

Number: WG31640



Welsh Government

Consultation Document

The Welsh National Marine Plan

Date of issue: 07/12/17
Responses by: 29/03/18

Overview The key purpose of this consultation is to seek views on a draft of the first [Welsh National Marine Plan \(WNMP\)](#).

The draft WNMP supports the sustainable development of our seas and has been prepared in accordance with the Marine Policy Statement (2011) and the Marine and Coastal Access Act 2009 (MCAA). It has been published with the agreement of the Secretary of State for Environment Food and Rural Affairs. The draft WNMP applies the principles of the Well-being of Future Generations (Wales) Act 2015 and Environment (Wales) Act 2016.

We are also seeking your views on:

- [The Sustainability Appraisal \(SA\) of the plan](#)
- [The Habitats Regulation Assessment \(HRA\) of the plan](#)
- [The review of interim marine aggregate dredging policy](#)

Impact assessments have been carried out as follows:

- Economics
- Welsh Language
- Privacy
- Rural Proofing
- Equality
- Rights of the Child

We want to ensure that Marine Planning for Wales is fit for purpose and provides benefits to society, the economy, and the environment thereby contributing across Wales' well-being goals. Your views are important in helping us achieve this.

How to respond Replies to this consultation should be submitted by 29/03/18 at the latest in one of the following ways:

By e-mail: marineplanning@wales.gsi.gov.uk

By post:

By completing the response form at the back of this document and sending it to:

Marine Policy Branch
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Further information and related documents **Large print, Braille and alternative language versions of this document are available on request.**

In addition the following information, related to the Welsh National Marine Plan, is available in support of this consultation:

Marine Planning in Wales animation

<https://www.youtube.com/watch?v=d7i30DT9ffg#t=65>

Wales' Marine Evidence Report

<http://gov.wales/topics/environmentcountryside/marineandfisheries/marine-planning/other-supporting-evidence/wales-marine-evidence-report/?skip=1&lang=en>

The Wales Marine Planning portal

<http://lle.gov.wales/apps/marineportal/>

Marine Planning; Understanding the benefits and opportunities

<http://gov.wales/docs/drah/publications/170531-marine-planning-benefits-en.pdf>

Statement of Public Participation for the WNMP

<http://gov.wales/docs/drah/publications/170214-statement-of-public-participation-2017-en.pdf>

Contact details

For further information:

Marine Policy Branch
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

email: marineplanning@wales.gsi.gov.uk

telephone: (029) 2082 3331

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the

public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Foreword by the Cabinet Secretary

I am committed to a joined up approach to the planning and management of our coast and sea and achieving our vision of clean, healthy, safe, productive and biological diverse seas. As part of our approach to delivering the vision, I am launching a public consultation on introducing the first ever marine plan for Wales – the Welsh National Marine Plan.

A significant amount of work has been carried out to reach this point and I am grateful to all marine stakeholders for your engagement and support throughout this process.

Marine Planning will provide the policy framework for the Sustainable Management of our seas. By taking account of current and future potential use of marine natural resources, I am proposing a single integrated plan that, together with the UK Marine Policy Statement, will guide decisions on development proposals. Planning will work with and support our marine licensing regime as well as other consenting processes.

I recognise that Wales' tourism, transport, marine energy, fisheries, aquaculture, telecommunications, and aggregates industries amongst others are vitally important for our economy. The plan will support these industries and our coastal communities, allowing them to grow by providing an enabling framework for the sustainable use of Wales' marine resources to support Wales' well-being goals established by the Wellbeing of Future Generations Act.

Our approach will help us to realise our 'Blue Growth' ambition here in Wales, ensuring that the resilience of our marine ecosystems are maintained and enhanced and that the benefits they provide support current and future generations.

Our guiding principles are that we will achieve more by working together with stakeholders to protect our awe inspiring coast, seas and wildlife and develop our maritime economy. I believe an effective system of marine planning is essential.

I very much value your opinion and encourage you to submit your views; I look forward to hearing what you have to say on this important matter.

Lesley Griffiths AM, Cabinet Secretary for Energy, Planning and Rural Affairs

Introduction

The Welsh Government is seeking your views on the first Welsh National Marine Plan. The key purpose of this consultation is to explain how marine planning will be implemented in Wales and allow you to provide feedback.

The Marine and Coastal Access Act 2009 (MCAA) sets out the statutory basis for a new plan-led system for decision-making on marine activities throughout the UK. The Welsh Ministers are the planning authority for the Welsh inshore and offshore areas. This plan has been developed alongside marine planning in England, Scotland and Northern Ireland and is guided by the 2011 UK Marine Policy Statement (MPS) but has a distinct Welsh context including delivering our new legislation to support Sustainable Development (the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016).

Background

Welsh seas are large and important to us; Wales consists of around 32,000 km² of sea, as well as 21,000 km² of land fringed by 2,120 km of coastline. Our marine area is larger than our land area and comprises diverse and valuable natural resources.

Our seas are becoming increasingly crowded, leading to competing demands for space and use of our natural resources. We recognise the importance of our marine natural resources and that healthy, resilient marine ecosystems underpin our economy, health and well-being and are important for our culture. We are committed to managing our seas in a more integrated and planned way to ensure their long-term sustainability. This will mean doing things differently including introducing a forward-looking, proactive and spatial approach to marine management.

This document, consults on the first Welsh National Marine Plan (WNMP). The purpose of the WNMP is to guide the sustainable development of our marine area. This consultation builds on previous related consultations and engagement on:

- Statement of public participation for marine planning
- WNMP Vision and Objectives
- The evidence base
- Scoping of the plan SA/HRA
- An initial draft of the WNMP in November 2015

The draft WNMP on which we are now consulting has been amended in response to the comments received from these earlier consultations and proactive dialogue with key interested parties. This covers both Welsh inshore waters (out to 12 nautical miles) and offshore waters (beyond 12 nautical miles) in a single document. The landward extent of this plan is to mean high water spring tides. It applies to the exercise of both reserved and devolved functions within this area (Figure 1).

Welsh National Marine Planning Area

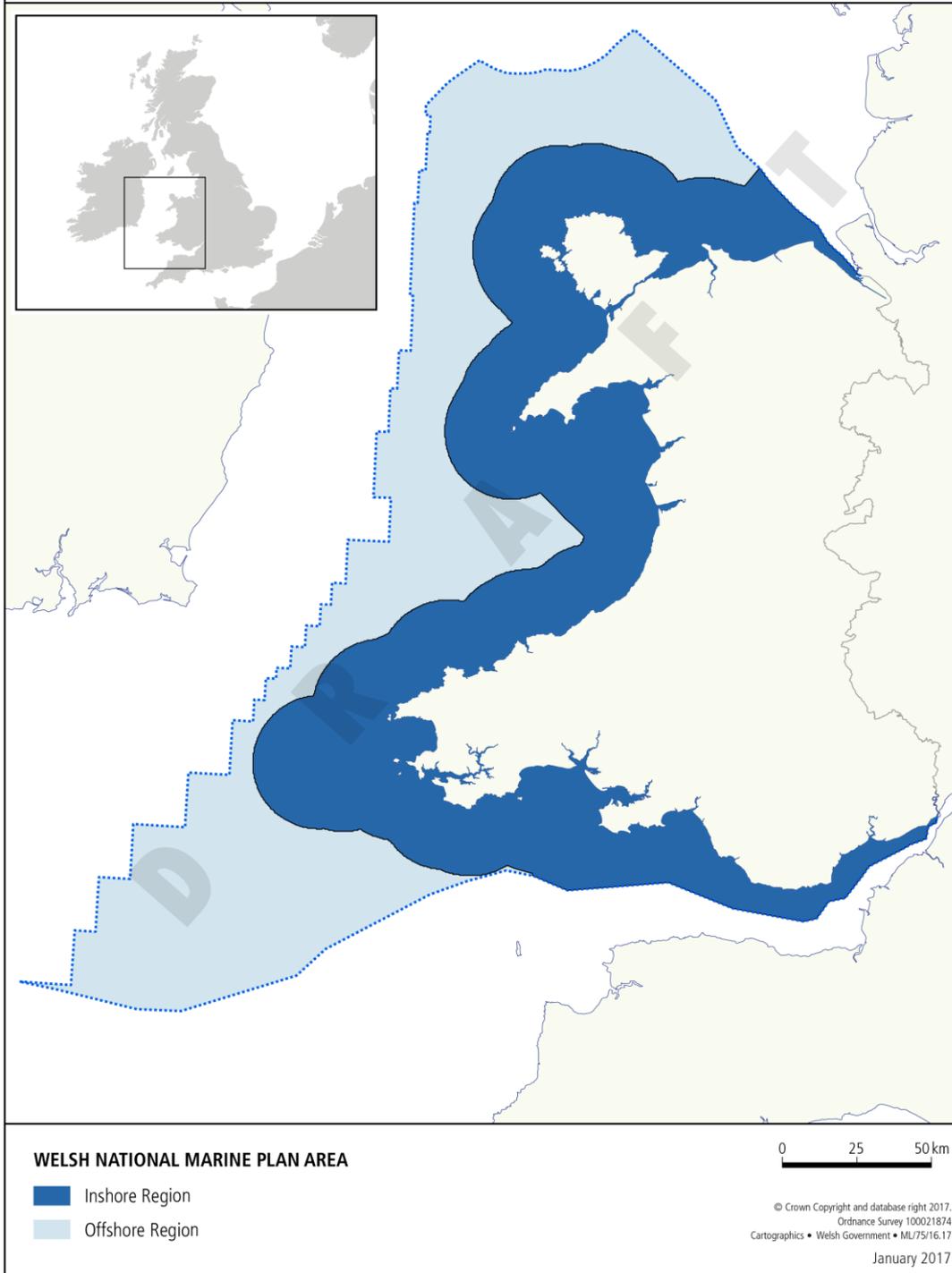


Figure 1. Welsh National Marine Planning (WNMP) area

The purpose and value of marine planning

Marine planning provides an overarching framework for managing Welsh seas, helping to ensure that marine natural resources are managed and used in a sustainable way and thereby contributing to Wales' well-being of future generation goals. Through an integrated and plan-led approach, marine planning will make an important contribution to delivering our vision for our seas. The implementation of marine planning processes will help to facilitate more effective management and use of marine resources by creating the framework for consistent, sustainable and evidence-based decision-making. It enables Governments to set a clear direction for managing our seas, to clarify objectives and priorities, and to direct decision-makers, users and stakeholders towards more strategic and efficient use of marine resources.

What changes are we proposing?

The marine planning process set out in MCAA has already started. UK Government and the Devolved Administrations adopted the UK MPS in 2011.

This consultation relates to Welsh Governments proposal to adopt the WNMP. This would be the first marine plan for Wales and represents a change in terms of the extent and nature of policy direction provided for decision making in the marine area.

Once adopted, decisions will need to be taken in accordance with the plan to help ensure they contribute to delivery of UK, national and any area specific policy objectives. After being adopted as set out under S. 51 (11) of the Marine and Coastal Access Act (2009) the plan has effect that, as set out under S. 58, a public authority must take any authorisation or enforcement decision in accordance with the appropriate marine policy documents, unless relevant considerations indicate otherwise.

Consultation questions

The WNMP consultation draft includes numbered paragraphs to make responses easier. We would find it useful to receive specific information by paragraph number where you think there is scope for improvement.

Welsh Government previously consulted on a vision and objectives to inform the development of plan policies. The vision and objectives are important as they provide the direction for the plan. Objectives are intended to contribute to the plan's vision. Welsh Ministers are also required to report on the extent to which the plan's objectives are being achieved.

Q1. Do you agree with the WNMP vision and objectives?
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The purpose of the marine plan is to co-ordinate and contribute to the sustainable development of the marine area by guiding decisions to optimise future use of natural resources. In order to achieve this Welsh Government considers that

potential benefits of projects need to be clearly understood and taken account of in decision making as well as opportunities to minimise or avoid potential adverse effects.

Q2. Do you agree that the draft plan, its objectives and policies provide a framework for the sustainable development of the Welsh marine plan area?

Under the MCAA, public authorities must take any authorisation or enforcement decision in accordance with the appropriate marine policy documents, unless relevant considerations indicate otherwise. Many marine decisions, but not all, will involve potential developers applying for a marine licence from NRW permitting service. The WNMP is intended to aid decision making by guiding developments to the most favourable locations.

Q3. Do you agree that the WNMP provides clear information and guidance to support decision making?

The core of the plan are the plan's general and sector policies and supporting policy implementation guidance. The general plan policies potentially apply to all proposals and decisions made by public authorities and have been developed in line with the framework provided by the UK Marine Policy Statement. They have also been guided by the Wellbeing of Future Generations (Wales) Act, the Environment (Wales) Act, and the related Ecosystem Approach principles under the Convention of Biological Diversity.

Q4. Do you agree that we have identified all relevant general policy areas and that these are fit for purpose to deliver the plan Vision and Objectives?

The plan is intended to support the sustainable use of the marine area by providing clarity to inform investment decisions and regulators decisions. Applying a proportionate approach to the plan policies in proposal development and decision making should help reduce the overall burden on both developers and decision makers. Policy GEN_02 in the draft plan and the supporting implementation guidance highlights the importance of taking a proportionate approach to application of the plans policies.

Q5. Do you agree that the WNMP provides a clear approach to ensuring policies are applied to proposals on a proportionate basis?

The MCAA requires that marine plans are compatible with relevant terrestrial plans and also have regard to other relevant plans. National and local terrestrial planning authorities and neighbouring marine planning authorities have a key role in developing and implementing marine planning across borders. In developing the WNMP, consideration was given to all relevant plans at the time of development including land-sea interactions.

Q6. Do you agree that the WNMP can support integration between land and sea management and contribute to the principles of Integrated Coastal Zone Management?

Q7. Do you agree that the WNMP sufficiently considers cross-border marine planning challenges and opportunities, particularly in areas where Wales adjoins England?

Effective implementation is critical to the success of the WNMP. Plan policies are therefore supported by policy implementation guidance focussed on proposals that are brought forward and how they should be treated by decision makers.

In order to deliver the plan vision that decisions should respect established uses and interests whilst securing the benefits from new opportunities, plan sector policies support and safeguard current and potential future activity. These policies are intended to provide clarity and confidence to those considering investing in the sustainable development of Welsh seas and also to decision-makers.

Q8. Do you agree that the general policy implementation guidance is fit for purpose?

Q9. Do you have any comments or concerns about the sector supporting and safeguarding policies and implementation guidance?

Strategic Resource Areas (SRAs) are identified for some sectors (aquaculture, low carbon energy, ports & shipping and aggregates) in order to focus future investment to particular areas and to help ensure a plan-led approach to decision making.

Q10. Have we identified Strategic Resource Areas (SRA) for the right sectors and in the appropriate areas?

The plan recognises that the marine area makes an important contribution to society and our economy and that it is a valuable resource that needs careful management in order to ensure that we and future generations can benefit from it. Welsh Government wants to support future opportunities for blue growth and has identified particular opportunities around tourism and recreation, marine renewable energy, ports and shipping and aquaculture.

Q11. Do you think the plan adequately identifies opportunities and priorities for blue growth?

Aggregate dredging in Wales has, since 2004, been managed by Welsh Government on the basis of an interim Marine Aggregate Dredging Policy (iMADP) for south Wales. This policy informed the then "Government view" process of issuing dredging permissions. Since then aggregate dredging has been managed through the issue of a marine licence by NRW permitting service under Part 4 of MCAA in compliance with statutory procedures. The opportunity has been taken to review and extend policy to the whole of Wales through the aggregate sector and the general policies and decision processes contained within the WNMP.

[The review of interim marine aggregate dredging policy](#) explains the proposed changes and how the proposal to withdraw iMADP and replace it with statutory procedures was reached.

Q12. Do you have any comments on Welsh Governments revised marine aggregates dredging policy in the WNMP and the proposed withdrawal of iMADP?

It is not a statutory responsibility to invite representations on supporting documents to a draft plan other than the sustainability appraisal report. However, if you have any further comments on any of the supporting documents you are welcome to provide them.

Q13. Do you have any comments on the findings of the Sustainability Appraisal for the WNMP?

Q14. Do you have any comments on the Habitat Regulatory Assessment (HRA)

When a consultation document which relates to a policy decision is published, it is important that the Welsh Standards for policy making are taken into account and that we seek views on this in the consultation.

Q15. Do have any comments on the effects (whether positive or adverse) the introduction of the WNMP would have on opportunities for persons to use the Welsh language and on treating the Welsh language no less favourably than the English language?

Q16. Do have any comments on whether the proposals could be formulated or revised to have positive effects, or decreased adverse effects, on opportunities for persons to use the Welsh language and on treating the Welsh language no less favourably than the English language?

All consultation documents should include an 'open' question which invites more general comments including on issues which may not have been covered in the published proposals.

Q17. We have asked a number of general questions, but are there any other comments that you would like to make about the WNMP?

Next Steps

The Welsh Government invites views by **29/03/18**. In particular, comments are welcomed on the questions above using the on-line Consultation Response Form. Please support any comments you make, in particular by making reference to the numbered paragraphs to which they relate.

During the preparation of the draft WNMP we have carried out extensive informal consultations with a large range of stakeholders. Whilst we have made many amendments as a consequence, we would nevertheless be grateful to receive any outstanding comments (even if previously submitted) that you consider we have not addressed to be considered before the plan is finalised.

A number of engagement events will be held with stakeholders to seek their views during the consultation period, which will be publicised via the Welsh Government website.

We will produce a summary of responses to this consultation and use its findings to finalise and adopt the WNMP.