
Fwd: Adur Local Plan: Amendments -Publication for representations1 message

Moira Hayes [REDACTED]

11 May 2016 at 09:24

To: Ben Daines [REDACTED], Mariola Klonek [REDACTED]

Rep below from the MMO.

Thanks,

Moira

----- Forwarded message -----

From: **Temple, Sarah (MMO)** [REDACTED]

Date: 11 May 2016 at 09:19

Subject: RE: Adur Local Plan: Amendments -Publication for representations

To: "adurplanningpolicy@adur-worthing.gov.uk" <adurplanningpolicy@adur-worthing.gov.uk>,
" [REDACTED] "

Cc: "Percival, Nat (MMO)" [REDACTED]

Dear Moira,

Thanks for your email. We were pleased to see that Adur had accounted for the South Marine Plans and the Marine Policy Statement in the amended Adur Local Plan (2016) following Peter Cosgrove's previous consultation response, although not all of the comments seem to have been taken into account. We advise that you review the relevant policy document (the Marine Policy Statement) and consider whether the plans meet the requirements of this, along with Section 58 of the Marine and Coastal Access Act and the Localism Act (Duty to Cooperate).

We would request a slight variation to the proposed text to help clarify the remit of the marine plans in order to assist those persons and organisations implementing the marine plans. A suggested amendment is offered below:

CURRENT TEXT**Part 3**

3.56A The Marine Management Organisation (MMO) was created in order to achieve clean, healthy safe and productive and biologically diverse seas. The MMO is currently preparing a Marine Plan for the south area, which includes Adur. The Marine Policy Statement is the relevant marine planning document until the Marine Plan is published.16

16 The MMO also issues marine licences under the Marine and Coastal Access Act 2009 - these may be required for activities involving deposit or removal of a substance or object below the mean high water spring mark or in any tidal river to the extent of the tidal influence. Works may also require consideration under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as

amended). Early consultation with the MMO is advised.

These edits have the note "To clarify role of Marine Management Organisation" attached in the schedule of changes document.

SUGGESTED TEXT (MMO May 2016)

3.56A The Marine Management Organisation (MMO) was created in order to achieve clean, healthy safe and productive and biologically diverse seas. The MMO is currently preparing a Marine Plan for the south area, which includes Adur. When in place, decisions that might or will affect the marine area will need to take appropriate consideration of the relevant marine planning documents, including the South Marine Plans under the terms set out in the Marine and Coastal Access Act, 2009 (section 58). The Marine Policy Statement is the relevant marine planning document until the Marine Plan is published.

16 The MMO also issues marine licences under the Marine and Coastal Access Act 2009 - these may be required for activities involving deposit or removal of a substance or object below the mean high water spring mark or in any tidal river to the extent of the tidal influence. Works may also require consideration under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended). Early consultation with the MMO is advised.

The additional text is intended to demonstrate the role of marine plans in decision making, that being that public authorities (including but not limited to the MMO and Adur & Worthing DC) are responsible for making relevant decisions in accordance with/regard to the marine plans.

The MMO cannot instruct public authorities how to consider and implement marine planning. However, with respect to integrating the two planning systems at an early stage (i.e. before the marine plans are published) the following might provide something to consider.

a) Swale Borough Council have

- acknowledged the MMO's role in marine planning
- highlighted the legislative basis for it (Marine and Coastal Access Act 2009)
- identified the relevant marine planning documents.

"the MMO will deliver UK marine policy objectives for English waters through statutory Marine Plans and other measures. Swale is within the South East Inshore Marine Plan area and a plan for this area will be prepared at a future date. Until a Marine Plan has been prepared, the Marine Policy Statement should be referenced for guidance on any planning activity that includes a section of coastline or tidal river,"

Bearing Fruits 2021: The Swale Borough Local Plan Part 1 (Dec 2014) p212 (7.6.51) http://swale-consult.limehouse.co.uk/portal/planning/lp_part_1/local_plan_part_1?pointId=1418143066714#

section-1418143066714

b) Suffolk Coastal District have, in addition to acknowledging the MMO's role in planning and identifying the relevant documents;

- Highlighted the Marine policy statement in their 'relevant legislation/policy' text very early on (page 7)
- Acknowledged the overlap with marine and terrestrial planning (page 22, paragraph 3.07)
- Referenced marine planning and 'expected policies' in their coastal zone policy (Sp30)

<http://www.suffolkcoastal.gov.uk/assets/Documents/LDF/SuffolkCoastalDistrictLocalPlanJuly2013.pdf>

Please note the legislation (MCAA S58.) states where public authorities should take decisions in accordance with, or have regard to the appropriate marine policy documents. Without the South Marine Plan in place to date, the appropriate marine policy document is the Marine Policy Statement.

Later this year, the MMO will be hosting a series of bespoke implementation workshops for South Coast public authorities to assist in their understanding of the practicalities of implementing marine plans. If additional advice would be welcomed beyond these workshops please don't hesitate to contact me.

Kind regards,

Sarah

Sarah Temple

Marine Officer (Marine Planning- South)

Her Majesty's Government – Marine Management Organisation

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