

Statement of Public Participation for the UK Marine Policy Statement

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INTRODUCTION

The UK Government's and Devolved Administrations' vision for the marine environment – 'clean, healthy, safe, productive and biologically diverse oceans and seas' – was set out in 2002 and taken forward through the agreement of High Level Marine Objectives earlier this year.

To help deliver this vision the Marine and Coastal Access Act 2009, prospective legislation currently before the Scottish Parliament and proposed legislation in Northern Ireland introduce new systems of marine planning. The Marine Policy Statement will be the framework under which marine plans will be developed and will set the direction for new marine licensing systems. It will set out our ambition and priorities for the policies that shape the use of our marine resources and how we will achieve sustainable seas. It is therefore an important document for all of us and we want the views of as many people and organisations as possible to ensure we get it right.

The purpose of this Statement of Public Participation is to set out how you can be involved in the development of the Marine Policy Statement. We are aiming to issue the draft Marine Policy Statement for consultation in spring 2010. This is an ambitious and challenging timetable and will only be achievable with the proactive input of all those who have an interest in our seas. This Statement of Public Participation contains timings for engagement through the development stages of the Marine Policy Statement. However, we also want to hear from you if you have any suggestions on how we can do more. We will provide regular updates on progress and make sure as many people as possible are informed about events. If you wish to be involved then please email your contact details to one of the email addresses listed in the *How you can contact us* section of this Statement.



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THE MARINE POLICY STATEMENT

Across the UK, new systems of marine planning, aimed at more strategic management of our marine resources, are being introduced by a range of primary legislation¹. The Marine Policy Statement is the first stage in these new planning systems. It will apply to the whole of the UK waters, from the inland tidal limit out to the furthest extent of the UK Continental Shelf or Renewable Energy Zone. The UK Government and Devolved Administrations will work together on the Marine Policy Statement and aim to adopt it jointly. A shared approach will ensure that the planning arrangements implemented throughout UK waters will be joined-up, but will be flexible enough to meet the needs of different Administrations, stakeholders and decision-makers. We aim to have a Marine Policy Statement in place by November 2011, within two years of the Marine and Coastal Access Act receiving Royal Assent. However, given the importance of the Marine Policy Statement we are striving to have it finalised before this.

The Act makes clear that the policies in the Marine Policy Statement should contribute to the achievement of sustainable development of the UK marine area. In developing the Marine Policy Statement we intend to build on the High Level Marine Objectives. These set out the outcomes we are seeking which will contribute towards the achievement of sustainable development in the marine area and the wider context. They were

published in April 2009 in *Our seas – a shared resource: High Level Marine Objectives* (see www.defra.gov.uk/environment/marine/documents/ourseas-2009update.pdf). These Objectives are a stepping stone to helping us develop the policies that will go into the Marine Policy Statement.

How does the Marine Policy Statement affect decision-making?

The Marine and Coastal Access Act 2009 gives the Marine Policy Statement a legal effect on decision-making by public authorities². This means that licensing (or other authorisation) of activities which affect or might affect the UK marine area and enforcement of licensing conditions will generally need to be made in accordance with the Marine Policy Statement.

In England, the Marine Management Organisation (on behalf of the Secretary of State for Environment, Food and Rural Affairs) will be developing a series of marine plans which will translate the policies in the Marine Policy Statement into more spatial detail at the local level. In Northern Ireland and Wales the marine planning system will be similar to England's, with the Marine Policy Statement underpinning national plans and/or regional plans.

In Scotland the Marine Policy Statement will be supplemented by a national plan, under which there will be several regional plans.

¹ The Marine and Coastal Access Act 2009; the Marine (Scotland) Bill, which is currently before the Scottish Parliament; and the proposed Northern Ireland Marine Bill.

² See sections 56 and 57 of the Marine and Coastal Access Act 2009. See also sections 59(5)(f) and 6(a) of the Act for the effect of the Marine Policy Statement in Scotland.

The Marine Policy Statement and marine plans will guide and direct decisions in the marine environment, ensuring a strong link between national policy and individual developments. It will also provide a significant contribution to integrating activities and planning between land and sea.

Authorities making decisions, other than authorisation or enforcement decisions, will also need to have regard to the Marine Policy Statement when taking any other decisions which could affect the UK marine area. In England and Wales the new Infrastructure Planning Commission will take decisions on nationally significant infrastructure projects in accordance with the National Policy Statements, which will be agreed collectively by the UK Government. There will be consistency between the National Policy Statements and the Marine Policy Statement. In Northern Ireland, the Regional Development Strategy sets out the strategic and long-term perspective on the future development of Northern Ireland up to the year 2025. The Strategy, which is broadly similar to the National Policy Statements in England and Wales, is currently under review. Part of this review process will involve developing linkages between the Regional Development Strategy and the Marine Policy Statement. Scotland's second National Planning Framework guides Scotland's development to 2030 and sets out strategic development priorities. It focuses strongly on priorities for the improvement of infrastructure to support long-term development.

What has happened so far in developing the Marine Policy Statement?

This Statement of Public Participation is not the beginning of the development of the Marine Policy Statement. In January 2009 the UK Government prepared a paper outlining our initial thinking on the contents of the Marine Policy Statement for Peers and MPs during the passage of the Marine and Coastal Access Bill through Parliament. This paper was agreed by officials from the other policy authorities in the Devolved Administrations (see www.defra.gov.uk/environment/marine/documents/mps-shortpaper.pdf). From this paper the policy authorities have developed a drafting framework for the Marine Policy Statement.

The Secretary of State for Environment, Food and Rural Affairs and the Welsh Ministers held a joint stakeholder workshop in May 2009. The Department of Environment in Northern Ireland and Scottish Ministers held separate events in June 2009. The Secretary of State also held workshops in November and December 2009. All events were well attended by a wide range of stakeholders. You can see outputs from these workshops on the following websites:

- www.doeni.gov.uk/marine_policy.htm
- www.scotland.gov.uk/Topics/Environment/16440/msfd/stakeholderseminar
- www.defra.gov.uk/environment/marine/documents/mps-workshop.pdf

We have commissioned an Appraisal of Sustainability (incorporating a Strategic Environmental Assessment, Habitats Regulation Assessment and Equality Impact Assessment).

The Appraisal will provide information on the relative sustainability of proposals in the draft Marine Policy Statement, looking at economic, social and environmental aspects. There will be an iterative process between drafting of the Marine Policy Statement and the Appraisal of Sustainability work. The Appraisal will be published with the draft Marine Policy Statement when it is issued for public consultation in 2010.

What is the timetable and how can you work with us?

The timetable on the next page sets out the key activities in the preparation of the Marine Policy Statement and timings. The key stages are:

1st stage: Developing the draft Marine Policy Statement (October 2009 – February 2010).

2nd stage: Representations on the consultation draft (March – June 2010). During this time planning authorities will need to give due

consideration to the content of the draft Marine Policy Statement.

3rd stage: Agreeing the final text (June 2010 – March 2011).

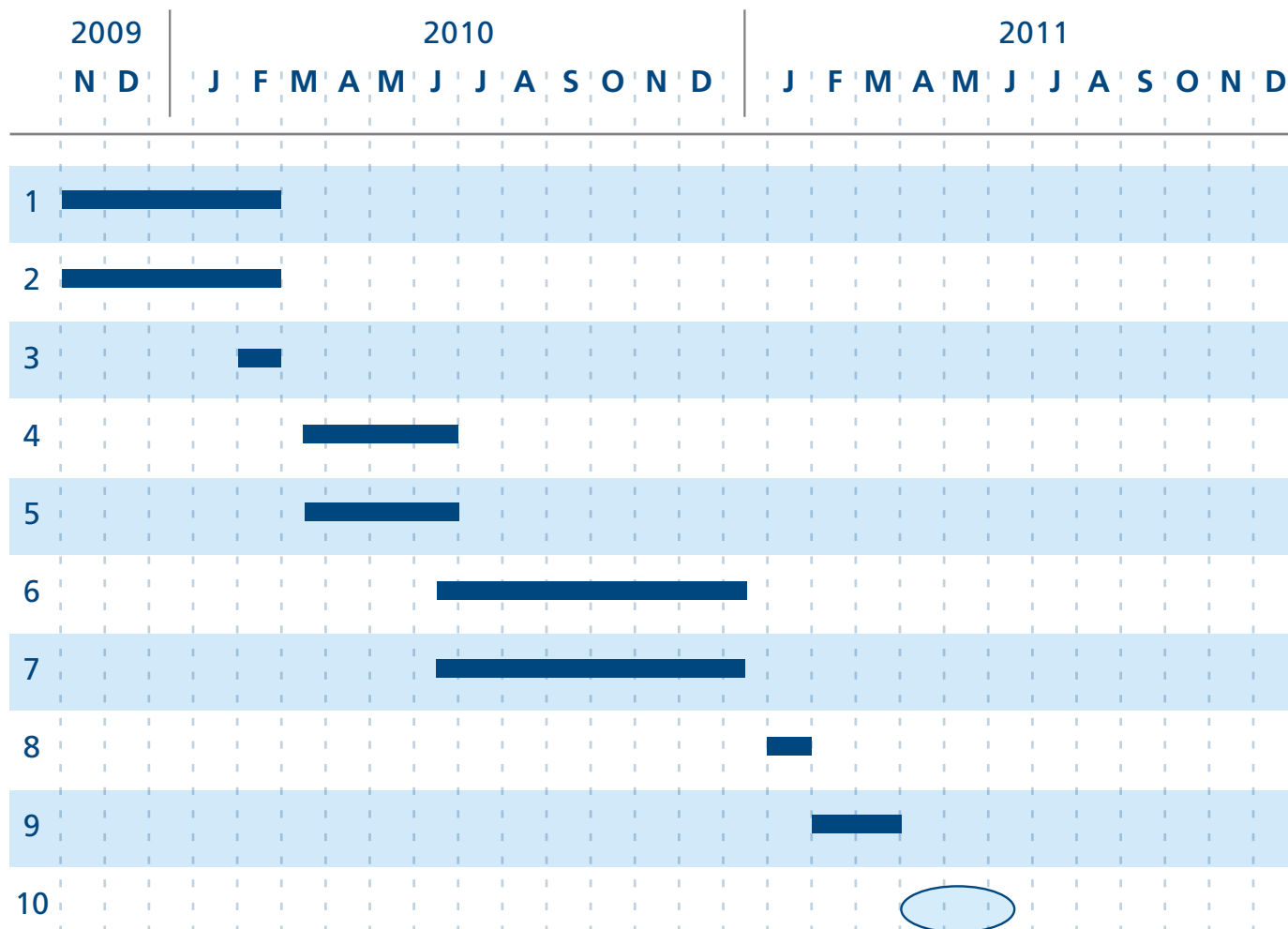
4th stage: Adopting and publishing the final text (Spring 2011).

These timings are approximate as timetables can and do change. We will continue to keep you updated on our progress. We want to hear from you throughout the development of the Marine Policy Statement. Please email us your views and register to be kept up to date on progress. Please see the *How you can contact us* section for details.

Under the Marine and Coastal Access Act 2009 there is no fixed review cycle for the Marine Policy Statement once it is finalised, but we will review it whenever appropriate.



TIMETABLE OF KEY ACTIVITIES



Key: ■ = other necessary activities in the preparation of the Marine Policy Statement

○ = publication period

See below the chart for a description of these numbered activities.

1st stage

Developing the draft Marine Policy Statement for consultation

1 Appraisal of Sustainability (including Strategic Environmental Assessment) - iterative process with the drafting of the Marine Policy Statement. (September 2009 – February 2010).

2 Workshops held across the UK to discuss priorities for the content of the Marine Policy Statement. (November 2009 – February 2010).

3 Final Appraisal of Sustainability reports received and draft Marine Policy Statement completed. (February 2010).

2nd stage

Representations on the consultation draft

- 4 Formal 12 week public consultation on the draft Marine Policy Statement and Appraisal of Sustainability (March 2010 – June 2010). We must lay the draft Marine Policy Statement before both Houses of Parliament and the legislatures of all the Devolved Administrations which will start the period of Parliamentary scrutiny.
- 5 Continued engagement with events and updates to proactively seek views on the content of the Marine Policy Statement.

3rd stage

Agreeing the final text

- 6 Draft Marine Policy Statement subject to further Parliamentary scrutiny (six sitting weeks followed by up to a further six sitting weeks) in all the UK legislatures. (June 2010 – December 2010). If either House of Parliament or any of the legislatures then make recommendations about the draft Marine Policy Statement, the appropriate policy authority will be under a duty to respond to those recommendations.
- 7 Analysis of comments from consultation exercise. (June 2010 – December 2010).
- 8 Draft Marine Policy Statement amended in light of comments following scrutiny and consultation. (January 2011).
- 9 Amended draft circulated for agreement by the Secretary of State (all UK Government Departments), Welsh Ministers, Scottish Ministers and the Northern Ireland Executive. (February 2011 – March 2011).

4th stage

Adopting and publishing the final text

- 10 Marine Policy Statement published. (Spring 2011).

How we would like to work with stakeholders

Pre-consultation

During the pre-consultation Defra and the Devolved Administrations will be holding workshops with organisations who have an interest in the marine environment, to discuss the emerging Marine Policy Statement draft. We will be keeping you up-to-date on progress via e-newsletters, printed newsletters, and coastal forum groups. Interested persons can also contact us directly (see *How you can contact us* section). While Defra (on behalf of the Secretary of State) and the Devolved Administrations will be organising most events, we encourage stakeholder groups to get together to discuss the direction and content of the Marine Policy Statement.

Consultation

We will issue a consultation document via email (and post where email is not possible) to all interested persons listed at www.defra.gov.uk/environment/marine/planning.htm. We will put it on our websites and publicise it. We will be inviting comments on this document over a 12 week period. It will contain the first draft of the Marine Policy Statement along with other supporting documents. You will be able to reply to the consultation by email or post to Defra (on behalf of the Secretary of State).

During the 12 week consultation period, we will hold events, place updates on websites (our own and others' e.g. local authority websites), and work with local coastal partnerships around the UK via the Coastal Partnerships Working Group, the Scottish Coastal Forum, the Northern Ireland Coastal and Marine Forum and the Wales Coastal and Maritime Partnership. We will also participate in conferences and seminars to raise awareness of the Marine Policy Statement to encourage anyone interested to respond to the consultation.

Will this Statement of Public Participation be reviewed?

While we are not consulting formally on this Statement of Public Participation, we welcome your comments on it. We will keep it under review and will publish a revised version if we think this is necessary or helpful. For example, if there are wholesale revisions to the timetable or proposed arrangements arising from internal or external changes or changes to Parliamentary, other Legislature and Ministerial timetables, we will amend this Statement. Plans can and do change but we will endeavour to keep you updated on progress and new events.

How you can contact us

If you have any comments on this Statement of Public Participation please contact us as below:

England:

Events will be publicised via the Defra website: www.defra.gov.uk/environment/marine/planning.htm You can also email: mps@defra.gsi.gov.uk

Wales:

Events will be publicised via the Welsh Assembly Government website: www.wales.gov.uk/topics/environmentcountryside/consmanagement/?lang=en and the Wales Coastal and Maritime Partnership website: <http://walescoastalpartnership.org.uk> You can also email: marine@wales.gsi.gov.uk

Scotland:

Events will be publicised via the Scottish Government website: www.scotland.gov.uk/marinescotland You can also email: anna.donald@scotland.gsi.gov.uk

Northern Ireland:

Events will be publicised via the DOE website: www.doeni.gov.uk You can also email: marineteam@doeni.gov.uk



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