the proposed seaweed farm. The MMO notes the inclusion of the 'Engaged Fishers & Companies Vessel Size Letter', detailing individuals together with their respective vessel size category. This letter shows the predominance of the <10m vessels, however it provides no information on their respective fishing activities within the area. Please can you provide this.
- 3.12 Figure 7 shows vessel movement data from Marine Traffic for 2021, for all vessel types, which shows a high number of vessel movements through the area of the southern part of the proposed seaweed farm. The MMO notes the following statement:

"MarineTraffic gives the highest traffic level (in the South of the site) as 221 routes/0.08km²/year (medium). For the remainder of the site, it is less than this value. The EMODnet data (Provided in Section 4 of the Navigation Safety Assessment and Emergency Response Plan) presents traffic levels of between 0.27 to 0.57 hrs/km²/year for fishing, sailing and pleasure vessels (low range). All vessels range from 5.174 – 6.226 hrs/km²/yr which is low to medium. Overall traffic is assessed at low to medium within the proposed farm location."

The MMO note that the data collected and shown by Marine Traffic and EMODnet are different, showing AIS and VMS respectively. In terms of the fishing data shown, Marine Traffic will give information on predominantly >15m fishing vessels and EMODnet on >12m fishing vessels, therefore the data given by the two different data is non-comparable, (encompassing the values, units and assessments given by yourself). It should be noted for the assessment that vessels with AIS are capable of turning it off, therefore the Marine Traffic data is likely an under representation of activity which takes place within the area.

- 3.13 The MMO notes the statement "The main traffic transitioning in the area moves outside of both proposed farms to the South and North." The MMO require clarification as to why, the fisheries impact assessment refers to both proposed farms in this section and not throughout the document and also why there is no cumulative impact assessment regarding both proposed seaweed farms relating to fishing activity.
- 3.14 The fisheries impact assessment has stated as follows in section 3: *In addition, the most Southern part of each proposed farm site is located 550 m + from land/headland (see Figure 8 and 9). Waters in this southern region are 10 m deep or less. Therefore, traffic passing between the land and proposed farms is likely to be small leisure vessels – allowing for ample space for transitioning. Larger vessels will continue to transition north of the proposed farms, where water is deeper for*



safe keel/draft clearance (15-16 m +). This is further evidenced in our VMS ping data for vessels above 12m's showing a low number of pings for vessels in the bay.

The fisheries impact assessment has reasoned that due to water depth and the location of the southern boundary of the seaweed farm site in proximity to the nearest land, that smaller leisure vessels will likely use this southern area. In comparison, it states that larger vessels will use the area to the north of the seaweed farm for transiting, with VMS data given as further evidence of this. The MMO would question whether you have considered the impacts of displacement of fishing activity (particularly by under 10m vessels) and of other legitimate sea users in the area to the south of the site, together with any potential bottleneck effects as a result. The MMO request that you note the limitations of the data presented, therefore any assessments and conclusions drawn are based upon vessels of predominantly >12m length.

- 3.15 In regard to the following statement, *"Within the Fisheries Impact Assessment across the six-year period no ping data was detected (VMS) for large trawling vessels..."* the MMO would reiterate that the VMS data provided by the MMO is anonymised to protect individual fishers; therefore, the fishing gear used, and size of fishing vessels cannot be inferred, beyond the fact that vessels encompassed within VMS data would be >12m in length. In regard to the observations of Camel Fish Ltd, The MMO would reiterate the comment already made (see above).

3.16 Impacts on Salmonids

Migratory Salmonid species and their migratory routes are protected under the Salmon and Freshwater Fisheries Act. Salmonids are sensitive to noise, and this can act as a deterrent to their migratory pathways. The River Camel Special Area of Conservation (SAC) and the River Camel Valley and Tributaries Site of Special Scientific Interest (SSSI) have Salmonids in the citations and given the location of the proposal in the Bristol Channel, many other rivers may have migrating fish moving directly through, or in proximity to, this location and therefore be impacted by the construction stage.

The MMO requests that the impacts on Salmonids be considered with in an impact assessment, this must include details of the construction of the proposed development (including timing of works, methods, and materials to be used), consideration of the impacts of the construction method on the protected species and habitats, and details on how the migratory salmonids are to be protected during construction works.

4. Navigation

4.1 Navigational Risk Assessment

The Marine Navigational Safety Assessment (NSA) & Emergency Response Plan has stated that the *"Vessel finder data provides vessel density information that can be used to interpret anchorages."* The MMO would query this statement, as





designated anchorages are clearly marked on maritime charts and the AIS data presented by Vessel finder, therefore would predominantly show >15m fishing vessels. The MMO would like clarification as to why the National Coastwatch Institute (NCI) information has been used as a proxy instead of asking the relevant fisheries stakeholders to supply information on their fishing activity.

4.2 Annual Vessel Density

The MMO notes that table 2 is a measure of density not intensity, as stated in the caption. Regarding the 1 kilometre squared (km²) pixel to which the EMODnet data relates, encompassing the Port Quin Bay seaweed farm, the spatial extent needs to be clearly defined within Figure 2 to Figure 5, in order for the data given in table 2 and referenced in this section to be unambiguous. The MMO would like you to detail all vessel groups within table 2 (see list below), particularly as you make reference to the use of the area by passenger and cargo vessels, but no data is available for reference.

- Others
- Service
- Dredging or underwater operations
- High speed craft
- Tug and towing
- Passenger
- Cargo
- Tanker
- Military and law enforcement
- Unknown and all ship types

4.3 Monthly Vessel Density

The MMO notes the below statement: *"Within the Fishing sector, activity was more variable with activity appearing to peak in the shoulder seasons. No activity was recorded during 2020 and this is likely associated with the Covid-19 Pandemic. One anomalous peak in activity was recorded in November 2021 where activity was recorded at 15.77 hrs/km² /month and contributed to 98% of all activity recorded that month. This peak likely drives the increased average in November Table 3. Excluding this peak, the fishing activity ranged from 0 to 3.06 hrs/km² /month across all years."*

The MMO has several queries regarding the above, firstly, you suggest that fishing activity appears to peak in the shoulder seasons, however, without the data this cannot be verified. It continues, stating that there is 'no activity in 2020'. In relation to this statement, the MMO would ask you to clarify whether you are referring to all vessels or just fishing vessels and whether this relates to a specific time period within the year. The MMO consider that it is unlikely that there was no vessel activity throughout the whole 12-month period of 2020 for all vessels.



In addition, you state that there was an 'anomalous peak' of activity in November 2021. The MMO would ask whether you are referring to fishing or all vessel activity, and if referring to fishing activity, have you cross referenced this with any other data source for the same period, to see whether there is a reason for the increase in activity for this period, prior to excluding it. The MMO would clarify, in regard to the data source used in your assessment of activity for the area, that EMODnet AIS data will predominantly capture information on fishing vessels of >15m in length. As a result, the assessment may need amending due to the predominance of <10m fishing vessels which operate in the area.

The MMO also notes the comparison of vessel activity between the area of the proposed farm and areas within and outside of the Bay, however, you have not provided the relevant data to enable The MMO to verify this comparison. Please provide this.

4.4 Desktop Study: Vessels Without AIS

The MMO notes that the National Coastwatch Institution (NCI) closest stations are Boscastle and Stepper Point, and that it has been acknowledged by the applicant that the Port Quin Bay seaweed farm location is within the blind spot of both stations. The MMO note the information from the NCI is AIS, which is already encompassed by the EMODnet density and Marine Traffic information, detailed within section 4. The MMO require clarification as to the time period that the NCI information encompasses and the spatial extent that it relates to.

The MMO note the limitations of the NCI data described in this section, namely that the data is subject to collection when the relevant NCI station is operational, which depends on the season and day length. It should also be noted that as the data is collected by means of AIS, radar, and visual methods, that there may be human error when reporting. The NSA refers to slight variation between years, as well as seasonality in the summer months. The MMO presume that you are referring to the data presented in the previous sections, encompassing EMODnet, Marine Traffic and MMO data, however please can you confirm which data source(s) you are referring to?

4.5 Site Operations & Emergency Response Plan

Upon review of the emergency procedures, The MMO notes the maritime safety regulations from STCW, ISO, SOLAS and IMO are stated. However, there appear to be no references made to the Convention on the International Regulations for Preventing Collisions at Sea (COLREGs), which appears to be an omission.

4.6 Appendix IV: Supplementary Information

Upon review of this section, the MMO would query the following statement: "Yearly averages were used, with the NCI data having a breakdown month by month and by boat type. As such, the NCI data is the equivalent of a seasonal survey, with all vessels recorded accurately, daily and across the year, from year to year. Including





leisure vessels. Therefore, summer peaks and winter peaks are captured. We clearly recognise that sailing vessel numbers increase in summer." The MMO has reviewed the NCI information detailed in section 4.2, however, the breakdown by month and boat type appears to be missing. In addition, the detail regarding vessels recorded daily, across the year and from year to year also appear to be missing. The MMO ask that you clearly include this in a form such as a table to facilitate verification.

5. Seabed, Fisheries and Marine Mammals Assessment

- 5.1. Within section 3 of the assessment, shellfish species are not included, the MMO ask that you include commercially important shellfish species within this section of the document. Upon review of the document, there is no section on cumulative impact for fisheries, this is particularly relevant given the two seaweed farm MLAs for Port Quin Bay (MLA/2023/00307 and MLA/2023/00308), and the consented seaweed farm in Port Isaac Bay (case reference: MLA/2022/00180 and licence reference: L/2023/00169/1). The MMO would like to see a cumulative impact assessment for fisheries.

6. Landscape and seascape impacts.

- 6.1 The MMO considers the landscape/seascape visual impact assessment requires further information, and that additional evidence is required before a conclusion of low impact can be reached.
- 6.2 The Cornwall AONB Management Plan 2022-2027 includes the policy PPW-P3 specific to the location of the seaweed farms and is as follows: "Seek conservation and enhancement of the undeveloped character of the coast; for example Witches Cauldron to Port Quin Bay, around High Cligg and around Dizzard in order to retain rugged and simple tranquillity and promote the enhancement of other parts of the coast for example around Tintagel, Boscastle and Port Isaac such that they return to having a more undeveloped character."
- 6.3 The application documents and additional information provided do not include any detailed landscape and seascape character and visual assessment. Instead, it provides some comment to suggest that "it is located inshore at a distance to minimise visual impact." This statement is not evidenced, and no methodology is provided for the determination of this effect. Given the scale of the seaweed farm and cumulatively with the additional seaweed farm within the modest scale of Port Quin Bay and with intervisibility between The Rumps and Kellan Head from the Southwest Coast Path it is considered that this reported impact is substantially understated. Likewise, the statement that the "Seascape disturbance will be minimal" is not evidenced.
- 6.4 The MMO has included the full response for both sites within the additional information request and will require the resubmission of the visual impact assessment with the additional information requested within the response.



7. Public Consultation Responses

The MMO have received substantial comments from the general public following the public consultation period. We are still in the process of collating the responses provided by members of the public / organisations who responded to the public consultation request. The responses will be provided separately to this letter. However, the general theme of the responses has been provided below. Note these are general themes from the public consultation and is not exhaustive, you should therefore review all public comments and address any issues raised when this has been sent. In addition to these the MMO has included the submitted documents provided with a number of the responses as annexes to this letter.

7.1 Marine Mammals

The MMO received a number of comments regarding the impact of the proposed works to marine mammals. The Seal Research Trust (SRT) has provided a lengthy document outlining their concerns on the impacts to grey seals. This has been redacted and included as an appendix to this document for your review. The MMO would like to see consideration of the potential disturbance to grey seals from anchor drilling, chain installation, entanglement, and boat activity, especially during seeding, harvesting and maintenance.

7.2 Lost Gear

It has been noted that given the highly exposed nature of this site, there is considerable potential for farm gear to be lost, given the currents and rough seas recorded in the area. The MMO ask that you give consideration to this risk and how this would be mitigated.

7.3 Impacts on Ornithology

It has been noted that that the cliffs around Port Quin Bay are home to a number of seabirds with a significant colony of Puffin present on Moul's Island. This area also forms part of the Pentire Peninsula Site of Special Scientific Interest (SSSI). The MMO ask that you give consideration to the impacts on species present within the SSSI and how the construction and operation of the project will impact these.

7.4 Tourism/recreation

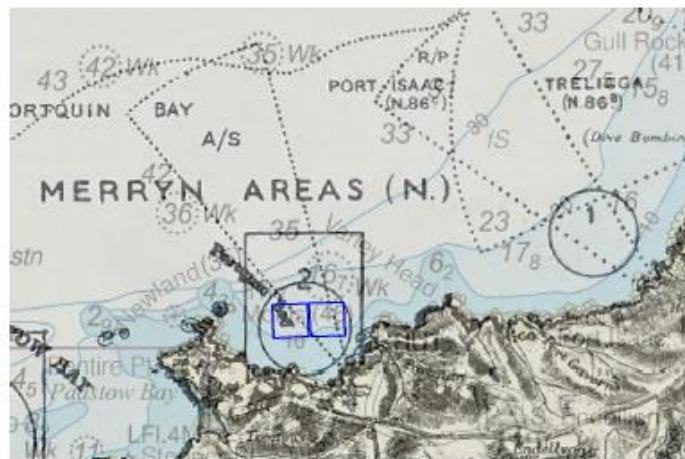
Further to the comments relating to landscape and seascape impacts (section 6) comments have been received relating to impacts on recreational vessels using the bay and the impacts of seaweed becoming detached from the farm and entering the wider bay and areas used for recreation including personal watercraft and swimmers. The MMO ask that impacts from this also be considered.

7.5 Unexploded Ordinance





The MMO has been made aware that historical use of the site for the farms was as a Naval aerial bombing practice and air to air/sea and ground firing range (see image below). Therefore, there is the potential for unexploded ordnance within the development area. The MMO therefore requests that further assessment of the risks associated with this and any mitigation or surveys required be considered within the application documents.



8. South West Marine Plan

- 8.1 Following the changes requested in this letter, you should also reconsider the responses given as part of your South West Marine Plan Policy Assessment. The plan should be replicated within the application document with updated responses provided. This will ensure that the considerations of the plans align with the updated information and not the initial application.

Conclusion

The MMO is currently unable to proceed with the application until all information requested in this letter has been provided. Therefore, amendments to the previously submitted documents is required.

The MMO wishes to remind you that any information provided must be robust, use the best available evidence and any mitigation for impacts be fully considered. You are reminded per the meeting of 15 April that when considering marine mammal impacts for the Habitat Regulations Assessment, that should any methodology or process be used with the aim of mitigating for impacts on marine mammals that this would require an appropriate assessment be completed on the Assessment.

The MMO also requests that the information be provided within one response document and not separated through multiple documents, this will aid in subsequent consultations.





The MMO's on hold policy states that requests for additional information be issued with an initial response deadline of 28 days from issue. However, considering the amount of information requested in this letter the MMO may be able to extend this period for a further 2 weeks. However, if you believe that more time will be needed, you are advised to consider withdrawing the application and resubmitting it with the amended information once everything has been collated.

The benefit of withdrawing the application is you can press 'copy' on the withdrawn application on MCMS, which will open a new application with all the current information, to which any new information can be added before resubmitting.

Yours Sincerely

Gregg Smith
Marine Licencing Case Officer

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Attached:

AONB consultation response 16 January 2024.pdf

MLA/2023/00307 and MLA202300308 Public Representations.xls

Sue MBE Biome Algae Seaweed Farm Port Quin INPUT by the Seal Research Trust MLA 2023 00307 and MLA 2023 00308 FINAL REDACTED.pdf

SWMP_Evaluation 2.pdf

Further_Considerations M.pdf

ER24-548. Review of PQB Seaweed Farm Marine License Application FINAL 2.pdf



Appendix 3: Letter B; Port Quin Seaweed Farm Band Change 00307_Final



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Dr Angela Mead
Biome Algae Ltd.

Our reference:
MLA/2023/00308

(Email Only)

13 August 2024

Dear Dr Angela Mead,

Seaweed Farm in Port Quin Bay - MLA/2023/00308

Thank you for submitting additional information for MLA/2023/00308 under Further Information Request (FIR) 5 on 23 July 2024. Following reviewing document UNREDACTED Biome and Camel Fish MMO FIR1 and 2 July 2024 FINAL.pdf, the MMO has identified the need to update the HRA as the application now shows complex case characteristics for construction activity as Likely Significant Effects (LSE) have been identified. Subsequently it is necessary to increase the fee band of your case to a band 3. This is for the following reasons:

1. Impacts to Bristol Channel Approaches Special Area of Conservation (SAC)

Within the supplied document you have stated the need to deposit eco-blocks to enable the construction of mooring points (Page 146). As this activity is situated within the Bristol Channel Approaches SAC we have reviewed the conservation objectives and the deployment of 518.6 metres squared (m²) eco blocks: [Bristol Channel Approaches MPA | JNCC - Adviser to Government on Nature Conservation](#). Conservation objectives for the site is to maintain site integrity, with point three stating the following:

"The condition of supporting habitats and processes, and the availability of prey is maintained"

The deposit of the eco blocks will reduce the supporting habitat, thereby resulting in an area of habitat loss within the SAC. As a result, appropriate assessment is therefore required to explore the likely significant effect (LSE) from loss of coarse sediment habitat and if this would lead to an adverse effect on site integrity (AEOSI).

The MMO is also of the opinion that you are intending to use mitigation for Harbour porpoise. On page 79 you have stated:



"Removing the tensioned seed ropes over July, August, September and October (1/3 of the year) further reduces the risk of marine entanglement for marine mammals during this period. Which is important as these are recorded as peaks across many of the groups of mammals"

Please note that within the Joint Nature Conservation Committee (JNCC) advice on operations entanglement/bycatch is considered a high relative risk of impact to Harbour porpoise.

Within HRAs, the MMO considers that timing restrictions detailed by the applicant act as mitigation, which can only be considered at the appropriate assessment stage. As a result, appropriate assessment is therefore required to explore whether there is any adverse effect on site integrity.

2. Impacts to River Camel Special Area of Conservation (SAC)

The River Camel SAC is designated for habitat for several features including Atlantic Salmon (*Salmo salar*) and Otter (*Lutra lutra*). Impacts on salmonids are considered in Chapter 11 (page 180). Although this SAC is 8 kilometres (km) from the project design area, the migration route for protected species will be impacted during the spawning season of November to December and migrating periods of September to December. Within the supplementary conservation advice (<https://designatedsites.naturalengland.org.uk/TerrestrialAdvicePDFs/UK0030056.pdf>) package, the following is stated on page 42 regarding the integrity of off-site habitats:

"The conditions experienced by salmon on their marine migration (through the saline transition zone, estuary, coastal waters and into the high seas) are critical to the well-being of populations within the river, and vice versa)"

Within your HRA on page 191, you have identified that there may be a migration route within Port Quin. As such, the deposit of any item nearby the SAC, such as the eco blocks and a subsequent seaweed farm may affect the migratory route as it will reduce the habitat in which they migrate through. The MMO's responsibility is to assess a worst-case scenario under the precautionary principle and therefore we must interpret as Atlantic Salmon as using the proposed site to migrate to the SAC. Please note that the target for integrity of off-site habitats is as follows:

"Restore any supporting habitats beyond the site boundary upon which salmon depend".

Additionally, on page 191, you have stated as part of the process for lowering eco blocks that you will use fish finders. The MMO's opinion is that this is not standard protocol and therefore is considered mitigation to minimise impacts to species within the region. This is also being considered within impacts of migratory salmon table (annex Table 4.0) and as such we have interpreted as to identify any salmonids.

Furthermore, within your HRA (Page 192) mitigation measures have been used to minimise for LSE under "possible avoidance":





"The depositing works could be done during July and August of the first four years of the farm's life. This would need to be assessed against marine traffic and presence of marine mammals (see other chapters)."

As you have stated earlier within the HRA (P191) Salmonids will likely be migrating from September to November. The MMO therefore has interpreted this as a timing condition to mitigate any impact on Salmon.

As such, the MMO considers that an LSE exists for impacts on Atlantic Salmon due to the construction of the infrastructure. The MMO considers that timing restrictions detailed by the applicant act as mitigation, which can only be considered at the Appropriate Assessment stage. As a result, appropriate assessment is therefore required to explore whether there is any adverse effects on site integrity.

3. Further acknowledgment of mitigation

Within the final remarks of your LSE Conclusion (page 194) it is stated:

*"Direct and indirect pathways that could pose a risk for migratory salmon utilising the proposed farm area during migration periods and along migration routes have been assessed. **With avoidance, minimisation and mitigation where possible, likely significant effects were assessed as non-significant (no, low or unlikely).**"*

You have therefore acknowledged within your HRA that you intend to use mitigation. The MMO has described above that this can only be considered within the appropriate assessment part of the HRA and is therefore a complex case characteristic.

4. Next Steps

Following reviewing the HRA and the identification of several pressures that cannot be ruled out as having an LSE from the project on the SAC's, the MMO consider that the case is classed as having complex case characteristics. As such, the MMO is requesting a change to the fee band from a Band 2 to Band 3. A fee estimate will be generated which will consider all work done on the case to date, and for any future work undertaken. After reviewing the work so far completed on MLA/2023/00308, the MMO will require £17,045.50 to backdate work done on this project so far. The fee estimate will also include additional expenditure to continue work on the case and will be an estimate which is therefore subject to change.

The estimate will take into account any time spent by the MMO progressing your fees up to this date. Please note the MMO will only charge for the actual time spent on the case. As the applicant, you can either approve this updated fee estimate, or you can withdraw the application. **No further work** will be completed until the fee band change and estimate has been accepted.

Further information relating to marine licensing fees and fee bands can be found on the following address:





<https://www.gov.uk/government/publications/marine-licensing-fees/marine-licensing-fees#complex-case-characteristics>

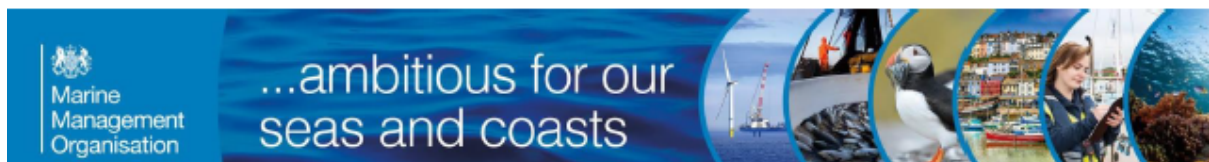
Yours Sincerely,

William Notley

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**Appendix 4: Letter C; 20240905_MLA202300307-
308_Response_Final**



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Dr Angela Mead
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Our reference: MLA/2023/00307 and
MLA/2023/00308

By email only

05 September 2024

Dear Dr Mead,

RE: Requirement for an advanced assessment (AA) for MLA/2023/00307 and MLA/2023/00308

Thank you for your letter dated 3 September 2024, we have reviewed the information provided and have our response comments below.

Case 1

L/2021/00135/1 had no new infrastructure being placed on the seabed as part of the granting of this licence. This case utilised the existing seaweed farm infrastructure from L/2015/00331. Both cases were decided on prior to the legislation judgement and internal guidance being updated.

Case 2 & Case 3

We welcome the feedback on both these cases and have ensured lessons will be learnt going forward. Seaweed farms are novel and relatively new to marine licensing and the Marine Management Organisation (MMO) is constantly developing guidance in relation to this to ensure consistency across cases.

Case 4

Thank you for providing this context, this is relevant as background information on the review of a Harbour Porpoise Special Area of Conservation, however, each case is reviewed on an individual case by case basis.

Comparison

Although the eco-blocks are scientifically evidenced to create fish/shellfish habitat and the impact is low. De-minimis levels are not set out as standard and this is reviewed on a case by case basis. If a conclusion of de-minimis impact is identified then this must be done at the Appropriate Assessment stage as the likely significant effect has already been identified by the fact there is habitat loss (albeit small). As per the legislation judgement the conclusion of habitat loss (even if temporary) must be assessed within the Appropriate Assessment stage of the Habitats Regulation Assessment (HRA).

Conclusion

The information provided has been reviewed and lessons learnt have been captured. However, this does not change the position on the fee band change for your case. We understand the frustration you feel in relation to this. The current [fee legislation](#) does not





allow for small habitat loss or de minimis impacts to be assessed within the Band 2 fee. I would encourage you contact Defra who are undertaking a review of the HRA process and the Fee Legislation which could provide an opportunity for further regulatory streamlining.

We have extended the acceptance deadline until close of business Wednesday 11 September. If you do not accept the estimate the case will be rejected.

Yours sincerely,

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Appendix 5: Letter D; 20250324_MLA202300307-308_Response to Applicant quiries_RF18



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PL25 4DD

Our reference:
MLA/2023/00307

By email only

24 March 2025

Dear Mr Blewett,

Marine and Coastal Access Act 2009, Application for a Marine Licence (Ref: MLA/2022/00307)

The Marine Management Organisation (MMO) has reviewed your response received via 'RFI 8' on our Marine Case Management System on 26 February 2025. This was in response to the MMO's minded to refuse letter dated 12 February 2025 and the draft MMO decision report dated 12 February 2025. This was an opportunity for you to consider the reasons why the MMO are minded to refuse your application. It was an opportunity for you to decide whether you would like the MMO to proceed in making a formal determination on the application, or whether you wanted to withdraw the application.

The MMO determines who to consult, and when, in the licencing process. The MMO note in your response dated 26 February 2025 that you consider that you should have been afforded the opportunity to respond to Cefas comments from the last round of consultation on the application. The decision to include the advisory teams at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) was due to the additional information you provided in your response document dated 22 October 2024 relating to the impacts of eco blocks and fishery impacts and was not due to the moving of the application to band 3. The MMO also notes that you consider the withdrawal of the Biome Algae application (MLA/2023/00308) as "mitigation" for impacts from your application. The MMO and consultees assess a project both alone and in combination with other projects. While the removal of MLA/2023/00308 would lessen the in-combination impacts, the issues identified by the MMO mainly relate to each project alone, therefore this would not alter the overall minded-to decision outlined within the draft decision report. The MMO also notes that you have undertaken discussions with the National Federation of Fishermen's Organisation (NFFO) outside of the licencing process. The MMO has not received any new information from the NFFO however, and the MMO can only make decisions based on the best available evidence it currently holds.

If you decide that the MMO should progress to making a formal regulatory decision, and then disagree with decision, you can appeal the decision once it is issued. If you withdraw



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the application, however, then you will lose the right to an appeal as the MMO will not have made a regulatory decision. Please note that you are free to re-apply for your proposal at any time and the information and responses you have received should be used to ensure that any new application you may be minded to submit is robust and fit for purpose. The MMO would strongly advise that if you wish to submit another marine licence application, either for this project or another one, that you utilise our pre-application advice service by submitting an enquiry through the Marine Case Management System before applying for another licence. This will enable a case team to provide you with advice on what we would require from you prior to an application being submitted.

The MMO will proceed to determination in **seven days** from the date of this letter unless a request to withdraw the case is received via the Marine Case Management System. If we do not receive this by **31 March 2025**, the MMO will proceed to issue the final determination.

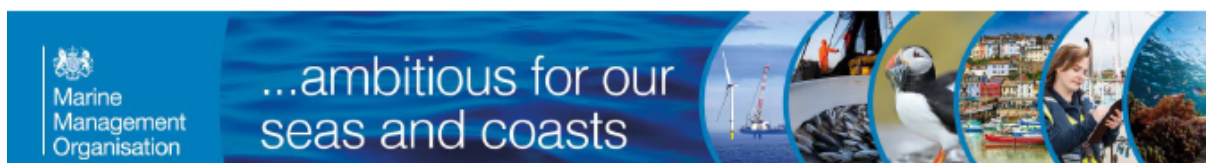
Yours sincerely

KR White

Katherine White
Marine Licensing Senior Manager

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Appendix 6: CEFAS Fisheries Response



Centre for Environment
Fisheries & Aquaculture
Science



Cefas

MARINE AND COASTAL ACCESS ACT (2009). REVIEW OF THE JOINT APPLICATION FOR TWO SEAWEED FARMS IN PORT QUIN BAY, NORTH CORNWALL, BY CAMEL FISH LIMITED AND BIOME ALGAE LIMITED.

Reference Number: MLA/2023/00307 & MLA/2023/00308 - Consultation 14.

From: Pedro Warner
Cefas, Lowestoft Laboratory
Date: 2nd December 2024

To: Gregg Smith - MMO (via MCMS)
Cc: Fisheries Advice
Kirsty Clarke - SEAL Case Officer

1. With reference to the above application for two seaweed farms in Port Quin Bay, North Cornwall by Camel Fish Limited and Biome Algae Limited and your request for comments dated 30th October 2024 please find my comments below.
2. This minute is provided in response to your advisory request in relation to the above proposal in my capacity as a scientific and technical advisor for fish and fisheries. The response pertains to those areas of the application request that are of relevance to this field. This minute does not provide specialist advice regarding benthic ecology, marine processes, shellfisheries, or underwater noise as, whilst these are within Cefas' remit, they are outside my area of specialism.
3. In providing this advice I have spent 15 hours of the allocated 15 hours by the MMO. I have booked 7.5 hours of my time to MLA/2023/00307 and 7.5 hours of my time to MLA/2023/00308.
4. I have provided my comments based on the below category system:
 - Category 1: **Major Comment (Action)**- It is my advice that the application should not be granted a licence until this is resolved. There is high uncertainty or a large risk to the environment. MMO are strongly advised to request this further information then re-consult Cefas.
 - Category 2: **Minor Comment (Action)**- There is data/ information/ evidence missing that could affect the assessment. Provision of the data/information would allow for due diligence to ensure there is sufficient confidence in the applicant's and my own assessment but would not necessarily preclude the granting of a licence. MMO advised to request further information from applicant and then to re-consult Cefas, however MMO may be able to grant licence if this information is not submitted, provided MMO have clear rationale for their decision.
 - Category 3: **Minor Comment (No Action)**- These highlight those things that should be included as best practice but would not affect my overall conclusions. Should be taken forward by the developer for any future applications/ post consent requirements, or presentation issues. MMO case team could pass this on to applicant however this information is not required for consultation with Cefas.
 - Category 4: **Observation**- Statements regarding what is stated in the application, or areas of good practice are highlighted. No action for MMO case team but this could

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be passed on to applicant if MMO wish, to pass on areas of good practice.

Document reviewed.

5. MMO FIR 1 and FIR 2, September 2024, Biome Algae Limited and Camel Fish Limited, September 2024, MMO Ref: MLA/2023/00307 and MLA/2023/00308.

Description of the proposed works

6. Camel Fish Ltd and Biome Algae Ltd (herein referred to as 'the Applicant') have submitted one document that includes two applications for two separate seaweed farms located in the Port Quin Bay, North Cornwall. The proposed farming areas cumulatively cover an area of 100.8 Ha (50.4 Ha per farm site). Port Quin is within the Cornwall North water body, please see **Annex 1** for the exact location in respect to the surrounding water body.
7. The proposed longline infrastructure will occupy a maximum of 10% of the cumulative sites (10.08 Ha) at full operational scale (288 x 160m longlines). The remaining 90.72 Ha is open sea with spacing between longlines 20m + escape channels with no dead ends. The farms will be built up to full operational scale over time, with a smaller number of lines deployed within the first year of operations. The infrastructure is in water depths of 10-17m.
8. The Applicant proposes to harvest the grown seaweed by removing the seeded ropes from the longlines leaving the main headlines and risers in-situ. This process is proposed to occur from April to June each season. At full capacity the Applicant anticipates that up to 8 lines a day will be harvested, with harvesting events numbering from 36 to 72 across the three-month period.

Responses to Questions posed by the MMO Case Officer. All responses are observations unless otherwise stated.

MMO Question 1: To the best of your knowledge is the description of the environment and potential impacts accurate?

9. The Applicant used the Coull *et al.*, (1998) and Ellis *et al.*, (2012) spawning and nursery ground maps to inform their assessment for fish. The Applicant has identified high intensity spawning grounds within the wider Port Quin area for sandeels (*Ammodytidae spp.*), Dover sole (*Solea solea*) and Atlantic cod (*Gadus morhua*) as well as low intensity spawning grounds for Atlantic mackerel (*Scomber scombrus*), sprat (*Sprattus sprattus*), whiting (*Merlangius merlangus*) and European plaice (*Pleuronectes platessa*). The Applicant also states that Dover sole, thornback ray (*Raja clavata*), spotted ray (*Raja montagui*), tope shark (*Galeorhinus galeus*), European plaice, whiting, anglerfish (*Lophius piscatorius*) and Atlantic mackerel all have nursery grounds within the wider Port Quin Bay area.
10. The Applicant has identified that the nearby River Camel Special Area of Conservation (SAC) and River Camel Valley and Tributaries Site of Special Scientific Interest (SSSI) both have salmonids as qualifying features and are protected under the Salmon and Freshwater Fisheries Act 1975. The Applicant states that the proposed seaweed farms do not impact the SAC or SSSI directly, however, they acknowledge that Atlantic Salmon migrate into and out of the River Camel and associated tributaries to spawn and may therefore pass through the proposed seaweed farms. This is appropriate.
11. **Minor Comment (No Action):** There are likely to be other diadromous species that migrate through the proposed farm sites to reach the freshwater habitats that are critical for their nature ecology. These include, European eel (*Anguilla anguilla*), lamprey species, and potentially Allis

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shad (*Alosa alosa*) and twaite shad (*Alosa fallax*). I recommend the Applicant includes these species in their assessment for diadromous fish species. Please see my comments in point 15 for recommended data sources for diadromous fish species.

12. **Minor Comment (No Action):** Although the Applicant used the Coull *et al.*, (1998) and Ellis *et al.*, (2012) spawning and nursery ground maps to inform their assessment for fish, there are still some species that have overlapping spawning and/or nursery grounds with the wider area surrounding Port Quin Bay that have not been identified. For example, ling (*Molva molva*) and European hake (*Merluccius merluccius*) have low intensity spawning grounds just south of the Port Quin Bay and the inclusion of these species could benefit the Applicant's assessment. I note that these species spawning grounds don't have direct overlap with the proposed farm sites therefore this comment is not an actionable recommendation.

13. The potential impacts associated with the proposed seaweed farms have not been outlined by the Applicant in an obvious format. However, the Applicant has identified the following impacts associated with the proposed seaweed farms;

- impacts to fish spawning and/or nursery grounds;
- loss or damage to the farm infrastructure causing direct impacts to fish or fish spawning or nursery ground habitat; and
- potential impacts associated with the displacement of fishers from fishing grounds (the bulk of the Applicant's assessment focuses on this impact).

Although not laid out in a clear manner in the Applicant's report, these impacts seem appropriate. However, I do recommend the inclusion of a further impact, please see point 14 below.

14. **Minor Comment (Action):** The Applicant states that harvesting will occur annually in April, May, and June. Harvesting involves the complete removal of seaweed biomass from the marine environment. Since the Applicant also notes that seaweed biomass serves as a nursery habitat for various fish species, and that some fish spawn during this harvesting period, there is a potential adverse impact on juvenile fish before they reach recruitment. To mitigate this, the Applicant proposes to rinse the harvested seaweed with seawater, ensuring that all bycatch, including juvenile fish using the seaweed as a nursery, are returned to the marine environment. However, there may be an additional impact to consider. While the document discusses the benefits of seaweed farms as nursery grounds, it is worth noting that the presence of new nursery areas does not necessarily lead to increases in juvenile fish reaching recruitment. Instead, they may simply redistribute juvenile fish to a new nursery ground. This could present an issue if the nursery area (100.8 hectares) is fully harvested within a short period, leaving juvenile fish without suitable habitat in that location, which, as the Applicant notes, primarily consists of coarse sediment that does not support recruitment. Therefore, I recommend that the Applicant's assessment considers the potential impacts to fish recruitment as a result of nursery habitat alteration and/or loss (potentially increasing predation on juveniles), under similar circumstances described. At present, impacts on juvenile fish are largely presented as beneficial, although there could be varied outcomes to some degree, particularly for species that spawn during or just prior to the harvesting period.

MMO Question 2: Has the appropriate evidence base been used? Is the evidence complete for its intended use i.e. is there sufficient information to allow a decision on the application

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to be made? If not please explain why and what you would expect to see and any additional work.

15. **Minor Comment (Action):** As mentioned above in point 9, the Applicant has made use of appropriate data sources to inform their assessment for fish ecology, these include the Coull *et al.*, (1998) and Ellis *et al.*, (2012) spawning and nursery ground maps. Although the Applicant doesn't expect significant impacts for fish to be likely, there are additional data sources that could help the Applicant improve their assessment. These include:

- i. A data source that could be used to inform the Applicant's assessment is the Cefas Irish Sea and British Channel Beam Trawl Survey, which uses a 4m beam trawl. The survey has a number of prime stations in close proximity to the proposed farm location in ICES division VIII. These may provide a useful source of fisheries information for demersal species in those locations. Information on the survey is available on the Cefas website (<https://data.cefas.co.uk/explore/sd>) as indicated on the page, survey data can be downloaded from the ICES DATRAS website [ICES Marine Data](#).
- ii. The Cefas Southwestern Beam Trawl ECOS Survey is undertaken each year. This may provide a useful source of fisheries information for demersal species in the wider marine area as there are a number of survey stations near to Port Quin Bay. Information on the surveys is available on the Cefas website (<https://data.cefas.co.uk/view/22>) as indicated on the page, survey data can be downloaded from the ICES DATRAS website [ICES Marine Data](#).
- iii. To aid the Applicant's assessment in identifying diadromous species that likely use the nearby Rivers and Estuaries for migration, I recommend using the Environment Agency's (EA) Coastal and Transitional waters (TRAC surveys), some of their data is available online ([TraC Fish Counts for all Species for all Estuaries and all years - data.gov.uk / https://www.data.gov.uk/dataset/41308817-191b-459d-aa39-788f74c76623/trac-fish-counts-for-all-species-for-all-estuaries-and-all-years](https://www.data.gov.uk/dataset/41308817-191b-459d-aa39-788f74c76623/trac-fish-counts-for-all-species-for-all-estuaries-and-all-years)). It is likely that Atlantic salmon (*Salmo salar*), sea trout (*Salmo trutta*), European eel (*Anguilla anguilla*), and lamprey species all use the nearby rivers and estuaries for migration and thus should at least be identified in the Applicant's assessment.

16. Regarding the Applicant's characterisation for commercial fisheries, EMODnet, Marine Traffic, MMO landings, Inshore Fisheries Conservation Authority (IFCA) statistics, Automatic Information Systems (AIS) and Vessel Monitoring System (VMS) data were used within the catchment area of the ICES Rectangles area 30E5. VMS data is an appropriate source to identify fishing vessel activity for vessels over 12m.

17. **Major Comment (Action):** For fishing vessel activity of vessels under 12m in length that typically work in inshore waters, the spatial information contained within MMO landings data is too coarse to accurately represent the highly complex and dynamic activity of these fishers and it does not provide reliable information on where the fish was caught, but rather where it was landed. In light of this data limitation the Applicant has informed their assessment using survey data (documents reviewed; point 5; Appendix VIII) from a fisher interview of ~12 local fishers that use static gears in vessels under 12m in length. The Applicant concludes from their survey that whilst potting and netting is active within the Port Quin Bay area, the proposed farm locations and activity of seaweed farming will not affect their current operations and as a result, all the interviewees support the seaweed farm applications. In my opinion, the survey results do provide a degree of qualitative information in support of their conclusions. However, the survey only captures about half of the under 12m vessel fishers that use Padstow and Port

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Isaac ports when landing their catch. Without being supplemented by additional quantitative fisheries data, I don't have full confidence that the interview and survey data are sufficient to represent the full range of fishing activity for under 12m vessels operating in the Port Quin Area. Regarding the additional quantitative fisheries data, the Applicant correctly points out that Automatic Information Systems (AIS) and Vessel Monitoring System (VMS) data is not typically deployed on under 12m fishing vessels. However, the MMO has started the roll out of inshore VMS (iVMS) on all vessels under 12m in length. The iVMS data offers high resolution (3-minute ping interval) spatial and temporal data on fishers' operational movements. I recommend the Applicant contacts the MMO to see if the inclusion of iVMS data is possible for their assessment, as the inclusion could be highly beneficial for identifying fishing grounds for the fishers that are currently under-represented by other forms of fisheries dependent data.

18. **Minor Comment (Action):** In both Chapter 13 section 3.1 and Appendix VIII section 1.0 'Survey and Interview Data' the Applicant states 'An initial survey and interview of 17 fishers that work out of Padstow, Port Isaac, and Port Quin was conducted on the 15th of December 2024.' Please can the Applicant clarify when the Fisher survey took place as the date stated in the document is not possible due to it being in the future.
19. **Major Comment (Action):** Please could the Applicant provide more information on the survey design, for example: details on the interviewee's vessel characteristics (i.e. vessel length, gear/s used, target catch, engine power etc.) as currently the Applicant only provides the landing port. Please also provide the full list of survey questions as this will help provide more context to the interviewees' responses. This additional information will provide us with a clearer picture of how representative the survey data are of the fishing sector operating in the Port Quin Bay area.
20. **Minor Comment (Action):** The Applicant references '*knowledge of Paul Blewett of Pentire Fishing Limited (Camel Fish) who has worked out of Port Quin for the past 20 years*' as an evidence base to support their conclusions in their impact assessment on demersal gear fisheries. However, due to the individual's association with the Applicant (Paul Blewett works at Camel Fish), this evidence base cannot be deemed appropriate due to potential conflict of interests.

MMO Question 3: Do you agree with the conclusions reached?

21. **Minor Comment (No Action):** I am inclined to agree with the Applicant that there are unlikely to be significant project related impacts to fish at the population level. However, as mentioned in my comments above in points 15 – 17, the Applicant's assessment would benefit from the inclusion of additional data sources and more detailed consideration of the potential project impacts, therefore, until these have been considered by the Applicant, it is not appropriate for me to agree with this conclusion.
22. The Applicant concludes that there won't be an impact to fishing vessels >12m due to their analysis of MMO landings, VMS and AIS data. Based on the results presented by the Applicant, I agree that impacts to this sector (>12m vessels) are considered unlikely due to the lack of spatial overlap between their activity and the proposed seaweed farm sites (as evidenced in the VMS data from 2016-2021).
23. **Minor Comment (Action):** Regarding vessels under 12m in length, the Applicant concludes that impacts aren't considered likely due to the results of their fisher interview surveys that indicated limited spatial overlap between fishing activity and the proposed farm sites. However, due to the reasons outlined above in point 17, I do not consider the interview survey to be a

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sufficient data source on its own to justify this conclusion, particularly as the credibility of the interview results is yet to be validated.

24. Minor Comment (Action): The Applicant makes conclusions throughout the document that, although may be valid, have not been supported by any published literature or appropriate evidence base. Without appropriate data sources being referenced, I cannot agree with some of the Applicant's conclusions. Evidence of the Applicant's conclusions that are not evidenced with appropriate data sources include:

- i. Chapter 12 section 5.2: *'The coarse sediment type does not support spawning grounds and in its current state would not support nursery grounds.'*
- ii. Chapter 13 section 3.1: *'During the interviews we were also told that over the last few years when the two trawlers left in Padstow tried to fish within the area of Port Quin Bay it has been a waste of time for fishing as they hardly caught anything.'*

MMO Question 4: Are the proposed mitigation and monitoring measures sufficient?

25. As far as I can reasonably determine, the Applicant has not proposed any fisheries specific mitigation measures, most likely because they do not expect significant impacts to arise for fish or fisheries. As mentioned in my comments above in points 15 – 20, further work is needed before I can consider the Applicant's Environmental Impact Assessment (EIA) conclusions to be appropriate. Once an appropriate EIA has been conducted, I can comment on whether the proposed mitigation or monitoring is adequate.

MMO Question 5: Are there any minor technical or presentational comments that affect the overall confidence in the conclusions? Please insert as an annex.

26. Minor Comment (Action): The Applicant states (documents reviewed; point 5; Chapter 6) that the proposed farms are not located within rocky reef regions. However, from viewing Chapter 6 Figure 1.0 it is not obvious that this is the case. The figure would benefit from having the seaweed farm boundaries present on the map, as currently their location in relation to the sediment type is not clear. The issue is the same for Figure 2.0 in Chapter 12 in relation to the Port Isaac farm.

MMO Question 6: Is there an adequate description of the baseline physical and biological environment?

27. This is a repeat question, please refer to my comments in response to question 1, points 9 – 14 for more information on this.

MMO Question 7: Is there an adequate description of the potential project impacts and effects on the physical and biological environment?

28. This is a repeat question, please refer to my comments in response to question 1, points 9 – 14 for more information on this.

MMO Question 8: Is there an adequate description of the potential cumulative and inter-related impacts and effects on the physical and biological environment?

29. The Applicant has provided a cumulative impact assessment which considers the potential impacts of the proposed windfarms when in combination with the nearby Port Isaac seaweed farm. This assessment seems appropriate, and as the Port Isaac seaweed farm is the only farm of a comparable size in the nearby vicinity, this is appropriate.

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MMO Question 9: Is there an adequate description of the potential transboundary impacts and effects on the physical and biological environment?

30. Given the scale and nature of the project, transboundary impact and effects are not anticipated.

MMO Question 10: Are measures to avoid, reduce or remedy significant adverse effects clearly presented and appropriately justified?

31. This is a repeat of question 4. Please see response to question 4 (point 25).

MMO Question 11: Are monitoring proposals and recommendations clearly presented and appropriately justified?

32. The Applicant is proposing to carry out monitoring in collaboration with academic institutes to inform on the project's impacts and effects. The Applicant intends to continually review and revise their risk assessments and mitigation practices. Additionally, the Applicant proposes the use of passive acoustics on the moorings to gather continuous data on fish within the farms, in parallel with Remotely Operated Vehicle (ROV) surveys and the use of Baited Remote Underwater Video (BRUV) cameras on site, though I recommend the Applicant acknowledges the limitations of using these survey methods (Hardinge *et al.*, 2013). However, the monitoring plans are high-level, and exact details have not been provided at this stage. Please refer to Appendix IV for further details on the Applicant's Marine Monitoring Plan.

MMO Question 12: In collecting data have details of any quality standards or assurance methods been given? If not please explain what you would expect to see and if they have, please explain if such standards and methods are suitable.

33. The Applicant has generally used standard practices for data gathering for their assessment. However, I have recommended some additional data sources and evidence bases to help inform their assessment for fish, please refer to my response to question 2 for more detail. Additionally, for the under 12m static fishers, the Applicant has used a fisher interview survey to inform their assessment. This is not typically a standard practice, but it does provide some qualitative data. Please see my comments in point 17 and 18 for more details on this.

MMO Question 13: Please assess the methodology used to prepare and gather evidence. Have they used standard practices?

34. Please see response to question 12 (point 33).

MMO Question 14: Is the timeliness of the data appropriate for the intended use?

35. Yes, the timeliness of the data is appropriate.

MMO Question 15: Is the evidence that has been supplied appropriate (i.e. proportionate and targeted) for its intended use?

36. Please see my comments regarding the appropriateness of the data used to inform the Applicant's assessment in response to question 2.

MMO Question 16: Is the evidence consistent with that submitted for operations of a similar nature?

37. Please see my comments regarding the appropriateness of the data used to inform the Applicant's assessment in response to question 2.

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MMO Question 17: For evidence that relies on modelled data has an unbiased statistical accuracy assessment been carried out?

38. To the best of my knowledge no statistical modelling for fisheries has been carried out so this question is not relevant at this time.

MMO Question 18: Anything else you would like to note?

39. I have no further comment at this time.

Summary

40. The Applicant has presented their assessment for two seaweed farms in the Port Quin Bay area. The Applicant has generally identified the correct fish receptors likely to reside in the surrounding marine area, however, I have recommended some additional data sources to further inform their assessment in point 15.

41. However, I do have some concerns regarding the Applicant's conclusions regarding the potential impacts to the under 12m fishing vessels, please see my comments in points 17 and 18 for more details on this.

Pedro Warner
Fisheries Advisor

Quality Check	Date
Kirsty Clarke	02/12/2024

References

Coull, K.A., Johnstone, R. and Rogers, S.I. (1998). Fisheries Sensitivity Maps in British Waters. UKOOA Ltd.

Ellis, J.R., Milligan, S.P., Readdy, L., Taylor, N. and Brown, M.J. (2012). Spawning and nursery grounds of selected fish species in UK waters. Science Series Technical Report. Cefas, Lowestoft 147, 56 pp.

Hardinge J, Harvey ES, Saunders BJ, Newman SJ (2013). A little bait goes a long way: The influence of bait quantity on a temperate fish assemblage sampled using stereo-BRUVs. J Exp Mar Bio Ecol 449:250–260

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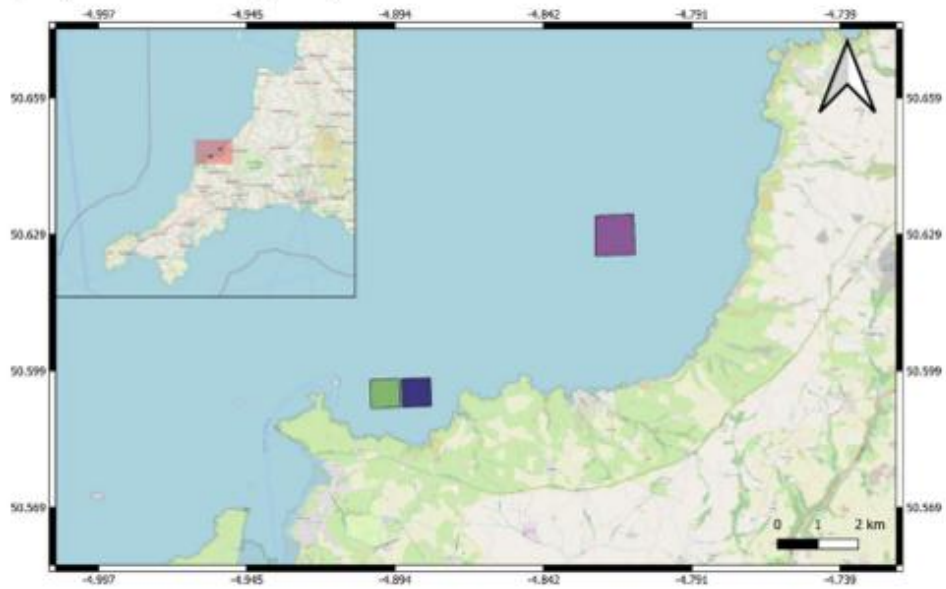


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Annex

Annex 1: The Port Quin Bay farm sites in relation to the Port Isaac farm site, figure abstracted from the report (Documents reviewed; point 5).



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**MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2007.
CONSULTATION REQUEST FOR THE APPLICATION FOR SEAWEED FARMS AT
PORT QUIN BAY BY BIOME ALGAE AND CAMEL FISH.**

Reference Number: MLA/2023/00307 & MLA/2023/00308

From: Ralph Brayne
Cefas, Lowestoft Laboratory
Date: 2nd December 2024

To: Gregg Smith - MMO (via MCMS)
Cc: Kirsty Clarke - SEAL Case Officer

1. With reference to the above consultation request for the application for seaweed farms at Port Quin Bay by Biome Algae and Camel Fish and your request for comments dated 30th October 2024, please find my comments below.
2. This minute is provided in response to your advisory request in relation to the above proposal in my capacity as scientific and technical advisor for Coastal Processes. The response pertains to those areas of the application request that are of relevance to this field. This minute does not provide specialist advice regarding benthic ecology, fish and fisheries, shellfisheries, or underwater noise as, whilst these are within Cefas' remit, they are outside my area of specialism.
3. In writing this advice minute I have used 6 hours of the 7.5 hours provided by the MMO, under MLA/2023/00308.
4. I have provided my comments based on the below category system:
 - Category 1: **Major Comment (Action)**- It is my advice that the application should not be granted a licence until this is resolved. There is high uncertainty or a large risk to the environment. MMO are strongly advised to request this further information then re-consult Cefas.
 - Category 2: **Minor Comment (Action)**- There is data/ information/ evidence missing that could affect the assessment. Provision of the data/information would allow for due diligence to ensure there is sufficient confidence in the applicant's and my own assessment but would not necessarily preclude the granting of a licence. MMO advised to request further information from applicant and then to re-consult Cefas, however MMO may be able to grant licence if this information is not submitted, provided MMO have clear rationale for their decision.
 - Category 3: **Minor Comment (No Action)**- These highlight those things that should be included as best practice but would not affect my overall conclusions. Should be taken forward by the developer for any future applications/ post consent requirements, or presentation issues. MMO case team

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could pass this on to applicant however this information is not required for consultation with Cefas.

Category 4: **Observation-** Statements regarding what is stated in the application, or areas of good practice are highlighted. No action for MMO case team but this could be passed on to applicant if MMO wish, to pass on areas of good practice.

Document reviewed:

5. MMO FIR 1 and FIR 2 September 2024 MLA/2023/00307 and MLA/2023/00308. BIOME Algae and Camal Fish September 2024. Version 1. Hereafter 'Document 1'.

Description of the proposed works:

6. Camel Fish Ltd and Biome Ltd (hereafter 'the Applicants') are proposing two areas for farming seaweed, each 50.4 Ha (100.8 Ha total) in size and located in the nearshore zone of Port Quin Bay, North Cornwall. Cumulatively, this would involve installing 288 longlines across both sites at full capacity, which would occupy 10% of the total required footprint of the farms (see section 8.0 of Document 1). The longlines would be 160 m long, secured using 100% recycled eco-blocks.
7. Construction works will be completed over 3- 4 years, requiring approximately 36 days total during that period. Once deposited, the eco-blocks are expected to last the lifetime of the farm. Eco-blocks are expected to be deployed September, October, or November (latest) for the first 3-4 years only, however July and August are also possibilities. The farms would operate year-round.

Responses to Questions posed by the MMO Case Officer. All responses are observations unless otherwise stated.

Question 1: To the best of your knowledge is the description of the environment and potential impacts accurate?

8. **Major comment (action):** A relatively weak assessment of the of hydrodynamics is provided in sections 2.2 (currents) and 2.3 (waves) of Document 1. Notably, I believe this assessment should consider extreme wave events as well as presenting time series; and the applicant's reason for using a two-year subset of the data (between 2021 and 2023) is unclear. Some information on extremes is available in the Mooring Design section of the Appendix, but I believe this should be in a dedicated environmental information section as this information could affect the impact of the project on the physical environment.
9. **Minor Comment (Action):** I consider that the captions of Figures 8 and 9 in section 2.3.1 are wrong. I assume that these are average hourly or half-hourly – not average monthly - wave heights. The period over which the wave statistics are averaged has a major impact on the meaning of the results. I would recommend the applicant checks this and (if necessary) amends the wording.

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10. Minor Comment (Action): The applicant states that the currents are expected to be up to 1.4 m/s, with an average speed of 0.2 m/s. It is important to ascertain where these speeds were obtained (i.e. from an admiralty chart and in-situ measurements), and whether the higher current velocity was associated with spring tide conditions and/or a storm. All of this is relevant to understanding the conditions of the site and should be clarified. The requested clarification need not be more than a sentence.

11. I am unable to find clear information regarding the seabed composition. This is important because it could influence the potential impact of the project on the physical environment. I request that the applicant provides this information in the physical environment section of Document 1.

Question 2: Has the appropriate evidence base been used? Is the evidence complete for its intended use i.e. is there sufficient information to allow a decision on the application to be made? If not, please explain why and what you would expect to see and any additional work.

Major concerns:

12. Please see comments 8-11.

Question 3: Do you agree with the conclusions reached?

13. I understand the overarching conclusion from a physical process perspective that the limited scale of the project and the mooring design (specifically the use of 'eco-blocks') to secure the ropes in place means the project will likely have a negligible impact on the environment. Whilst this seems like a reasonable conclusion, I can only find the volume (1.8 m³) – and not the dimensions – of the eco blocks. I request that the applicant adds this information.

Question 4: Are the proposed mitigation and monitoring measures sufficient?

14. The answer to this question is dependent on the above comments (8-11, 13).

Question 5: Are there any minor technical or presentational comments that affect the overall confidence in the conclusions? Please insert as an annex.

15. Please see Minor Comment in paragraph 9. I have no further presentational comments aside from this.

Question 6: Is there an adequate description of the baseline physical and biological environment?

16. Please see comments 8-11, 13.

Question 7: Is there an adequate description of the potential project impacts and effects on the physical and biological environment?

17. Please see comments 8-11, 13.

Question 8: Is there an adequate description of the potential cumulative and inter-related impacts and effects on the physical and biological environment?

18. Please see comments 8-11, 13.

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V10 SW_14/02/2023



Question 9: Is there an adequate description of the potential transboundary impacts and effects on the physical and biological environment?

19. Please see comments 8-11, 13.

Question 10: Are measures to avoid, reduce or remedy significant adverse effects clearly presented and appropriately justified?

20. The answer to this question is dependent on the above comments (8-11, 13).

Question 11: Are monitoring proposals and recommendations clearly presented and appropriately justified?

21. The answer to this question is dependent on the above comments (8-11, 13).

Question 12: In collecting data have details of any quality standards or assurance methods been given? If not please explain what you would expect to see and if they have, please explain if such standards and methods are suitable.

22. I would not expect to see such details, therefore I have no comments at this time.

Question 13: Please assess the methodology used to prepare and gather evidence. Have they used standard practices?

23. Please see comments 8-11, 13.

Question 14: Is the timeliness of the data appropriate for the intended use?

24. Please see comments 8-11, 13.

Question 15: Is the evidence that has been supplied appropriate (i.e. proportionate and targeted) for its intended use?

25. Please see comments 8-11, 13.

Question 16: Is the evidence consistent with that submitted for operations of a similar nature?

26. Please see comments 8-11, 13.

Question 17: For evidence that relies on modelled data has an unbiased statistical accuracy assessment been carried out?

27. Please see comments 8-11, 13.

Question 18: Anything else you would like to note?

I have no further comments at this time.

Dr Ralph Brayne
Senior Coastal Processes Scientist

Quality Check	Date
Kirsty Clarke	02/12/2024

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Appendix 7: Email MMO IVMS Data

From: SM-MMO-MMO Access to Information <accesstoinformation@marinemanagement.org.uk>

Subject: RE: OFFICIAL SENSITIVE: IVMS data request for Port Quin Bay. MMO Ref: ATI3551

Date: 19 August 2025 at 13:58:41 BST

To: Hannah Clark <hannah@camelfish.co.uk>

Dear Hannah,

Further to my email below, I am writing to apologise that I did not explain why we didn't provide IVMS data.

We cannot provide recent positional data for vessels as it would make them identifiable by other means, say for example on systems available to the public. This would breach Data Protection regulations.

Kind regards,

Service Exception Team | Marine Management Organisation

+ Lancaster House | Hampshire Court | Newcastle upon Tyne | NE4 7YH |

8accesstoinformation@marinemanagement.org.uk | (0300 123 1032

Our MMO Values: Together we are **Accountable, Innovative, Engaging and Inclusive**

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Appendix 8: CIFCA Statutory Consultation Round 3: Comments

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27 November 2024

Cornwall Inshore Fisheries and Conservation Authority's (Cornwall IFCA's) Response to the Marine Licence Application:

Reference Number: MLA/2023/00308
Name: Seaweed Farm in Port Quin Bay

To whom it may concern,

The role of Cornwall Inshore Fisheries and Conservation Authority (IFCA) is to lead, champion and manage a sustainable marine environment and inshore fisheries within its District. The Cornwall IFCA District extends from Marsland Mouth on the north coast of Cornwall to the western end of the Plymouth Breakwater in Plymouth Sound on the south coast out to six nautical miles and includes the tidal limits of rivers and estuaries. As the marine licence application (MLA) which has been submitted is located within the defined Cornwall IFCA District area it is appropriate for Cornwall IFCA to comment on the proposal.

The powers and duties of Cornwall IFCA are provided by the Marine and Coastal Access Act (MaCAA, 2009), in which the main legal duties are described in sections 153 and 154. Cornwall IFCA must manage the exploitation of sea fisheries resources in their District in a sustainable way, balancing the social and economic benefits of exploiting these resources with the need to protect the marine environment, or help it recover from exploitation. It is also the responsibility of Cornwall IFCA to take steps which are deemed necessary in order to achieve sustainable development within the Cornwall IFCA District. IFCAs must also seek to ensure the conservation objectives of any MCZs in the District are furthered. In all consultation responses, the Authority assesses proposals in light of these duties, while also considering the adherence of proposals with policies detailed in the relevant Marine Plan, as directed under section 58(1) of the Marine and Coastal Access Act 2009.

In addition to the requirements of the Marine and Coastal Access Act 2009, IFCAs, as public bodies, are considered a competent and relevant authority in respect of European Marine Sites as designated under the Habitats and Birds directives and a 28G Authority in respect of the Countryside and Rights of Way Act 2000.

In accordance with Cornwall IFCA's role and responsibilities which are outlined above, Cornwall IFCA have reviewed the MLA and associated documents, considering the extent to which the application impacts upon the marine environment and relevant stakeholders, the response is given below.

Yours sincerely,

Cornwall Inshore Fisheries and Conservation Authority



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Cornwall IFCA note that Biome Algae Ltd and Camel Fish Ltd have both submitted MLAs for adjacent seaweed farm sites, MLA/2023/00308 and MLA/2023/00307, respectively. Owing to the joint response from the applicants, Cornwall IFCA has responded to both applicants in the same manner.

Review of the MMO FIR 1 and FIR 2 September 2024 MLA/2023/00307 and MLA/2023/00308

Chapter 13: Fisheries Impact Assessment

3.3 Static Gear Fisheries

In regard to the below, Cornwall IFCA would outline that conclusions regarding the spatial context of catches cannot be drawn from MMO landings data by port, but rather by landings from individual ICES rectangles (which have not been submitted). In addition, MMO landings data encompass fishing vessels of all sizes, however, EMODnet fishing intensity data gives information on >12m fishing vessels. Also, the two data sources encompass different time periods, 2022, and 2017 – 2020 annual average, respectively. Given the aforementioned points, Cornwall IFCA would outline that to draw inferences from two different data sources could be misleading.

"...this data comes from landing data for Port Isaac, the closest port to the sites, and can be inferred as a reference for contributed catch in the area. However, as we have agreed that the landing data does not necessarily follow that they are sourced from the area encompassed by the proposed location of the MLA's we also used EMODnet data (provided in the December 2023 update request) to strengthen this statement with recorded fishing activity of over 12 m fishing vessels. This data highlights that there is no fishing activity other than static within the proposed farm locations. The timeframe of the MMO data is the 12 months during the year 2022, please refer to section 3.2 regarding the spatial extent. The EMODnet data was taken from the most up to date data at the time; this being averages taken from the years 2017- 2020, a 3-year period."

2.1.1 Impact Assessment on Static Gear Fishing

This section states the following, *"During our communication with local fishers and potters (pre-engagement), they advised that whilst potting and netting is active within the Port Quin Bay area, the fishers have been able to adapt their static operations to take into account mariculture within the Bay."* In regard to the above statement, there is currently no aquaculture infrastructure in the Port Quin Bay area, it is therefore not possible for static gear operations to have been adapted to accommodate any infrastructure.

2.1.1 Impact Assessment on Static Gear Fishing

The applicant states as follows, *"Although the sites are located within an area of low active fishing efforts illustrated by our EMODnet data this does not mean that the area of the farms are actively static fished."* Cornwall IFCA would highlight that the applicant's conclusion is based on incomplete evidence as the applicant has not captured and included any data for the majority of the fleet operating within 6nm of the North Cornwall coast.

"From the surveys we have received support from 23 different individuals and businesses that agree the proposed farms will not affect their activities. It was also agreed that the main species fished in Port Quin Bay are shellfish; crab and lobster. However, these species are caught closer to the coast or further offshore and not within the vicinity of the proposed works."



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MMO FIR 1 and FIR 2 September 2024 MLA/2023/00307 and MLA/2023/00308

The applicant details the number of individuals that they have collected information from (see below), however, in Appendix VIII, Table 2 only details 15 individuals who state if the proposed farms will affect their fishing activity. Cornwall IFCA would ask the applicant to list the 23 individuals quoted, as this appears to be misleading.

"In Appendix VIII we have collated information from 23 individuals/businesses where the majority operate vessels under 12 meters which fills this data gap. One of the key take-aways from this document is the support of 23 individuals/businesses for the proposed locations of the two farm sites."

3.8 Demersal Gear Fisheries

The applicant states as follows:

"In regard to demersal fisheries, the Fisheries impact assessment has identified that the average landings by demersal gears comprised an average of 2.51% into Port Isaac and 17.55% in Padstow (encompassing 2021 and 2022 MMO data). Regarding MMO data only encompassing two years, we agree that yes, it is only a short period of time, however, at the time of producing the chapter it was the most up to date two years."

Cornwall IFCA would clarify, in relation to the above, that an average based on only two years of data will be less representative than an average from five or ten years of data, which would take account of more variance. Also, it should be noted that the two years of MMO data provided encompass a time period where COVID 19 was prevalent, which may have skewed the fisheries data (with less fishermen able to go fishing). It is for this reason that Cornwall IFCA strongly suggest that the applicant analyse a longer time period.

The applicant states that the *"This data infers that activities such as trawling and dredging are not commonplace within the Bay area. This is further supported by our engagement with Pentire Fishing Limited, they discussed that they were the only fishers with a trawling vessel that was active within the bay and they fully supported our proposed licensed site."*

Cornwall IFCA note the engagement and support of Pentire Fishing Ltd, however, it should be considered that Camel Fish Ltd has a 75% interest in Pentire Fishing Ltd. This is relevant as Camel Fish Ltd is applying for a MLA for a seaweed farm adjacent to this site, therefore, Cornwall IFCA feels that Pentire Fishing Ltd's acquiescence to the proposal should not be considered as representative of the entire fishing industry's opinion in respect of this MLA.

Cornwall IFCA wishes to clarify the data it collects in regard to the following statement *"Data provided by Cornwall IFCA was only inclusive of static gear potting and netting efforts."* This data is submitted by individual fishermen who hold a 'Lobster, Crawfish and Crab Fishing Permit' within the District and submit the monthly returns in accordance with the permit licence condition, (detailing gear used and shellfish removed from the fishery). This data is collated and analysed, then presented within the annual Shellfish Summary report which is publicly available on the Cornwall IFCA website.

MMO FIR 1 and FIR 2 September 2024 MLA/2023/00307 and MLA/2023/00308

1.0 Introduction

Cornwall IFCA would request that the applicant clarify the below statements, as Cornwall IFCA is not aware that it has provided any data from DEFRA.



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"Published Cornwall IFCA information and data has also been used in preparing this chapter, including the most recent data from DEFRA, provided by Cornwall IFCA."

2.1 Static Gear Fisheries

In regard to the below statement made by the applicant, Cornwall IFCA would ask the applicant to clarify, given the interviews and surveys have been with largely the same stakeholders, why some individuals appear in Table 1 and not Table 2, (within Appendix VIII) and vice versa. Cornwall IFCA wish to clarify the point made below, in relation to their Shellfish Permit summary statistics data. This data relates to all fishermen which hold a 'Lobster, Crawfish and Crab Fishing Permit' and fish within the Cornwall IFCA District and will encompass fishing vessels both over and under 12m in length.

"The majority of the surveyed stakeholders use vessels under 12 meters and actively static fish. All of these stakeholders have supported the proposed locations of the seaweed farms and agree that they will not affect their operations. This is significant as it covers the under 12m data gap of EMODnet, AIS, VMS, and CIfCA and supports what the over 12m data presents, that static gear fishing contributes to almost all of the landed catch for the area."

"Supporting data from Cornwall IFCA shows that potting activity within the area of ICES30E5 had a -300 to 0 kg/100ph difference in annual potting effort between 2017 and 2021 (Figure 3.0). Across all Districts there was a significant drop in Crab (mixed) from 80 LPUE (kg/100ph) to 50 LPUE (kg/100ph), with a slight rise of 1-2 LPUE (kg/100ph) in Lobster, and Spider Crab staying the same."

Cornwall IFCA note that Figure 2 has no legend, which makes it impossible to interpret the data, particularly for static gears.

Cornwall IFCA would outline, in regard to the below, that aquaculture areas are designated in the South-West Marine Plan - Technical Annex. However, the location which the applicant is applying for is not given as an area for aquaculture production, (see the Technical Annex - Figure 5 - Strategic areas of sustainable aquaculture production).

"In part, the plan aims to accommodate historical fishing activities with newer aquaculture activities in the South West region as both are recognised as equal legitimate users of the sea, despite aquaculture being the newer of the stakeholders."

In relation to the statement made by the applicant below, given that the applicant hasn't made comparisons to other fishing areas along the north coast of Cornwall this statement requires clarification.

"Therefore, identifying an area where fishing activity is lower, relatively, along the North Cornwall Coastline, is important."

2.2 Demersal Gear Fisheries

The applicant quotes the Cornwall IFCA netting effort from 2017 to 2021 within ICES rectangle 30E5, as showing a decrease in effort of 0 to -1,000 Nh/km². Cornwall IFCA would highlight that the 2022 Summary Statistics are available. The 2018 to 2022 netting effort for ICES 30E5 belted statistical area (BSA) 3A, shows an increase in effort between 0 to +1,000 Nh/km².

2.2.1 Impact Assessment on Demersal Gear Fisheries

Cornwall IFCA feel that it is important to note that both the MMO landings data and the Cornwall IFCA



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2022 Summary Statistics, clearly demonstrate the importance of pots and nets in the statistical area in which Port Quin Bay falls.

2.3 Additional Information from the Cornwall IFCA Summary Statistics 2017 - 2021

Cornwall IFCA feel it is important to highlight that the 2022 Summary Statistics are available, and as the most recent data, the applicant ought to include them in the Fisheries Impact Assessment. A synopsis of the 2022 Summary Statistics are given below, and can be found here: https://secure.toolkitfiles.co.uk/clients/17099/sitedata/Research_Reports/Summary-Statistics-2022.pdf. Cornwall IFCA can be contacted by the applicant if they have any questions or wish to discuss the data.

In relation to the 2022 Cornwall IFCA summary statistics data, please see the below points of relevance:

- a. There was a slight decrease in the annual average potting effort along the north coast, between 2016 – 2022, within band A (inshore 0 – 3nm), which encompasses Port Quin Bay (see Pot Fishery Effort Figure 7).
- b. The average annual potting effort (Ph/km²) within the north coast analysis area indicates some variation between 2016 – 2022 (inclusive), with a small decrease noted between 2021 – 2022 (Pot Fishery Effort Figure 4). There is also a clear seasonal pattern shown during the year 2022 within band A, which appears to broadly correspond with the majority of the five-year average (2017 – 2021 inclusive), shown in Pot Fishery Effort Figure 8.
- c. The annual demersal netting effort within the north coast analysis area, which encompasses Port Quin Bay, increased slightly from 2018 – 2022, see Demersal Net Fishery Effort Figure 6. The belted statistical area which encompasses Port Quin Bay (ICES 30E5 3A), was one of two BSA which showed an increase in effort between 2018 – 2022, see Demersal Net Fishery Figure 1).
- d. As shown in Demersal Net Fishery Figure 7, there appears to be seasonal variation during 2022, within band A, which broadly correlates with the five-year average, (between 2017 – 2021 inclusive), except for September and October.
- e. Cornwall IFCA statistics: total shellfish (including crab, crawfish, lobster and spider crab) 2022: 13,914 kg total declared removed and landed by Port Isaac boats, presumed landed into the port of Port Isaac.
- f. Cornwall IFCA statistics: for the statistical belted area 30E53A from 2022, the total removed and landed 18,391 kg, encompassing the species crab, crawfish, lobster and spider crab.

Cornwall IFCA would like to clarify certain points regarding the data, namely that it encompasses both under and over 12m length vessels and relates to vessels removing shellfish from the Cornwall IFCA District, which is mainly conducted using pots and nets. Cornwall IFCA do not collect data from other vessels which trawl or dredge in the District, except those with a Fal Oyster Fishery permit to dredge for oysters within the Fal Estuary.

3. Additional Supporting Evidence

Cornwall IFCA would highlight that the data given by EMODnet only includes vessels over 12 m in length. The majority of vessels operating within the area of the proposed seaweed farm are vessels of <10m in length, which are not encompassed by EMODnet data. Therefore, the low fishing activity determination made by the applicant does not encompass the majority of fishing vessel activity within the area of the proposed seaweed farm.

Cornwall IFCA have reviewed Figure 5, however, the charts are incapable of being read and the data therein quantified. Cornwall IFCA would ask the applicant to resolve this, in order to facilitate verification



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of the data. Also of note, is the time period encompassed by the EMODnet data given in Figure 5 and Table 3, which is now out of date and therefore unlikely to represent current levels of fishing activity within ICES 30E5.

Cornwall IFCA notes the inclusion of the EMODnet data from 2020 within Figure 5 and Table 3. It should be noted that due to the COVID-19 pandemic, that this has skewed the data, due to a sizeable reduction in effort due to the restrictions in place at the time. It would be more representative not to include the 2020 data within Table 3, and in doing so with the figures provided from Table 3, this would change the average overall fishing vessel density from 0.195 to 0.29 hrs/km²/year.

Within the fisheries intensity (MW fishing hours) information, the applicant details the different fishing methods which make up the demersal category, however, the fishing methods included in the static column are undefined. Cornwall IFCA would like the applicant to clarify this point and define the static gears encompassed under this term. Upon review of the EMODnet fisheries intensity data within Table 4.0, Cornwall IFCA would ask the applicant to show the data in the same manner as fishing vessel density data, namely with all the data relating to each of the respective years within the table, rather than just the average. This is to enable verification of the data by Cornwall IFCA.

In relation to data from EMODnet, both fishing vessel density and fisheries intensity, the applicant states that the data shows low fishing activity in the area of the proposed farms. However, there has been no explanation as to what constitutes a low 'classification'. Furthermore, without comparisons made to other areas in the vicinity along the north Cornwall coastline, it is not possible to compare 'low' activity to areas of medium or high activity.

In relation to the VMS data included and analysed by the applicant, Cornwall IFCA note the spatial and temporal parameters, namely ICES rectangle 30E5, from 2016 to 2021.

The figures provided encompassing the VMS data given within the two speed categories, Cornwall IFCA have found difficult to assess and verify due to the poor resolution of Figure 6 & Figure 6, (Cornwall IFCA presumes this to be a typo and means to refer to it as Figure 7). Cornwall IFCA would ask for better clarity of the data displayed within Figure 6 and Figure 7, to enable verification of the information.

Cornwall IFCA also note the parameters for the vessel speed categories which have been utilised, given as >0 – 6 and 2 – 4 knots respectively. Cornwall IFCA would highlight, as the applicant has already alluded to, that the main types of fishing methods used within the area are static gears. It would seem therefore, that the 2 – 4 knots category may need reviewing by the applicant, in order to be more applicable to static fishing vessels, where haul speeds are more likely to be 0.5 to 1.0 knot.

Cornwall IFCA would highlight the assessment made by the applicant below and ask that the applicant clarify how they inferred the speed of above 4 knots, as is this not clear, as the vessel could be travelling between 0 to 2 knots.

"Both fishing vessel were recorded travelling in the >0 and 6 knots but not the 2 and 4 knots speed windows when in the area of the proposed farms. We can infer from this that they were travelling through the proposed sites at a speed above 4 knots as they both only pinged once. This data indicates that the level of fishing activity associated with the vessel sizes that are required to carry VMS is negligible within the area of the Bay."

In regard to the below, Cornwall IFCA would ask the applicant to clarify what spatial extent they define as 'within the proximity of the farms' and how they have arrived at the conclusion of 'extremely low', as this is unclear. Particularly given the number of VMS vessel pings shown within ICES 30E5, illustrated in Figure 6 and Figure 7.



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The data displayed within Figure 6.0 and 7.0 and Table 5.0 and 6.0 show that fishing activity within the proximity of the farms was extremely low. At all speeds, two unique fishing vessels were recorded during the timeframe between 2016 and 2021.

In view of the below assessment made by the applicant, given the fact that VMS data is transmitted every two hours, the data is likely an underrepresentation of vessel activity within ICES 30E5. Cornwall IFCA would strongly suggest that in light of this, together with information displayed within Figure 6 and Figure 7, that the applicant reassess this conclusion.

"This data indicates that the level of fishing activity associated with the vessel sizes that are required to carry VMS is negligible within the area of the Bay."

Figure 8 shows vessel movement data from Marine Traffic for 2021 within ICES 30E5, for all vessel types, which shows a high number of vessel movements through the area of the north western and southern part of the proposed seaweed farms (approximately 221 routes/ 0.08km²/ year). Cornwall IFCA notes the following statement below and would highlight the high number of vessels, approximately 221 routes/ 0.08km²/ year, moving across the seaweed farm sites, from the north-west to the south-east and vice versa. Cornwall IFCA therefore disagrees with the below statement made by the applicant.

"The main traffic transitioning in the area moves outside of both proposed farms to the South and North."

Cornwall IFCA note that the data collected and shown by Marine Traffic and EMODnet are different, showing AIS and VMS respectively. In terms of the fishing data shown, Marine Traffic will give information on predominantly >15m fishing vessels and EMODnet on >12m fishing vessels, therefore the data given by the two different data sources is non-comparable, (encompassing the values, units and assessments given by the applicant). Another point of note is that vessels with AIS are capable of turning it off, therefore the Marine Traffic data is likely an under representation of activity which takes place within the area.

In regard to the following statement, *"Within the Fisheries Impact Assessment across the six-year period no ping data was detected (VMS) for vessels over 12 meters..."* Cornwall IFCA would ask the applicant to what they are referring to, as both Figure 6 and Figure 7 show clear activity (VMS pings) within ICES 30E5.

3.1 Fisher Survey And Interview Data (Appendix VIII)

Given the spatial context of the data sources quoted below, namely ICES rectangle 30E5 or BSA 30E53A, neither of which have the geographic resolution in which to draw the below conclusion. Cornwall IFCA would suggest that the applicant revises their below determination.

"From the second survey it was agreed that the main species fished in Port Quin Bay were shellfish; Crab and Lobster. It was also mentioned that these species are caught close to the coast and further offshore, not within the vicinity of the proposed area of works. This is supported by the data provided in the Fisheries Assessment and the Fisheries Impact Assessment, and data provided with the applications sourced from EMODnet, AIS, VMS, the MMO, and data collected from CIFCA."

5.0 Applicant Response

Regarding the applicant's assessment, as given below, Cornwall IFCA feel that the latest information (2022 Summary Statistics), ought to be incorporated into the assessment of impact upon the static and



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demersal fishers. Regarding the below statement, Cornwall IFCA would query which other areas the applicant has offered comparison to in relation to fishing activity, in order to classify the area of the proposed MLA as 'low intensive fishing'.

"The evidence provided within this chapter demonstrates that the impact of the proposed farms (Figure 1) on current fisheries activities is none-low for static fishers operating within the area. With a none-low impact assessed for demersal fishers. When compared with other areas of the Cornwall coast, the proposed location is within a relatively low intensive fishing area."

6.0 Conclusion

Regarding the below statement made by the applicant, Cornwall IFCA wish to clarify their role in relation to information dissemination. Cornwall IFCA does not act as an intermediary or facilitator in cases of MLAs between applicants and stakeholders.

"It is hoped Cornwall IFCA would be able to circulate information to its permit holders should Biome and Camel Fish wish to disseminate further information to the fishers. Cornwall IFCA currently displays Notice to Mariners on the IFCA website."

Appendix VIII

Upon review of Appendix VIII, Cornwall IFCA would outline and clarify that Table 1 gives the fisheries operator, their work activity/fishing type, and their vessel size and there are 17 fishermen/ operators detailed, it does not state that these 17 individuals support these MLAs. Table 2 outlines the fisheries operator, their vessel name, their landing port, and if they believe the proposed farms will affect their fishing activity, there are 15 fishermen detailed; there is a crossover of nine fishermen between Table 1 & Table 2. Also, (as given above), the applicant details that the main species fished for in Port Quin Bay are caught closer to the coast or further offshore, not within the vicinity of the proposed works. Can the applicant clarify whether this is what they are referring to when stating that fishers have been able to adapt their static operations to take into account mariculture within the Bay?



Appendix 9: NE Statutory Consultation Round 3: Comments

Date: 04 December 2024
Our ref: 492120
Your ref: MLA/2023/00307 & MLA/2023/00308



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

Hornbeam House
Crewe Business Park,
Electra Way
Crewe
Cheshire CW1 6GJ

VIA WEBSITE ONLY

Dear Gregg Smith,

Re: MLA/2023/00307 and MLA/2023/00308 - Consultation 10 - Additional information and amended HRA and MCZ assessments for a seaweed farm in Port Quin Bay

Thank you for your consultation dated 29 October 2024. The following constitutes Natural England's formal statutory response. This advice relates to both MLA/2023/00307 and MLA/2023/00308 as they are identical applications.

The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended)

We can confirm that the proposed sites are located within the Bristol Channel Approaches / Dynesfeydd Môr Hafren SAC which has been designated for the protection of harbour porpoise (*Phocoena phocoena*). This site is recognised as important for porpoises particularly during the winter when high densities persistently occur throughout the site.

Appropriate assessment

Your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment states that the extent of the proposed sites represents 0.00019% of the total SAC area. The [Conservation Advice Package](#) for this site states that: '*disturbance is considered significant if it leads to the exclusion of harbour porpoise from a significant portion of the site*'. It is unlikely that the scale of the proposed farms in relation to the SAC as a whole, would result in exclusion of harbour porpoise from a significant proportion of the site.

Your appropriate assessment also states that '*the applicant has provided information that this habitat is not a supporting habitat in terms of prey availability*'. Natural England advises that the broadscale maps provided are not sufficient to characterise the seabed habitats within the footprint of the proposed seaweed farm sites. Without additional ground-truthing, or further empirical data, there remains some uncertainty over whether these habitats would constitute supporting habitat for the SAC. However, the footprint is a relatively small proportion of the SAC as a whole, and removal of supporting habitat on this scale is unlikely to have an adverse effect on the integrity of this site.

Your appropriate assessment has identified an '*entanglement risk to porpoise, either from the farm*



itself or in the event that there is a failure and equipment becomes detached', but concludes that this is mitigated by ensuring the lines are appropriately tensioned, maintained regularly and by incorporating trackers on all components of the farm to ensure if there is any failure of the infrastructure that it can be quickly located and safely removed.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of the Bristol Channel Approaches / Dynesfeydd Môr Hafren SAC.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that your authority is able to ascertain that the seaweed farm infrastructure is robust enough to withstand the likely exposed conditions in the shallow bay and the likely increase in the frequency and severity of storms due to climate change over the proposed period of the licence (i.e. 50 years). As you have identified in your appropriate assessment, any loss of ropes or entanglement of ropes would increase the risk of impacts to harbour porpoise as well as the wider marine environment. If the clusters of cube anchors are subject to movement due to local hydrodynamic force (which may be possible given that they are to be placed in piles, with some at depths of 10m) this may lead to slackening of rope infrastructure.

It is not Natural England's remit, and neither does Natural England have the expertise to advise on the suitability of such infrastructure for the environment into which it is to be deployed. We would advise that a marine licence is issued for the proposed seaweed farms only when your authority can be assured that risk of gear loss or movement is adequately addressed. It might be prudent to trial the proposed infrastructure on a smaller scale to ascertain its suitability for the proposed location.

Marine and Coastal Access Act 2009

The proposed works, as set out in the information provided, are sited adjacent to the Padstow Bay and Surrounds Marine Conservation Zone (MCZ).

MCZ Assessment

We note that your authority has undertaken an MCZ Assessment of the proposals. Your authority has determined that the licensable activities are not deemed capable of affecting either (i) the protected features of the MCZ, or (ii) any ecological or geomorphological process on which the conservation of any protected feature of the MCZ is (wholly or in part) dependant.

Having reviewed the evidence relating to the site we concur with your conclusions, so long as your authority is able to ascertain that there will be no significant or catastrophic loss of the seaweed farm infrastructure.

Wildlife and Countryside Act 1981 (as amended)

The Pentire Peninsula Site of Special Scientific Interest (SSSI)

We can confirm that the proposed sites are located adjacent to the Pentire Peninsula Site of Special Scientific Interest (SSSI).

A proposal within or close to a SSSI needs to be consistent with maintaining and enhancing the special interest of the protected site. It must be demonstrated that harm will not accrue and that the development will not have an adverse impact on the interest features of the site.

Further consideration therefore needs to be given to the potential impacts on the special interest of the designated site so that your authority is able to make a fully informed decision in line with your [NERC section 40](#) duty to have regard to conserving biodiversity as part of your decision making and the need to take reasonable steps to conserve and enhance the special features of [sites of special scientific](#)



[interest](#). The Environment Act 2021 included an amendment to the original NERC Act, reflecting government's ambitions to shift the focus from conserving to enhancements to nature and nature recovery. The changes to the act are intended on making this a stronger mechanism to strategically consider the natural environment and the actions public bodies can be taking towards recovery. Defra has produced guidance for public bodies on [complying with the strengthened biodiversity duty](#) introduced by the Environment Act 2021.

Natural England advises that the proposal in its current form has the potential to damage the interest features for which the site has been notified; specifically the following seabird interest features of the site:

- Guillemot (*Uria aalge*)
- Razorbill (*Alca torda*)
- Fulmar (*Fulmarus glacialis*)
- Puffin (*Fratercula arctica*)

Increased human activity in close proximity to the SSSI could disturb birds going to and from foraging grounds and the numbers of birds loafing and prospecting colonies. Increased lighting has the potential to impact fledglings and could also deter adults.

There is a puffin colony at Moulds Island which is in close proximity to the proposed sites, and this may be one of the few sites in this region that is undisturbed and able to maintain a colony. The most recent count data shows low numbers of individuals, indicating this represents a small-scale colony which may be highly vulnerable to any changes close to its nesting sites and/or within its foraging /loafing habitat at sea. The supporting information submitted with the application highlights that puffins form 'sea flocks or rafts to the east of the Moulds before moving onto the island'. As such, there is the potential for visual disturbance and possible avoidance of habitat used for prospecting, foraging, loafing and rafting. It cannot be ruled out that the birds may be excluded from their usual habitats due to the presence of new lighting and infrastructure and the increased associated activity.

Considering the wider pressures some of these seabird species are under (habitat loss, anthropogenic disturbance, climate impacts upon prey species; Highly Pathogenic Avian Influenza) and declines in abundance over recent years (Harris *et al.* 2024) a precautionary approach would be to site the proposed seaweed farms at a greater distance from this SSSI.

In addition to seabirds, the SSSI [Citation](#) also states that: 'Grey Seals *Halichoerus grypus* breed along this coast, in particular in the caves below Rumps Point'. Grey seals are also known to haul out in this location. It is now known that grey seal sites in Cornwall and Devon and the southern Celtic Sea form a *de facto* network, with grey seals migrating long distances according to various lifecycle stages. Grey seals, especially juveniles, can be inquisitive and may choose to interact with the seaweed farm infrastructure. Entanglement rates of up to 5% have previously been recorded at a seal haul-out site in Cornwall, with 64% of entangled seals suffering serious injuries (Allan *et al.* 2012). Any loss of ropes, or movement of infrastructure could result in entanglement of grey seals and possible injury.

Pink sea-fan (*Eunicella verrucosa*)

Natural England holds records of pink sea-fan in the vicinity of the proposed sites. As there has not been any characterisation of the seabed within the footprint of the seaweed farms, it is not possible to rule out impacts to pink sea-fan when clusters of anchor blocks are deployed. Pink sea-fan is listed under Schedule 5 of the Wildlife and Countryside Act (as amended) and as such it is an offence to intentionally or recklessly damage or disturb pink sea-fan or its habitat. Pink sea-fan is also a species of principal importance in England – listed under Section 41 of the Natural Environment and Rural Communities Act (NERC) 2006. Seabed characterisation, for example drop-down video survey evidence of seabed habitats within the sites' footprints, would enable your authority to ascertain the likelihood of any disturbance or damage to pink sea-fan as a result of the proposed works.



Other Relevant Matters

Proposed seaweed farm infrastructure

Natural England welcomes the proposed measures to incorporate trackers to all components of the farm, (buoys, lines and floats) to ensure that if there is any failure of the infrastructure it can be quickly located and removed from the marine environment. We would advise that this is conditioned on any marine licence issued. The tensioning of ropes and seed lines should also reduce the risk of entanglement to marine wildlife, providing tension can be maintained. We advise that your authority, if minded to issue a marine licence for the proposed developments, can ascertain that the block anchors, especially if stacked, will remain in situ and will not be prone to movement due to localised hydrodynamic forces in a relatively shallow, exposed environment.

Collection of seed material

Natural England should be consulted if seed material is to be collected from any designated sites including Sites of Special Scientific Interest (SSSIs).

Non-native species

We note that the proposal is only to farm native seaweed species that grow naturally in the area. We advise that your authority, if minded to issue a marine licence for the proposed seaweed farms, ensures that non-native species are not farmed in the future by including a licence condition to this effect.

Natural Environment and Rural Communities (NERC) Act 2006

Subtidal sands and gravels are Habitats of Principal Importance, as listed on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Should these habitats be present within the proposed sites, the deployment will result in a net loss, due to placement of block anchors. Your authority should use the mitigation hierarchy to determine whether losses can, in order of preference, be avoided, minimised, mitigated or compensated, in line with Marine Plan policy (SW-BIO-1) and your biodiversity duty.

Seascape and Landscape

The proposal sites lie adjacent to the Cornwall National Landscape. The South West Inshore and South West Offshore Marine Plan (Defra 2021) places a duty on all relevant authorities to have regard to the purposes for which National Landscapes (formerly Areas of Outstanding Natural Beauty) are designated (under the Countryside and Rights of Way (CROW) Act 2000, Section 85). The Section 85 duty under the CROW Act has recently been amended by the Levelling Up and Regeneration Act 2023 and now requires relevant authorities to seek to further the purposes of the designation. The South West Marine Plan contains policy (i.e. SW-SCP-1) to ensure proposals are compatible with their surroundings and do not have 'a significant adverse impact on the character and visual resource of the seascape and landscape of the area'. Natural England advises that your authority consults Cornwall National Landscape regarding any potential landscape/ seascape impacts.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

Elizabeth Bailey
Marine Officer
Devon, Cornwall & Isles of Scilly Team
E-mail: marine-southwest@naturalengland.org.uk



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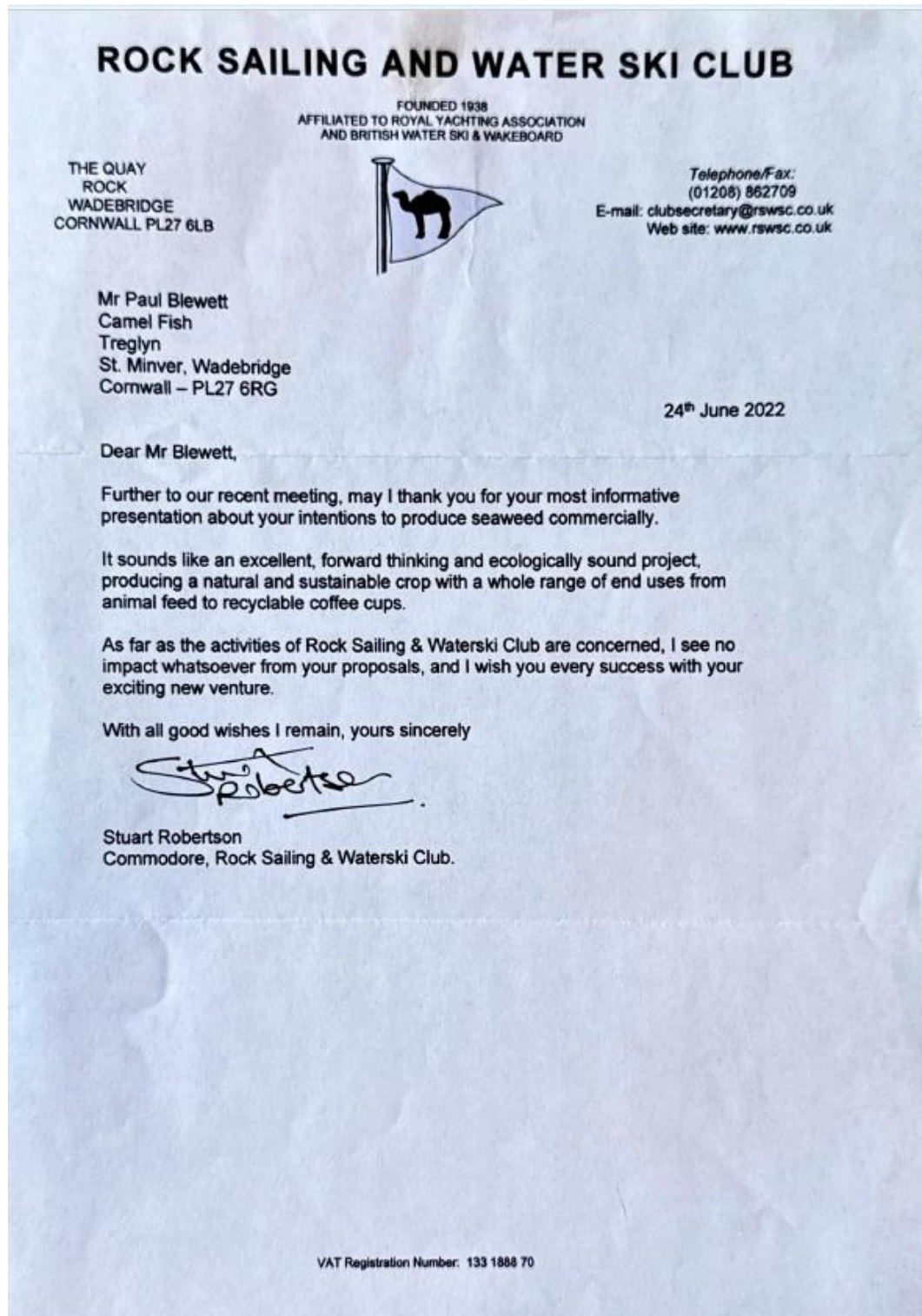
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Appendix 10: Letter Rock Sailing Club (original)





Appendix 11: SEAFISH Regulatory Guidance May 2025



Department
for Environment
Food & Rural Affairs

Regulatory guidance for new and expanding marine seaweed aquaculture businesses in England

Date: May 2025

Authors:

Sara Catahan, Antony Ovens, Emma Smith (Defra)

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Cefas



Marine
Management
Organisation





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This publication is available at <https://www.seafish.org/trade-and-regulation/regulation-in-aquaculture/aquaculture-regulatory-toolbox-for-england/>

Any enquiries regarding this publication should be sent to us at

aquacultureteam@defra.gov.uk

www.gov.uk/defra

Who we are:

Defra (the Government's Department for Environment, Food and Rural Affairs) is responsible for improving and protecting the environment. We aim to grow a green economy and sustain thriving rural communities. We also support our world-leading food, farming and fishing industries.

Cefas (the Centre for Environment, Fisheries, and Aquaculture Science) is an executive agency, sponsored by Defra, and leading expert in marine and freshwater science. We help keep our seas and rivers healthy and productive and our seafood safe and sustainable, by providing data and advice to Government.

The **MMO** (Marine Management Organisation) is an executive non-departmental public body, sponsored by the Defra. MMO's purpose is to protect and enhance our precious marine environment and support UK economic growth by enabling sustainable marine activities and development.

Natural England (NE) is an executive non-departmental public body, sponsored by Defra. Our purpose is to help conserve, enhance and manage the natural environment in England for the benefit of present and future generations, thereby contributing to sustainable development.

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1 Glossary

Term	Acronym	Definition
Appropriate Assessment	AA	Under a Habitat Regulations Assessment, this process considers the implications of a plan or project, which is likely to have a significant effect on a Special Area of Conservation (SAC) or a Special Protection Area (SPA) ¹ but is not directly connected with or necessary for management of the site, in view the site's conservation objectives.
Benthic		Relating to the bottom level of a body of water, such as a sea, lake, or river. The animals and plants that live on this bottom level are known as benthos.
Bioplastics		A polymer that is manufactured into a commercial product from a natural or renewable source.
Competent authority		Any person or organisation that has the legally delegated or invested authority, capacity, or power to perform a designated function. ²
Discretionary Advisory Service	DAS	A service offered by Natural England that provides pre-application and post-consent advice in relation to a development on land and at sea. Initial advice is free, but further advice can incur a cost.
Environmental Impact Assessment	EIA	This process ensures that the likely significant environmental effects of certain projects are identified and assessed before a decision is taken on whether a proposal should be allowed to proceed.
Habitats Regulations Assessment	HRA	The process of establishing if a plan or project is likely to have a significant effect on an SAC or SPA, and if so, undertaking an Appropriate Assessment.
Inshore Fisheries and Conservation Authorities	IFCA	Responsible for protecting and managing the marine inshore environment and fisheries resources in English waters out to 6 nautical miles from coastal baselines.
Locally absent species		Any aquatic species which is locally absent from a zone within its natural range of distribution for biogeographical reasons.
Local Planning Authority	LPA	The local government body that is empowered by law to exercise urban planning functions for a particular area.

¹ [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site)

² [Habitats regulations assessments: competent authority](https://www.gov.uk/guidance/habitats-regulations-assessments-competent-authority)

Marine Conservation Zone	MCZ	A conservation designation that protects marine flora or fauna, habitats and features of geological or geomorphological interest, including rare or threatened habitats and species.
Marine Protected Area	MPA	Collective term covering MCZs, SACs, SPAs and SSSIs in the marine environment.
Maritime and Coastguard Agency	MCA	An Executive Agency of the Department for Transport (DfT). They produce legislation and guidance and provide certification to ships and seafarers, which fulfils an essential safety role across the United Kingdom's maritime environment.
Megafauna		Represents the largest organisms associated with the seafloor which may live within it, on its surface, or in the water column immediately above it.
Navigation Risk Assessment	NRA	This risk assessment identifies and assesses the hazards and risks to shipping and navigation likely to be encountered because of a proposed seaweed farm.
Non-native species and Invasive non-native species	NNS/INNS	Species living outside their natural geographic range which have arrived by human activity, either deliberately or accidentally. Invasive non-native species (INNS) are those non-native species known to cause negative environmental, social and/or economic impacts.
Organic material		Matter composed of organic compounds that has come from the remains of organisms such as plants and animals and their waste products in the environment. This can be either dissolved, meaning it can pass through a filter, or particulate meaning it can be collected in a filter.
Seabed scour		The displacement of sand, silt and soil on the seabed, the removal of seabed sediment or other material by the actions of currents and waves.
Site of Special Scientific Interest	SSSI	A conservation designation which protects and supports many rare and endangered species, habitats and natural features.
Special Areas of Conservation	SAC	A conservation designation that protects key habitats and species (excluding birds).
Special Protected Area	SPA	A conservation designation that protects areas for birds.
Stocking density		The number of seaweed plants per unit of water area.
The Crown Estate		An independent commercial business and a significant national landowner, with a diverse portfolio of UK buildings, shoreline, seabed, forestry, agriculture, and common land.

2 Introduction and scope

Navigating the process to secure a marine licence for seaweed aquaculture in England has been identified as a key challenge by seaweed industry stakeholders. [The English Aquaculture Strategy](#) calls for the development of a “specific licensing regime for macro algae”³. In response we have developed this guidance which sets out how to apply for a marine licence for seaweed aquaculture and sets out other consents, authorisations, or licences that may also be necessary to undertake seaweed aquaculture.

This guidance aims to provide clarity for applicants on the consents and authorisations required to set up, operate and decommission a seaweed farm in English inshore marine waters. It focuses on what you as an applicant needs to provide to navigate these processes.

The guidance is structured as follows (see also Figure 1 below):

- Section 3 Scoping and Planning: what you need to consider when applying (or considering applying) for a marine licence for seaweed aquaculture, including an overview of potential environmental impacts of seaweed farming.
- Section 4 Pre-application: what pre-application activities will support your marine licence application process.
- Section 5 Application: what you need to do to apply for a marine licence and which other permissions you may need in parallel.

Where existing documentation is available, the guidance will signpost to relevant links and resources, rather than replicate information.

A high-level overview of key steps is provided in the flow diagram below, while details of the different stages are given in the relevant sections of this guidance.

Some of the steps in securing a marine licence for seaweed aquaculture have associated charges. These are explained in the relevant sections of this guidance and are also highlighted in the flow diagram below.

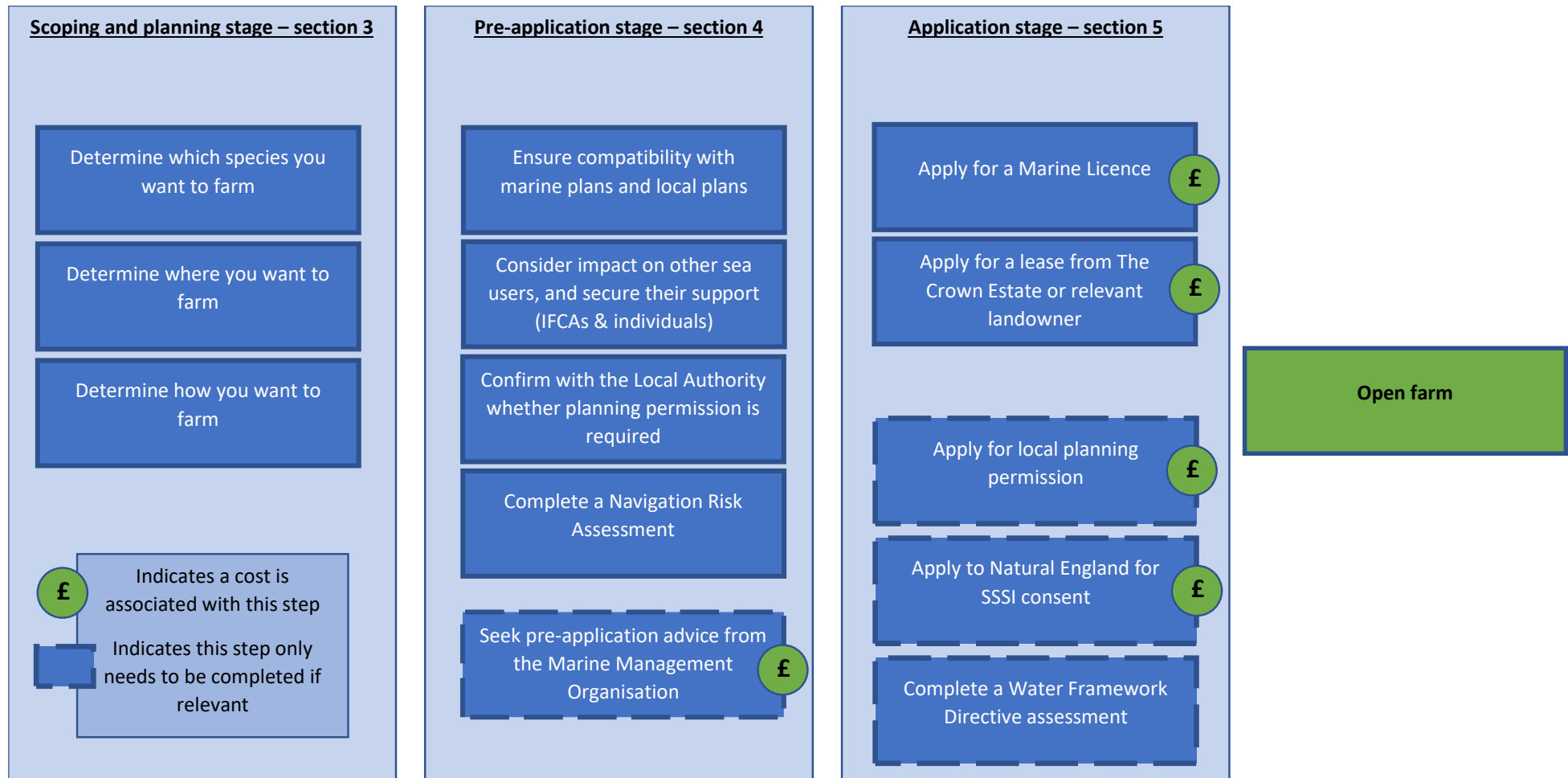
Throughout the guidance you will see reference to papers written by experts in the field of seaweed aquaculture. These are intended to provide further context and information. The full list of these papers can be found in section 7.

This guidance does not cover the following, and you should consider these elements separately:

³ Critical Actions, page 18, Sub-sector Macroalgae.

- The regulatory regimes relating to the sale or export of seaweed grown in aquaculture.
- The cultivation of seaweeds in tanks or raceways on land, nor the cultivation of algae in freshwater environments.
- The land-based logistics and processing of the harvested seaweed or algae.

Figure 1. Flowchart of steps required to open a marine seaweed farm.



3 Scoping and planning stage

3.1 Key considerations

There are multiple aspects of seaweed cultivation that require consideration by the applicant, and which will need to be clearly defined and presented when applying for a marine licence. These include (but are not limited to) the **species** that will be cultivated, the planned **farm structure** and **location**, and the **cultivation method**. These aspects are closely linked and are also dependent on the end-use(s) planned for the seaweed biomass (Figure 2).

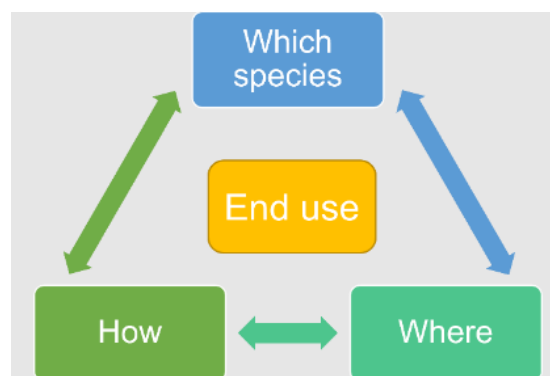


Figure 2. Examples of what you need to consider when preparing to apply for a marine licence for seaweed aquaculture.

Seaweed can be used for a variety of purposes, such as food, feed, fertiliser, and the production of bioplastics. Each seaweed species has specific physiological and chemical characteristics which may make it more suitable for a given use. At the same time, seaweed requires suitable environmental conditions for growth. Therefore, environmental parameters (such as, temperature, salinity, nutrient concentration) need to be within optimal ranges for each species. The farm structure and the cultivation method will depend on the type of seaweed, the location of the farm (such as depth and exposure to waves), as well as the facilities available for operations at sea and on land.

Table 1 below provides a list of questions, and links to useful documentation, in relation to choosing a suitable seaweed species, farm site and cultivation method.

- **Species:** consider whether cultivated seaweeds are native to the area planned for the farm, and whether they grow wild close to the proposed farm site as this could help in obtaining seed stock.
- **Farm site:** consider environmental conditions, accessibility, interactions with other users in the area and potential interactions with protected species.
- **Cultivation:** information on the design, layout and materials planned for the farm will need to be clearly presented in the marine licence application. The technical

drawing of the farm (preferably mapped in the farm site location) should include information on the layout of ropes, mooring blocks and anchors, height above seabed, spacing between moorings, lengths and depth of ropes, anchoring methods etc.

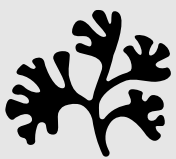
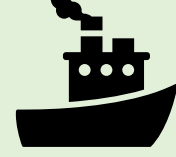
It is likely that choosing a farm site within or near an MPA will require additional information and assessment during the application process. This is to ensure that farming activities do not adversely impact on the protected features of the area, as detailed in section 4.2. Cultivation in Highly Protected Marine Areas (HPMAs) is not permitted.

You should also consider whether you want to upscale your farm in the future. If so, your application should be based and assessed on the maximum design scenario rather than the 'pilot project' scale.

You may want to look at the co-location of seaweed aquaculture with other existing activities in the planned area, for example with shellfish farming, where there may be benefits from shared resources and optimising the use of marine space.

You may also wish to consider employing a consultant to investigate all the aspects presented in Table 1 below and develop a marine licence application.

Table 1. Considerations and resources in relation to choosing seaweed species, farm location and farm structure / cultivation method.

Which species? 	<u>Consider:</u> • Which species is best for the intended use? • Is the species suited for the local environmental conditions? • Is the species naturally occurring in proximity of the farm or regionally absent? • Is the species native to the UK? • Is the species already farmed successfully in England or the UK? <u>Check:</u> ○ List of native and INNS seaweed species in Wilding et al. (2021). ○ MMO (2019) and Kerrison et al. (2015) for detailed description of suitable environmental ranges for selected seaweed species.
Where? 	<u>Consider:</u> • What are the local environmental conditions at the potential farm site (temperature, salinity, turbidity, nutrient concentration, wave height and currents, general exposure of the site, depth, bottom substrate, proximity to potential source of contamination etc.)? • What other uses are occurring in the area? • Is there potential for co-locating with other activities? • Are there any MPAs present in/proximity of the area considered? • Is the farm site accessible? • Which is the nearest port? • Is there suitable infrastructure on land? <u>Check:</u> ○ Suitable areas for seaweed aquaculture and MPA location in the MMO marine planner ○ Habitats, boundaries, other uses of an area on the Defra Magic website ○ Natural England designated sites ○ For information on wave height around England ○ Environmental data from different sources, for example Cefas Data Portal and OneBenthos
How?   	<u>Consider:</u> <i>Farming method and farm structure:</i> • Will you rely on a commercial seaweed nursery for seedling material, or develop a nursery? • Where will you find the seed stock? • How far is the location for the seed stock from the farm site? • Will you use direct seeding or bio-binder glue? • How will you grow seaweed - on rope, textile, etc. and what will you use - longline, droppers, or modular systems etc.? How many lines or systems will there be and what size? • What is the total area that will be covered by the farm? • What sort of anchoring system will you use, what size and how many? • How will you deposit and remove equipment at the farm site? • When will you deploy the seaweed at sea and when will you harvest? What is the proposed date you will start activities? • Will you upscale production at a later date and if so, when? • Will the position of your farm affect other users of the marine space and navigational safety in the area? <i>Maintenance and harvest:</i> • How are you going to harvest the seaweed? • Are you planning a partial or total harvest (will you leave part of the seaweed on the structure throughout the year)? • What sort of lifting and processing capacity vessel will you require? • How often will you be visiting the farm site for maintenance and harvest? Further information can be found in the reports by Wilding et al. (2021), Stanley et al. (2019), Capuzzo et al. (2019) detailed in the references.

3.2 Potential impacts of seaweed aquaculture

Consideration of the potential environmental impacts of seaweed aquaculture is particularly relevant if a proposed farm is within or has the potential to affect a [Marine Protected Area \(MPA\)](#) or a [Site of Special Scientific Interest \(SSSI\)](#), or mobile [protected species](#). In this case regulators will assess any potential impacts of the farm against the protected features of the protected site(s). You can support this process by providing good quality information and evidence about these potential impacts.

Seaweed farming can have a direct impact on marine species, habitats and the wider ecosystem, this could be from farm infrastructure and ancillary activities such as vessel traffic, or from the introduction of invasive non-native species (INNS). There may be indirect impacts too including changes in water flow, sedimentation and nutrients which may affect benthic habitats. These impacts could be within the farm site or the surrounding area, although evidence of these effects on a regional scale is limited (Wilding et al. 2021).

The impacts of any given seaweed farm will depend on a variety of factors which include the farm site selected, scale and design of the farm, as well as the choice of species (Kerrison et al. 2015; Peteiro et al. 2016). For any farm located in or in the vicinity of a MPA, the impacts can be considered against the site/s conservation advice packages, as well as Advice on Operations⁴.

Below is a summary of the main impacts that regulators are likely to consider when undertaking environmental assessments in connection with a licence application. We refer you to the report by Wilding et al. (2021) for a comprehensive overview of these potential impacts.

Table 2. Potential impacts of farmed seaweed (crop)
Absorption of nutrients and pollutants from the water
Reduction of hydrodynamic water flow
Changes to sediment dynamics
Uptake of carbon dioxide, release of oxygen and gases
Release of organic material (dissolved and particulate)
Provision of habitat for other organisms and foraging site for seabird and megafauna
Potential introduction of pest, parasites, disease, INNS and impact on genetic diversity (crop-to-wild gene flow).
Changes in benthic communities (shading, increased sedimentation, changes in biodiversity)

⁴ [Marine Protected Areas: conservation advice packages - GOV.UK \(www.gov.uk\)](#)

Table 3. Potential impacts from infrastructure and farm activities
Dangers and obstruction to shipping and navigation
Entanglement (birds and mammals)
Release of plastic debris
Noise and visual impacts from boat operations
Visual impact of the farm
Conflicts with other users
Impact of harvesting fertile material (if source stock is harvested from the wild)
Seabed scour from moorings (and so potential for habitat loss/damage)
Wave energy attenuation and changes in coastal hydrology

It is important to note that the size of the farm or the number of farms in an area can influence the level of impact on the marine environment. While a single, small farm is often considered to have negligible impact on its own (Wood et al. 2017, Wilding et al. 2021), a large farm or multiple small farms located near to each other may have a cumulative impact. When combined with other activities or developments, including other aquaculture farms, in the vicinity, the impacts can become more complex to assess.

Stocking density is a significant factor in determining impacts on benthic habitats (Wilding et al. 2021) and unforeseen ecosystem effects, such as disease outbreaks or the introduction of non-indigenous pests, are a risk associated with rapid expansion of this emerging industry (Cottier-Cook et al. 2016).

Monitoring is likely to be required to assess the farm's ongoing impact, above the baseline impact identified in your application. This is likely to be especially relevant if the farm was in a trial stage with the intention of up-scaling in the future.

3.3 Farming non-native and locally absent species

The Government is committed to minimising the potential risks posed by the introduction of non-native species. While many non-native species are harmless, some are invasive and present a risk to wildlife and the environment, are costly to the economy and can even impact on our health and way of life. The Government has made international commitments, such as the [Convention on Biological Diversity](#), towards preventing the introduction and establishment of priority invasive species, reducing the rates of introduction and establishment of other known or potential invasive alien species by at least 50 per cent by 2030, and eradicating or controlling invasive alien species. The prevention of invasive non-native species is especially key in the marine environment where eradication or containment is much harder, and for some species impossible, to achieve.

There are also locally absent species, which are those species absent from an area within their natural range due to biogeographical reasons. As these species are not usually present in that area their introduction may have an impact on local species and the local environment, which you will need to consider if you intend on cultivating them.

To ensure that species do not adversely impact our environment, further consideration will be applied to cases where non-native species might be farmed. The difficulties associated with establishing how a species will survive and adapt (and so spread), how it will interact with native species and habitats (whether or not it will become 'invasive') and how it will be contained or eradicated in the marine environment, place additional requirements on applicants wishing to farm non-native or locally absent species. The process for applying to farm a non-native species is more involved than for native, locally present species.

4 Pre-application process

This section outlines the steps which you are encouraged to take before applying for a marine licence and, if required, seeking planning permission, and a lease from The Crown Estate or relevant landowner.

4.1 Consider marine plans and local plans

Marine seaweed farms may be covered by both marine planning regulation, and terrestrial planning regulations. Local (terrestrial) plans and marine plans geographically overlap in the intertidal area. Local plans have jurisdiction down to the mean low spring tide, while marine plans apply from the mean high spring tide⁵. This overlap is intended to ensure a joined-up approach to planning in the coastal zone. Therefore, if a proposed seaweed farm sits within the intertidal area or has elements of its operation on land, such as processing or access points, you are advised to consider the local plan in that area as well as the relevant marine plan.

The [UK Marine Policy Statement](#) provides the overarching policy framework for the marine planning system, and [marine plans](#) set out regional policies. The [Explore Marine Plans \(EMP\)](#) digital service can be used to access marine plan information. EMP displays the appropriate marine policies and any supporting spatial data for any area of interest. This includes spatial data describing the suitability of certain locations for aquaculture of different species, including several species of seaweed. Marine plans can be referred to in addition to the EMP when more detailed information is required.

Any structures, such as access jetties or processing facilities, would require planning permission from the relevant Local Planning Authority (see section 4.3.1).

All marine seaweed farms require a marine licence from the Marine Management Organisation (MMO) (see section 5.1). Explaining how your regional marine plan supports your activity and in turn how your project will contribute to achieving the objectives of the marine plan in which a farm will be sited is a necessary [step in obtaining a marine licence](#).

4.2 Consider other sea users

4.2.1 Individual sea users

Successfully engaging with other users of the marine area (such as commercial fishers, local ferry operators, recreational users, yachting groups, kayakers, or rowing clubs) and

⁵ <https://www.gov.uk/guidance/marine-licensing-definitions#mean-high-water-springs>

local communities is key to securing a 'social licence'⁶. This will likely streamline any formal public consultation stages within the consents, authorisation, and licensing process by allowing you to 'get ahead' of any potential conflicts before they become entrenched (see Billing et al. 2021 on securing social licence to operate for seaweed aquaculture). Public consultation is a requirement of a marine licence application once the application is underway (this is done in the form of local and newspaper notices) but engagement prior to this is advised.

MMO recommend early engagement with the fishing industry in the area local to the seaweed farm, including areas that may be a transit route to fishing grounds. This can be done in a variety of ways, including notices in newspapers, local noticeboards, holding public meetings, or via email or phone with the other users of the marine area.

4.2.2 Inshore Fisheries and Conservation Authority (IFCA)

There are 10 IFCAs in England. They are public bodies tasked with the sustainable management of inshore sea fisheries resources in their local area. They are made up of representatives from the constituent local authorities (who provide funding for the IFCA) along with people from across the different sectors that use or are knowledgeable about the inshore marine area, such as commercial and recreational fishers, environmental groups and marine researchers.

IFCAs are able to advise prospective developers on types of fishing taking place in and around the proposed seaweed farm area, seasonal considerations, and particular fisheries' sensitivities. However, this should be in addition to, not instead of, your early engagement with the local fishing industry. An IFCA can provide contact details for fishing industry representatives.

An IFCA can advise on spatial management in the area, such as whether there are any IFCA byelaws restricting particular types of fishing to protect seabed habitats. In such cases, you would be advised to demonstrate how you have considered the potential impacts of the proposed activity on those protected habitats (through consultation with Natural England (NE), further information on NE can be found in section 4.3.5).

IFCAs can also provide some wider context, for example highlighting other spatial constraints that sea users face (such as wind farm arrays and cable exclusion zones, aggregate extraction areas, restricted fisheries areas for conservation purposes), although you should research these yourself and engage directly with fishing industry representatives to gain a full understanding.

⁶ A social licence refers to the perceptions of local stakeholders that a project, a company, or an industry that operates in a given area or region is socially acceptable or legitimate.

4.3 Engage with key regulatory bodies

4.3.1 Local Planning Authorities (LPA)

If any part of the farm is to be located between mean high water and mean low water, then your farm may be subject to planning laws. You should contact the [relevant Local Planning Authority](#) and enquire as to whether planning permission is required.

4.3.2 Marine Management Organisation (MMO)

MMO recommend seeking pre-application advice. This will allow you to identify any relevant issues and allow for proposed applications to be refined prior to submitting a marine licence application. This will potentially minimise the need for additional information being required during the initial application stage. An HRA may be required. An HRA is a scientific appraisal of the potential impacts of a plan or project on certain MPAs in view of their conservation objectives, and the MMO will be able to advise you what information is required for this.

You can contact the MMO for pre-application advice directly, and when doing so you should mention the Coastal Concordat (a mechanism for key regulators to coordinate their work, see Annex 1 for further details) so that the MMO can advise on how this will assist in the application and licensing and consenting process.

This is a voluntary step in the process and will be charged in line with the [Marine Licensing fees](#).

4.3.3 Navigation authorities

You will need to include a Navigation Risk Assessment (NRA) in your marine licence application. The Maritime and Coastguard Agency (MCA) can provide advice on what to include, and this will need to be proportional to the size of the proposed farm.

The NRA should consider direct and indirect impacts on activities and marine users during the construction, operational and decommissioning phases. Marking of the farm site for navigational safety is an example of one type of mitigation that could be identified in the NRA and you are advised to discuss these with Trinity House (the General Lighthouse Authority for England), via navigation@trinityhouse.co.uk, and the MCA, via navigationsafety@mcga.gov.uk.

4.3.4 The Crown Estate or landowner

You should contact The Crown Estate or the relevant landowner to obtain permission to use the proposed area of the seabed. Without proof of this permission seaweed aquaculture cannot take place.

The Crown Estate manages the seabed around England, Wales, and Northern Ireland, out to 12 nautical miles, as well as about 50 per cent of the foreshore. In this capacity they provide access rights to the seabed, including for seaweed aquaculture. It should be noted that this includes any survey activity that may be carried out to inform farm site selection.

Information is available from The Crown Estate with respect to existing activities in any given area which could be useful for you in understanding potential conflicts with other seabed users. There is no charge for this information however any request should be geographically limited and linked to a future application for seabed access. General information on existing leased areas is available through the [open access data portal](#).

It is recommended that engagement with The Crown Estate is commenced at the same time as the marine licence consenting process begins to allow sufficient time for securing appropriate seabed access. There are various options for accessing the seabed for commercial activity and the nature of rights being sought will impact on the timescales and costs involved in this process.

More information about The Crown Estate process is provided in section 5.2.

4.3.5 Natural England (NE)

If an Appropriate Assessment is required for the proposed farm due to it being likely to have a significant effect on an SAC or SPA, MMO will consult NE to provide advice on the implications for the site(s) in view of the conservation objectives.

NE offer a [Discretionary Advisory Service](#)⁷ (DAS) providing additional pre-application and post-consent advice in relation to a development on land and at sea. DAS also helps support sustainable development and achieve better environmental outcomes through the planning and licensing systems.

You will receive free initial advice and then an opportunity for chargeable continued, informal discretionary advice around statutory conservation issues. A Case Adviser will be allocated to you for pre-application advice with agreed timescales for responding to their needs.

If the proposed farm site is [within a SSSI](#) then you would need to apply to NE for separate permission (consent). Guidance on this process can be [found online](#) and further information can be provided by NE directly, via protectedsites@naturalengland.org.uk.

⁷ [Natural England Discretionary Advice Service: Advice for Developers - NE377](#)

5 Application process

Once the pre-application work is complete you will be ready to apply for a marine licence, and, if required, seek planning permission, and a lease from The Crown Estate or relevant landowner.

5.1 Applying for a marine licence

A [marine licence](#) will be required from the MMO for the proposed seaweed farm. More information about the marine licensing process can be found [online](#).

In determining a marine licence, the MMO must have regard to:

- Protecting the environment
- Protecting human health
- Preventing interference with legitimate uses of the sea
- Any such other matters as it thinks relevant

The MMO will therefore take into consideration where an activity is taking place, the type of activity itself, and what impact it will have. The MMO may also require supporting information, for example to assess the impacts on a MPA or if the project has certain characteristics that trigger an environmental impact assessment (EIA). The MMO will also need to consider how the application fits the Marine Plan for the area.

The MMO aim to [determine a licence](#) within 13 weeks of an application being allocated to a case officer. During the application process there will be a requirement on you to publicise the application. This will include the requirement to advertise in local newspapers and the Fishing News to ensure that interested parties can comment on the licence application. All representations received will be considered during the determination process.

Fees for marine licences depend on the size of the project and how complicated the application is. You should check the [full list of charges](#) for advice and licence fees.

5.1.1 Monitoring and enforcing

As part of any marine licence the MMO will consider whether monitoring of the site would be required. This will usually be determined through the consultation process and will likely need agreement from MMO and NE ahead of any activities being undertaken. Monitoring with specifications of environmental parameters investigated, monitoring techniques adopted and frequency of sampling, should be used to assess clear objectives, thresholds and standardisation requirements provided by regulating bodies (Borja et al. 2009; Wilding et al. 2017)

For example, benthic habitats within and around farms could be surveyed multiple times throughout the year, as seasonal factors apply and will be influenced by the harvesting of farmed crops (D'Amours et al. 2008).

There may also be post consent conditions that apply to the licence that may require action ahead of undertaking any construction activities.

The MMO enforces licences through various post consent checks, and these can include desktop reviews (including of monitoring data provided) and farm site visits.

5.1.2 Decommissioning

You must consider the potential decommissioning of structures required to support the seaweed farm and the associated impacts relating to the marine environment. This will allow MMO to assess the potential impacts of the seaweed farm throughout its whole lifespan.

A decommissioning plan must include provision for the removal of all infrastructure associated with the farm site to ensure maritime safety for users of the area afterwards. The farm site must be cleared and surveyed to ensure all infrastructure has been removed and reports provided to the MMO, MCA and Trinity House showing the area is clear of navigational hazards for all users.

Mitigation, if any can be identified, for any infrastructure that cannot be removed from the farm site must be agreed with the MMO, MCA and Trinity House.

5.2 The Crown Estate lease

You will need to provide The Crown Estate with documentation similar to that submitted to the MMO for the marine licence application. Evidence of commercial viability depending on the maturity of the proposed activity will also be required, including the ability to meet rental and decommissioning obligations. Early engagement with The Crown Estate is advised to understand the nature of additional information that may be required to underpin a request for seabed access.

It should be noted that consent from The Crown Estate will only be issued subject to all necessary statutory consents being granted and all rights of seabed access are granted subject to the public right of fishing and public right of navigation. The Crown Estate is under no obligation to enter into any lease or other agreement with any applicant.

If the seaweed farm is planned in an area outside the 12 nautical mile limit, there is no need to secure a lease from The Crown Estate, but the rest of the process to obtain a marine licence described in these guidelines still applies.

5.3 Planning permission

If during the pre-application stage it is identified that the project requires planning permission from a LPA (section 4.3.1), you should contact the LPA [directly](#) to begin the application process.

5.4 Other authorisations and licensing processes

5.4.1 Authorisation to farm non-native or locally absent species

Under [section 14 \(2\) of the Wildlife and Countryside Act 1981](#) it is an offence to plant, or otherwise cause to grow in the wild, any plant which is included in [Part II of Schedule 9 of the Wildlife and Countryside Act 1981, unless in accordance with the terms of a licence granted by the appropriate authority under section 16\(4\) and \(5\) of the Act](#).

The [Alien and Locally Absent Species in Aquaculture \(England and Wales\) Regulations 2011](#) and [Regulation 708/2007](#), as retained, provides a framework for regulators to prevent and minimise the impact of the introduction and spread of alien animals and plants, while allowing their use in aquaculture, where risks can be managed appropriately.

If any non-native or locally absent species, not listed on [Part II of Schedule 9 of the Wildlife and Countryside Act 1981](#), is being considered for farming, you will be asked to submit a detailed application including a risk assessment for the species as detailed in [Annexes I and II](#) of Regulation 708/2007.

In the first instance you should contact Natural England (CrewelUPHub@naturalengland.org.uk) for [preliminary advice](#) potentially under the Discretionary Advice Service (see section 4.3.5 for details about this service). Please note however that Natural England will be highly unlikely to support an application to introduce non-native species into the marine environment, due to the risks this type of activity would entail.

5.4.2 Wildlife licence

A [marine wildlife licence](#) from the MMO may be required if the proposed activity could impact a protected species or habitat. This can include disturbance, injury, killing, collection, damage or destruction of place or structure that is used for shelter or protection and preventing access to such a place or structure.

A marine wildlife licence authorises activities which would otherwise be unlawful under wildlife legislation. You must have a marine wildlife licence if you want to carry out certain activities effecting a [protected species](#). A licence will only be granted where the activity satisfies the requirements of the relevant legislation.

The MMO is responsible for marine wildlife licensing of activity in English waters. The MMO will consider whether a wildlife licence is required during the application process and inform the applicant including the details of how to apply.

If any part of the farm operation is to be located above the mean low spring tide line, then you should consider whether a [wildlife licence](#) from NE is required when speaking with the LPA, as detailed in section 4.3.1.

5.4.3 Water Framework Directive assessment

If the proposed activity will be taking place within 1 nautical mile out to sea, then consideration will need to be given to the [Water Framework Directive \(WFD\)](#) and a WFD assessment will need to be submitted as part of your marine licence application. In a WFD assessment you must show if your activity will cause or contribute to deterioration of status and if it will jeopardise the water body achieving good status.

6 Annex 1 – Coastal Concordat

The Coastal Concordat is one of several actions the government and regulatory bodies have taken to achieve more efficient, coordinated regulation. The concordat aims to provide you with a first point of entry spanning all of the regulatory systems. As the first point of entry, you should contact one of the regulatory bodies who will then signpost the other relevant regulatory bodies, and where appropriate, you would then contact the relevant bodies. It remains your responsibility to obtain all necessary consents.

The [Coastal Concordat](#) applies to the consenting of coastal developments in England where several bodies have a regulatory function and is designed to form the basis of agreements between the main regulatory bodies and coastal Local Planning Authorities. It provides a framework within which the separate processes for the consenting of coastal developments in England can be better coordinated.

The concordat is based on five high level principles, as set out below:

1. Applicants seeking regulatory approval should be provided with a first point of entry into the regulatory system for consenting coastal development, guiding them to the organisations responsible for the range of consents, permissions and licences which may be required for their development.
2. Regulators should agree a single lead authority for coordinating the requirements of Environmental Impact Assessments or Habitats Regulations Assessments (HRA).
3. Where opportunities for dispensing or deferring regulatory responsibilities are legally possible and appropriate, they should be taken.
4. Where possible, at the pre-application stage, competent authorities and statutory advisors should agree the likely environmental, navigational risk and habitats assessment evidence requirements of all authorities at all stages of the consenting process.
5. Where possible, regulators and statutory advisors should each provide coordinated advice to applicants from across their respective organisations.

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