

Department for Environment, Food and Rural Affairs

Marine licensing: Recovery of cases for Secretary of State determination

14 January 2015

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1. Purpose of the document

1.1 The purpose of this consultation is to seek your views on a proposal to introduce a policy for a change to marine licensing as operated by the Marine Management Organisation (MMO) on behalf of the Secretary of State.

1.2 The proposal is to introduce a mechanism whereby the Secretary of State can 'recover' certain licence decisions for her own determination.

1.3 This consultation applies to English waters and the offshore areas of Wales and Northern Ireland where the Secretary of State is the licensing authority.

Please consider the following questions below:

A. Do you have any comments on the Government's proposal to enable the Secretary of State to recover certain marine licence applications for her own determination?

B. Do you have any comments on the proposed criteria for recovery?

C. Do you have any comments on the estimates of costs and benefits alongside related data and assumptions; and particularly information on type, size and value of projects potentially affected by this proposal, if any?



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2. The consultation process

Who will be affected by these proposals?

2.1 This consultation document is directed at anyone interested in the way activities that take place at sea are regulated. This consultation is of particular interest to you if you are involved with activities that fall in band 3 of the [Marine Licensing \(Application Fees\) Regulations 2014 \(as amended\)](#), i.e. projects requiring an environmental impact assessment or appropriate assessment under the Habitats Regulations, construction projects worth over £1m and dredging/disposal activity.

2.2 We expect this consultation to be of interest to:

- businesses and operators that carry out these activities;
- coastal local planning authorities and Inshore Fisheries and Conservation Authorities who have a role in regulating or commenting on project proposals;
- conservation bodies and other groups that are concerned about the effects of activities on the marine environment, navigational matters and human health;
- research organisations that may be involved with novel uses of the marine environment.

Many other people and groups are also concerned about what takes place on our coasts and in the seas around us and may therefore have an interest in these proposals.

Timing and duration of this consultation

2.3 The consultation period is 6 weeks. It ends on 25 February 2015.

2.4 In line with the Government's policy of openness, the information you submit may be made available to other parties. If you do not consent to this, you must clearly request that your response be treated as confidential. Any confidentiality disclaimer generated by your IT system in e-mail responses will not be treated as such a request. You should be aware that there may be circumstances in which we will be required to communicate this information to third parties on request in order to comply with our obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

Glossary

IFCA	Inshore Fisheries and Conservation Authority
LPA	Local Planning Authority
Marine licence	Licence issued under part 4 of the Marine and Coastal Access Act
Marine Planning documents	Marine Plans
MCAA	Marine and Coastal Access Act 2009
MMO	Marine Management Organisation
PINS	Planning Inspectorate

3. Introduction

The Marine and Coastal Access Act 2009 and marine licensing

3.1 Part 4 of the Marine and Coastal Access Act 2009 (MCAA) brought in a streamlined marine licensing system for most UK waters. The new licensing system came into effect in April 2011.

3.2 The purpose of marine licensing, together with the new marine planning system also brought in by the MCAA, is to facilitate the sustainable use of the UK marine environment so that economically beneficial activities within the marine environment such as construction, deposits (e.g. of sediment), removals (e.g. of marine aggregates), and dredging can be permitted whilst minimising negative environmental effects and avoiding interference with navigation.

3.3 Under the MCAA certain marine licensing functions are given to the “appropriate licensing authority”, which is the Secretary of State in English waters (and the areas offshore from Wales and Northern Ireland). Apart from a number of powers that are retained by the Secretary of State, most licensing functions in England have been delegated by Order to the Marine Management Organisation (MMO), a non-departmental public body set up under the Act.

3.4 Licensable activities are assessed for any potential adverse effects before being consented. Certain licensable marine activities may need to undergo an environmental impact assessment or an appropriate assessment (under the Habitats Regulations) in order to ensure compliance with EU Directives. In granting a marine licence the MMO, Secretary of State or the regulators in the devolved administrations can include conditions necessary to ensure that the activity does not cause harm. The MCAA also introduced a new appeals system for appeals in relation to licence decisions, enforcement notices or penalties.

3.5 Section 66 of the MCAA lists those types of activity that are licensable. These include deposits (e.g. disposal of dredged material), removals (e.g. extraction of sand and gravel), dredging (e.g. navigational dredging of ports and berths), and construction (e.g. harbour works). Certain specific activities are then exempted from the requirement for a licence either within the MCAA itself or through secondary legislation.

3.6 The fee structure for marine licensing is set out in the Marine Licensing (Application Fees) Regulations 2014 (as amended) (‘fee regulations’). There are three bands of chargeable activity, with the larger or more complex projects falling within band 3. The MMO issues approximately 500 marine licences every year, of which around one third fall into band 3, see Appendix A, Table A1 (page 18).

Marine licence determination process

3.7 The marine licensing process is described on the .GOV.UK [website](#). The key elements of the determination stage are highlighted below.

3.8 The MMO is obliged to take licence decisions in accordance with the [Marine Policy Statement](#) and relevant marine plans, unless relevant considerations indicate otherwise. In deciding an application, the MMO must consider all relevant matters including the need to:

- protect the environment
- protect human health
- prevent interference with legitimate uses of the sea.

In this context, the environment includes sites of historic or archaeological interest as well as natural habitats and species.

3.9 An essential part of the licensing process for the MMO is the consultation it has with its primary advisors¹ and other interested parties. Where representations present new evidence or identify previously unforeseen significant impacts, the MMO may ask the applicant to reconsider/amend their application if they believe that any such representation is valid and requires further information to address it.

3.10 The MMO also has the option under Section 70 of the MCAA to cause an independent inquiry to be held to assist it in making its decision. Inquiries are only likely in exceptional circumstances, but could be appropriate where the effects of a development are potentially significant or where proposals are contentious and would benefit from the added scrutiny that an inquiry would bring.

3.11 Having assessed an application, the MMO, grants the licence, grants the licence subject to conditions or refuses the application. Conditions will often be used to mitigate adverse impacts on the environment, human health and other legitimate uses of the sea. If an application is refused or conditions are applied to the licence, the MMO will set out a record of its reasons.

Appeals

3.12 After a decision has been made, the applicant can appeal:

- a decision to not to grant a licence
- conditions attached to a licence
- the length of a licence

¹ Environment Agency, Natural England, English Heritage, Maritime and Coastguard Agency, Trinity House and the Crown Estate

3.13 In England appeals are heard by the Planning Inspectorate (PINS) on behalf of the Secretary of State. Only the applicant can appeal a decision. However, a challenge in the courts by judicial review may be available to a third party².

² To date no appeals have taken place.

4. Proposed 'recovery' policy

Rationale for intervention

4.1 Local Planning Authorities (LPAs) and Inshore Fisheries and Conservation Authorities (IFCAs) can and do participate in the consultation process on many marine licences. However, they cannot oblige the MMO to arrange for an inquiry or have the case referred to Ministers in their capacity as the appropriate licensing authority under the MCAA. In the view of the Government, there is a democratic deficit that needs to be addressed both in the role that local communities are able to play in relation to important marine activities and in the way that Ministers are held accountable to those communities and to Parliament itself.

Policy Objective

4.2 The purpose of these proposals is therefore to strengthen democratic accountability on the most complex marine licensing determinations. The aim is to strengthen the ability of locally accountable bodies (i.e. LPAs, IFCAs) to seek an independent public inquiry into certain marine licensing cases, with the final decision taken by Ministers directly accountable to Parliament.

How it will work

4.3 This new approach can be achieved through a change in the way that Ministers delegate marine licensing functions to the MMO. Rather than the current general delegation of functions, Ministers would make an exception for marine licence determinations that met certain published criteria. These criteria would be designed to ensure that Ministers recovered only the most significant cases that would benefit from an examination in public. While in some respects analogous to "call-in" policy operated by terrestrial planning Ministers, the policy is described here as "recovery" because the Secretary of State is exercising her function as the appropriate licensing authority and, in a limited number of instances, taking back responsibility for licence determination.

4.4 Box 1 (page 9) sets out draft criteria which the Government proposes. There would be two basic categories for consideration by Ministers. The first would be related to those prompted by LPAs or IFCAs. The criteria would limit cases to those falling within band 3 of the fee regulations which take place close to shore. The second category would be designed to pick out any cases that were so novel that there was insufficient policy guidance to support the normal decision-making process. Such cases, for example the use of new technologies or techniques, could benefit from a wider public debate that an inquiry could provide.

4.5 Applications for marine licences would continue to be submitted to the MMO in the usual way. Once the MMO had accepted the application it could go out to consultation and seek advice from its primary advisors as it considered necessary. As with other

interested parties, LPAs and IFCA's could make representations and the MMO would respond as appropriate. However, it would also be open to an LPA or IFCA to make a formal representation, within the consultation period, requiring the MMO to refer the case to the Secretary of State and for her to decide whether to recover that case for her own determination. The referral by the MMO would be made at the end of the consultation period so that Ministers could consider it alongside all other representations.

4.6 The recovery policy would not apply to activities which fall within the scope of a development consent order made under the Planning Act 2008 and in relation to which a deemed marine licence is issued. Nor would it apply to marine licence applications that are associated with Harbour Order applications or applications for generating station consent and are to be considered together by the MMO (see sections 78 and 79 of the MCAA). In relation to cross-border projects (requiring a marine licence from a devolved administration as well as from the Secretary of State/MMO) it will be important to consider the implications for efficient and streamlined decision-making before deciding to recover.

BOX 1 – Draft criteria for the recovery of marine licensing determinations by the Secretary of State

The Secretary of State may recover a marine licence application for her own determination where she is satisfied that the application falls into either of the following categories:

- 1) the application is one where the MMO has received a formal representation from an LPA or IFCA affected by the proposal seeking determination by the Secretary of State and:
 - (i) the activity falls into band 3 of the Marine Licensing (Application Fees) Regulations 2014 (as amended) – i.e. the more complex cases such as construction projects over £1m or projects requiring an environmental impact assessment or an appropriate assessment under the Habitats Regulations, or dredge disposal operations;
 - (ii) the activity is taking place wholly or partly within the 6 nautical mile limit; and
 - (iii) the potential effects of the decision are significant and could benefit from examination in public;

or

- 2) the application includes a novel activity that raises wider issues of national significance not covered by the UK Marine Policy Statement or other relevant marine planning documents, and could benefit from examination in public.

4.7 A decision by Ministers on whether to recover a particular case would depend on their assessment of whether it meets the above criteria. The Government expects that the policy would be very selective and that only a very small proportion of marine licensing cases would be recovered.

4.8 In line with terrestrial practice on call-in cases Ministers would aim to decide on whether to recover within four weeks of the referral by the MMO. Ministers would decide to: (a) recover the application for their own determination; (b) not recover; or (c) suspend their decision until a later point in the process. The third option would allow for situations where Ministers considered that a case potentially met the recovery criteria but wished to allow for further evidence to be produced in order to decide whether to recover.

4.9 The basis for recovering “novel” cases would differ in that they would not be prompted by formal representations from any particular body. Instead, the MMO would be required to refer any cases that met the criteria. The appropriate moment to refer would most likely be once consultation has been completed and all representations received.

4.10 Where it was decided to recover, the responsibility for determination of the licence decision would cease to be delegated to the MMO, and the Secretary of State would exercise her power as the appropriate licensing authority under the MCAA. Using the power in section 70 of the MCAA she would cause an inquiry to be held and appoint an independent person (probably an Inspector from the Planning Inspectorate) to carry this out on her behalf³. This would enable interested parties to submit further evidence and, by focussing on the areas of difference, to subject key aspects of the application to enhanced public scrutiny. The MMO and statutory advisors would be able to participate in the inquiry process alongside the applicant and other interested parties.

4.11 Following the inquiry, the Inspector would submit a report and recommendation to the Secretary of State. The recommendation would either be to refuse the application or grant permission with or without conditions. The Secretary of State would make the final determination as the appropriate licensing authority under the MCAA. Once a determination had been made by the Secretary of State, responsibility for post-consent matters including compliance and enforcement would revert to the MMO.

Appeals

4.12 Current policy is that both inquiries and appeals are handled by PINS based on a memorandum between Defra and the Planning Inspectorate. However, where Ministers determined an application following an inquiry and a PINS Inspector’s report, it would be anomalous to have a subsequent appeal reverting to the same body. One alternative would be for appeals against any post-inquiry determination to be considered by, for example, the First Tier Tribunal (‘FTT’). If the FTT was to be used within this process, Defra would seek appropriate clearances through the Ministry of Justice Gateway. Another option would be to follow a similar approach to terrestrial planning. This would mean that where licence determinations by either the Secretary of State or the MMO are made following public inquiry, the grounds for challenge (by an aggrieved person) would

³ To note the exemption at Section 70(8) of the MCAA

essentially be limited to whether the decision is lawful. This second option would, however, require a change in the primary legislation.

Changes required to the Marine Licensing (Delegation of Functions) Order 2011

4.13 To bring effect to these changes an amendment to the Marine Licensing (Delegation of Functions) Order 2011 would be required so that, if predetermined criteria were met, an application for a marine licence may be determined by the Secretary of State rather than the MMO. Subject to the consultation, the intention is for the amended Delegation Order to come into effect in April 2015.

A. Do you have any comments on the Government's proposal to enable the Secretary of State to recover certain marine licence applications for her own determination?

B. Do you have any comments on the proposed criteria for recovery?

5. Costs and benefits

5.1 This section sets out costs to business (paragraphs 5.4 to 5.6), costs to public (paragraphs 5.7 to 5.8) and total costs (paragraph 5.9). The benefits are set out in paragraph 5.10 - 5.13.

5.2 Methodology and assumptions are in Appendix A. Tables A1 to A6 are on pages 18 - 20.

Introduction:

5.3 These proposals would not change the regulatory requirement for a marine licence under the MCAA. Marine businesses and other bodies would submit their applications in the usual way to the MMO without placing any extra costs on applicants. There would however, be some costs due mainly to familiarisation and additional time required on referred and recovered cases as explained in the next sections.

Costs to business

5.4 Types of business potentially affected include ports and port developers involved in construction or dredging activities, energy or infrastructure companies. See Appendix A, Table A1 (page 18) for further details.

5.5 **Familiarisation costs:** costs to business would arise from the initial need for businesses to familiarise themselves with the minor changes associated with this proposal. **This is expected to be a one-off cost, estimated at £7700, (see Table A2, page 18).**

5.6 **Referral and recovery costs: additional costs to business could arise from the referral stage and recovery stages but these are unknown and unquantifiable.** The referral stage (from the MMO to the Secretary of State) and the recovery stage (where appropriate) are likely to increase the time it takes to make a licence determination and the impact on business costs would vary in relation to type and size of project. Therefore the costs associated with these impacts cannot be estimated at the moment. The time taken for the referral stage will relate to the MMO needing to prepare a case file and submit it to the Secretary of State for consideration. The time taken for the recovery stage will relate to the time when the application is on inquiry or is being determined. Overall we anticipate there may be some impacts on business due to the added time taken, though at this stage we could not rule out a more significant cost impact in individual cases. The situation in each case will be different, and the impact will depend on unquantifiable and unknowable factors such as whether, in the absence of a recovery phase, a case would otherwise have been approved or not by the MMO; the need for further discussions between the MMO, the applicant, and interested parties; and the extent to which the recovery process reduces the likelihood of judicial review.

Costs to public:

5.7 The main costs from this proposal are costs to the Government and public bodies (including Harbour Authorities, coastal planning authorities, IFCAs and other consultees). Total public costs are in paragraph 5.8 below and Table 1, page 14).

5.8 The costs are as follows:

Familiarisation costs: Estimated costs of **£3100** are associated with the need for public authorities (such as Harbour authorities, Local Planning Authorities, IFCAs and other key consultees) to familiarise themselves with the recovery policy change, see Appendix A and Table A3, page 19.

Referral and recovery costs:

-Referral costs: The best case estimate would be annual public costs of **£40k per year assuming 5 referral cases per year**. (See Appendix A, Table A4, page 19).

-Recovery costs: The best case estimate would be annual public costs of **£56K per year assuming 2 recovery cases per year**. (See Appendix A, Table A5, page 19).

First Tier Tribunal costs: Additional public costs to Defra may arise in relation to the preparation of a case for a First Tier Tribunal (compared with using an independent Inspector). The best case estimate would be annual costs of £400 for a 2 day tribunal. (See Appendix A, Table A6, page 20).

Therefore, the best estimate total annual average costs to the public sector undiscounted are £96400⁴ (discounted £ 83000) (see Table 1, page 14).

Total costs:

5.9 The total costs for all scenarios are shown in Table 1.

These have been assessed over a ten-year appraisal period and discounted at a social time preference rate of 3.5% to obtain the present value of costs. It is difficult to estimate the length of time associated with the referral and recovery processes due to the uncertainties about the number of cases that would be referred and how the course of each decision-making process would run. These assumptions will be tested again during the consultation.

⁴ Referral costs (£40K) +recovery costs (£56K) + (FTT cost) £400 = £96,400

Table 1: Estimated Present Value Costs (2014 Prices)⁵

	Transitional private costs	Transitional public costs	Average discounted annual public costs	PV of annual public costs ⁶	Total PV costs ⁷
Low case scenario	£7700	£3100	£45000	£450000	£460800
High case scenario	£7700	£3100	£328000	£3284600	£3295400
Best Case scenario	£7700	£3100	£83000	£829800	£840600

Benefits

5.10 The main benefit from this proposal is the strengthened democratic process to ensure that parties representing local communities have the opportunity to play an enhanced role in raising issues of local concern before marine licences are issued.

5.11 For recovered cases this would include the opportunity to submit new evidence or to cross-question the developer or other parties involved in the decision. Inquiries would focus on the areas of difference between parties and help to ensure that they are given a full and transparent airing. Ministers would make their final determination in the light of an independent Inspector's report and be held accountable directly to Parliament for that decision.

5.12 Other benefits will likely be enhanced working arrangements between developers and local communities to ensure that any issues of local concern are resolved before a proposal reaches the marine licensing application stage. On the most controversial cases this may help to reduce the likelihood of third parties taking other action such as applying for judicial review.

5.13 The proposal to recover marine licence applications for certain novel activities that give rise to issues of national significance (for example experiments with potentially widespread effects) would ensure that their economic, social and environmental implications are subject to the enhanced public scrutiny offered by inquiries and that ministerial determination provides a necessary policy context.

⁵ These represent one off costs

⁶ Rounded to the nearest £00 figures

⁷ Rounded to the nearest £00 figures. This is the sum of the present value of annual public costs (shown in the preceding column) and transitional private and public costs (shown in the first and second columns)

C. Do you have any comments on the estimates of costs and benefits alongside related data and assumptions; and particularly information on type, size and value of projects potentially affected by this proposal, if any?

Appendix A: Methodology and assumptions

Methodology

The costs and benefits described in this document have been estimated using the following methodology:

Administrative impacts, which are the impacts associated with bodies needing to familiarise themselves with the policy change. This would include potential licence applicants (mostly business but some public sector) and public bodies with an interest in the licensing process.

Environmental and social impacts, which are the impacts associated with the effects of this policy change on the environment and society at large. There are no expected environmental impacts associated with this policy since any environmental impacts are assumed to be taken into account at project level when licence applications are submitted and determined. The policy proposal seeks to ensure that there is an enhanced democratic process for assessing the environmental and other impacts of marine licence applications and some of these social impacts are discussed in the 'Benefits' section at paragraph 5.10 of the consultation document. Certain licence applicants or interested parties may feel adversely affected where cases are referred or recovered. It is difficult to anticipate at this stage what these impacts might be.

Assumptions:

Types of businesses likely to be affected by this proposal: Table A1 shows the types of applicant according to inshore band 3 marine licences processed in 2013-2014. Of these 102 organisations are assumed to be businesses.

Applications to which the policy may apply: It is assumed that the recovery policy will apply only to a small number⁸ of marine licensing applications for large-scale or complex (i.e. band 3) activities taking place within six nautical miles of the coastline or novel activities that raise wider issues of national significance not covered sufficiently by current policy or plans. The best estimate is that 5 cases are referred each year and 2 of these are recovered for determination by the Secretary of State.

Familiarisation: It is assumed that there will be a need for businesses and relevant public authorities (such as LPAs, IFCA's and key consultees) to familiarise themselves with the minor changes associated with this proposal. It is also assumed that initial familiarisation would take an average of one hour for each band 3 applicant and forty minutes for other bodies.⁹ These time requirements for both public and private sector are costed at £15/hr

⁸ since 2009, the MMO has only put 2 cases through public inquiry via PINs

⁹ This assumption is based on an estimation by the MMO of the time taken for this type of activity.

which is the average wage of the UK labour force including a 30% allowance for non-wage costs.¹⁰ See Tables A2 and A3.

Referral and recovery costs: the experience of MMO staff indicates that the number of sustained objections from local authorities and IFCA's is likely to be low. In order to consider potential costs we have based our analysis on a costs range varying between a low scenario (assuming similar levels of objections to past trends) and a high scenario (assuming increased levels of objection prompted by the change in policy.) The best estimate scenario is assumed to be the average cost between the low and high cost scenario. Estimated annual costs for the referral stage are in Table A4. Estimated costs for the recovery stage are in Table A5.

Referral costs include costs to the MMO of preparing evidence summaries and papers for submission to Defra and costs to Defra in processing requests for referral and other associated administrative costs (including preparation of decision letters). Recovery costs are based on the cost of holding an inquiry.

Appeals: Assuming that a right of appeal is retained for recovered cases, the only additional cost arising from these proposals would be from using the First Tier Tribunal rather than an Inspector from PINS. The appeals provisions in the MCAA have not as yet been used in any marine licensing case and it is assumed that their use on recovered cases would be extremely rare. It has therefore been assumed that only one recovered case would be subject to appeal in a ten year period. The different scenarios in Table A6 below assume different numbers of days required by the Tribunal. As it is not certain when an appeal via a First Tier Tribunal would occur across the ten-year appraisal period, we have presented this cost as an annual cost across the appraisal period to reflect the 10% chance of an appeal via First Tier Tribunal in each year.

¹⁰ See <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tc%3A77-328216>, Table 1.5a If a higher wage rate was used, due to the need to rely on more experienced staff, the familiarisation costs would not change significantly.

Tables

Table A1: Types of Applicant and numbers of Tier 3 applications 2013-2014

Type of applicant	Number of inshore tier 3 applications 2013-2014	Number of cases which have been to inquiry in the last 5 years
Public		
Government organisations	27	0
Harbour authority	9	2
Private		
Charity	4	0
Marine, harbour, and ports	32	0
Port Authority	4	0
Private company (other)	41	0
Renewable company	5	0
Utilities company	16	0
Total	138	0

Table A2: estimate of numbers of bodies needing to familiarise with new policy¹¹

Type of Organisation	Number	One off familiarisation cost (average costs per hours required of staff)
Private Sector		
Licence applicants	510 [102*5 (138-27-9=102 private applicants in the previous 5 years)= 510]	£7700
TOTAL	510¹²	£7700

¹¹ Figures may not sum due to rounding factors

¹² Estimated using the data from table A1 (total number of total applications minus government organisations and harbour authorities) and multiplied by 5 years. This is estimated using the data from 2013/14 as the number of cases per year has been constant at around 138 and the applicants are not the same entities each year. This however represents an overestimation since it is quite likely that the total number of private sector applicants will be much lower as in reality some of the applicants over the past 5 years will have been repeat applicants.

Table A3: estimate of numbers of public sector bodies needing to familiarise with new policy

Type of Organisation	Number	One off familiarisation cost ¹³
Public Sector		
Harbour authorities	150	£1500
Coastal planning authorities	144	£1400
IFCAs	10	£100
Other consultees	6	£100 ¹⁴
Total – public sector	310	£3100

Table A4: Estimated annual costs from the referral stage

Costs scenarios	Number of referrals	Costs to DEFRA	Costs to MMO	Total referral costs per year
Low case scenario	3	£15K (£5k*3referrals)	£9K(£3k*3referrals)	£24K
High case scenario	30	£150K(£5k*30referrals)	£90K(£3k*30referrals)	£240K
Best Case scenario	5	£25K(£5k*5referrals)	£15K(£3k*5referrals)	£40K

Table A5: Estimated Annual Costs from Recovery

	Number of recovery cases	Cost to DEFRA	Total recovery costs per year
Low case scenario	1	£28K (1 recovery)	£28K
High case scenario	5	£140K(£28k*5recovery)	£140K
Best Case scenario	2	£56K(£28k*2recovery)	£56K

¹³ Figures rounded to nearest £00

¹⁴ Initial figure was £60 but it's rounded to £100.

Table A6: Estimated Costs of the Appeals Process (2014 Prices)¹⁵

Scenario	Number of days FTTs	Costs of Tribunal: one off	Costs of Preparation and Writing up:one off	Total Costs (over 10 years)	Annual costs	Annual costs
Low Cost Scenario	1	£1300	£1400(£700*2 days)	£2700 (1*(£1300+£1400))	£270 (€2700/10)	£270
High Cost Scenario	3	£3900 (€1300*3 days)	£1400 (€700*2 days)	£15900 (3*(€3900+€1400))	£1590 (€15900/10)	£1590
Best Estimate	2	£2600 (€1300*2day)	£1400 (€700*2 days)	£4000 (2*(€2600+€1400))	£400 (€4000/10)	£400

¹⁵ These represent one off costs

Annex A: Referral/recovery process for marine licence determinations



