

## Policy drafting template SW-CO-1

<b>HLMO</b>	Promoting good governance	<b>Sub bullet(s)</b>	The use of the marine environment is spatially planned where appropriate and based on an ecosystems approach which takes account of climate change and recognises the protection and management needs of marine cultural heritage according to its significance
<b>Grouping</b>	Co-existence	<b>Code</b>	SW-CO-1

### Policy

#### SW-CO-1

**Proposals should demonstrate that they will optimise the use of space and consider opportunities for co-existence and co-operation with existing activities, providing benefits to existing activities where appropriate.**

**If proposals cannot avoid significant adverse impacts of their activity (including displacement) on existing activities in the marine plan areas they must, in order of preference: a) minimise, b) mitigate significant adverse impacts or c) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.**

#### What is co-existence?

1. Space is essential for activities to function. For example, shipping requires room for transit and anchorage and fishing requires access to grounds. Some activities operate in the same space, such as aquaculture farms within a wind farm development. Others require exclusive use of an area such as for reasons of navigational safety. Co-existence is where multiple developments, activities or uses exist alongside or close to each other in the same area or at the same time.
2. Existing activities can be described as how an area is currently used. This can include management measures of both protected and unprotected areas as well as industrial and recreational use. 'Existing activities' includes activities that have been authorised but not yet implemented.

#### What is co-operation?

3. It is essential for sectors to communicate when considering multiple uses within a shared space to identify opportunities to optimise the use of the area, enhance sector activity or provide mutual benefits. Co-operation describes the positive working relationship between marine sectors to secure long term beneficial and sustainable growth for all. Co-operation also ensures that sectors work together to resolve potential conflicts between activities and find appropriate solutions for these conflicts at an early stage.

#### What are the potential impacts on existing activities?

4. Adverse impacts on existing activities can result in a decline in expected economic gains or targets for the existing activity and/or a reduction in available space for an activity to take place. New activities that result in access restrictions to existing activities could cause displacement to less desirable areas or stop the activity happening altogether. New activities could result in declines in environmental condition in non-designated areas that are managed by local authorities or local environment groups and cause degradation of designated sites which could result in loss of favourable conservation status. Positive impacts could assist in economic gains for the existing activity, provide better access, diversify the current activity or enhance the environmental condition of the area.

#### **Where is the optimisation of space most important in the south west marine plan areas?**

5. There are a large range of existing activities already occurring within the south west plan areas. Fishing in the south west is an important industry with busy ports including Plymouth and Teignmouth landing large amounts of fish and shellfish each year.<sup>1</sup> There can be a high level of activity in and around ports and harbours. Therefore, it is important new activities or expansion of activities in these areas consider their spatial footprint and optimise the use of space to allow existing operations to continue safely and successfully.
6. The south west is the most important area in England for fisheries with the highest value and volume of landings in England.<sup>2</sup> [Commercial fishing](#)<sup>i</sup> occurs throughout the inshore and offshore marine plan areas, although some areas are fished at higher intensities than others. It is important for other activities to recognise core or historical fishing grounds to avoid impacts upon this activity and consult with the fishing community to support co-operation and minimise conflict between sectors.
7. Recreational activity within the south west inshore marine area is high. Recreational boating is common across the plan area, particularly on the sheltered south coast<sup>1</sup>, meaning the inshore area can be very busy and complex to manage. Surfing is a popular activity, particularly in Newquay and across the more exposed north coast.<sup>1</sup> With high quality amenity beaches and warmer weather compared to other areas of England, tourist use of beaches is very high in the summer months.<sup>2</sup> Recreational and tourist activities are widely distributed across the inshore marine plan area although some activities can be highly concentrated (i.e. surfing) and require exclusive access for safety reasons or operate alongside compatible activities.
8. There are several [Special Protected Areas](#)<sup>i</sup> within the south west plan area which protect internationally and nationally important birds, marine species and habitats. These protected areas are designated to protect the environment but can also provide social and economic benefits by increasing tourism and local access to areas of natural beauty. Protected areas can restrict access to other marine activities depending on the management measures in place. The spatial footprint of protected

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<sup>i</sup> Note that links to data will load the base MIS map and will require the selection of the appropriate layers to view the data

<sup>1</sup> [Economic baseline for the north east, north west, south east and south west marine plans \(MMO1119\)](#)

<sup>2</sup> [Futures analysis for the north east, north west, south east and south west marine plan areas \(MMO1127\)](#)

areas can be relatively large but can provide exclusive access to other suitable activities that do not pose a risk to the designated features of the site.

9. [The Ministry of Defence](#)<sup>i</sup> use a large proportion of the southern region of the inshore and offshore south west plan area as defence practice areas as well as in the northern part of the inshore marine plan area between St Ives and Newquay. It is important that any activity taking place in these areas are aware of training operations and follow any instructions given by the Ministry of Defence regarding the use of these areas.
10. Dredging regularly occurs in the Severn Estuary and Bristol Channel for navigational and access purposes. The [Marine Information System](#) and the [Cefas Data Hub](#) contains the most up to date record of licensed dredge areas and dredge disposal sites. Local Harbour authorities should have information regarding regular dredging operations.
11. There are two locations within the inshore south west marine plan area currently leased for the installation of [wave energy devices](#)<sup>i</sup>. There is a large amount of [wind energy potential](#)<sup>i</sup> in the south west inshore marine plan area which may result in the leasing of sites for and construction of future offshore wind developments during the lifetime of the South West Marine Plans.
12. Activities within the south west marine plan areas can overlap or cause impacts upon the adjacent Welsh marine plan areas. The management of the Severn estuary is split between UK Government and Welsh Government. The Severn estuary is an important environment for many species and is used by multiple marine sectors. Therefore, cross management measures are required to ensure each administration meets their marine plan objectives.
13. The lifetime of the South West Marine Plans is 20 years. It is possible that the location of these and other activities will change throughout the lifetime of the plan and that activities will cease to occur, increase in popularity or evolve to suit the interests of the local community and tourism interests. Thus, the [Marine Information System](#) should be regularly checked for changes in the use of an area.

**When is the optimisation of space most important in the south west marine plan areas?**

14. Existing activities covers a broad range of use of the south west marine plan areas. Some activities are driven by seasonal factors whereas some exist continuously. Co-existence of current and new activities in the marine area is complex due to the extensive use of different sectors at different times.
15. Ports and harbours operate year round in the inshore south west marine plan area and many have to undertake regular activities such as dredging to maintain safe access to the port or harbour. Navigational routes are also in operation throughout the year and may require exclusive access for safety reasons. Therefore, the use of these areas for other purposes would need to consider the use of space at all times.

16. Fishing activities can be seasonal. Recreational angling tends to be more popular in the winter months whereas commercial fishing operates year round but target species, gear use and fishing locations can vary seasonally.<sup>3</sup>
17. The inshore south west marine area is a key area for coastal tourism and recreational activities. Tourism and recreational activities along the coast tend to increase in the summer months<sup>4</sup> and therefore optimisation of space for these and conflicting activities may be more necessary during this time.
18. Habitats and species can be more sensitive depending on the season. [Bird density](#)<sup>i</sup> tends to be higher in the inshore plan area in winter months compared to summer months. There are high intensity [Fish spawning](#)<sup>i</sup> grounds for cod, plaice, sandeel and sole in the west of the marine plan areas. High intensity [Fish nursery](#)<sup>i</sup> grounds for anglerfish and mackerel are present in the south of the marine plan areas. Spawning and nursery grounds will be used by these species seasonally. Therefore, optimising the use of space and considering seasonal use to accommodate sensitive life stages for local species could avoid adverse impacts upon these species.
19. [Military practice](#)<sup>i</sup> is undertaken by the Ministry of Defence can operate year round. During these exercises, access for other activities is restricted for safety reasons. Consultation with the Ministry of Defence is essential to determine when access for seasonal activities are appropriate.

### **Why is the optimisation of space important to the south west marine plan areas?**

20. [The Marine Policy Statement](#) promotes compatibility, encouraging co-existence between different activities within the context of social, economic and environmental considerations. Activities that can co-exist should be encouraged to do so, for example, fisheries and tourism or aquaculture and wind farm developments. Space within the south west marine plan areas is limited. Large sections of the marine plan areas are used for ministry of defence training operations. Additionally, there are several large marine protected areas within both plan areas. Fishing activity is high and there are several key shipping routes that run through the plan areas. There is a high level of varied recreational activities that occur across the plan area. The south west marine plan areas are large and well used, making the areas difficult to manage in a way that provides access to all. Co-existence and co-operation between sectors is essential to support the increasing use of the marine plan areas in such a way that benefits are provided to all users of the plan areas.
21. The marine plans objectives is to increase the sustainable use of the marine area, ensuring sufficient space for all activities to take place, including protecting and enhancing the marine environment and historical assets. Optimisation of space and co-existence between competing sectors will assist in the achievement of this objective. Co-operation between sectors could help reduce conflict and potentially find solutions for existing and new activities to co-exist. For example, a wind farm developer could allow access for aquaculture farms for local fishermen to assist in diversifying the industry and allowing for the co-existence of both activities.

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<sup>i</sup> Note that links to data will load the base MIS map and will require the selection of the appropriate layers to view the data

<sup>3</sup> Strategic scoping report for marine planning in England

<sup>4</sup> [Visit Britain regional activities report](#)

22. Existing activities within the south west marine plan areas can hold cultural, historical, economic and environmental importance for local communities. Coastal communities rely on access to the marine area for wellbeing benefits as well as for tourist use. For example, [Heritage Coast](#)<sup>i</sup>, English [coastal path](#) and South Devon and [Tamar Valley Area of Outstanding Natural Beauty](#)<sup>j</sup> provide local communities and visitors to the area with access to the natural environment. Access to the coast has been found to have physical and mental health benefits.<sup>5</sup> Therefore, it is important that new activities consider their use of space and avoid creating barriers to access for existing use that have social benefits, avoid damaging local heritage assets and avoid adverse impacts upon the seascape. Collaboration between sectors could optimise spatial use and avoid adverse impacts and/or create mutual benefits between existing sites and new proposals.
23. New developments could potentially provide benefits to existing activities. Conversely, new developments could be detrimental to existing activities and local communities if the proposed new activity is not compatible with current use and does not hold as much social, economic or environmental value. Some coastal towns adjacent to the inshore south west marine plan area can heavily rely, both economically and socially, upon existing marine activities whilst others would benefit from the diversification of local industry. For example, Porlock established a mussel farm to boost the local economy within the area which has resulted in social and economic gains for the local community. This community is reliant on this industry and would be sensitive to impacts upon it unless new activities served to diversify industry within the area. It is important that the application of this policy is supported with an overall assessment of the range of activities within and adjacent to the proposed new activity and to consider the relative importance of current activities to the area. In order for co-operation between sectors to occur and to facilitate co-existence, consultation with current users should be considered to support the application of this policy.
24. Several local authorities within the south west marine plan area are keen to develop new marine renewable technologies and install these within the south west marine plan area. These installations would result in more sustainable energy generation and would contribute to the UK's target to reduce carbon dioxide emissions by 80% (against the 1990 baseline) by 2050.<sup>6</sup> The installation of physical structures can impact upon existing activities as well as help to achieve the objectives set out in the government's [25 Year Environment Plan](#). Additionally, a growing renewable energy sector would provide more job opportunities for the local area. However, it is important that new activities are considered alongside existing activities. Installation of renewable structures can inhibit important shipping routes and limit access to historic fishing grounds. Co-operation between these sectors will decrease the likelihood of conflict between these sectors and assist in finding a solution for all activities to co-exist.
25. Areas within the south west marine plan areas can appear to be spacious with a low level of human activities present. However, some of these areas are designated protected areas or are part of a local management program to enhance and preserve

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<sup>5</sup> White MP, Alcock I, Wheeler BW, Depledge MH. (2013) *Coastal proximity, health and well-being: Results from a longitudinal panel survey*. Health & Place **23**:97-103

<sup>6</sup> [Report to Parliament meeting carbon budgets – closing the policy gap](#)

the local beauty of the south west marine area. Management of areas for environmental purposes are considered an activity and new activities could result in adverse impacts upon the environmental objectives of the area. Therefore, it is important that new activities are fully aware of the management measures in place for protected areas and any local plans, shoreline management plans and heritage coast or coastal partnership plans that may have management measures in place.

26. Expansion of current use is likely to be required throughout the lifetime of the South West Marine Plans. Therefore, consideration of current and future marine use is important to ensure current activities have the space to expand when necessary to meet the economic needs of the area.
27. The Severn estuary is jointly managed by the UK government and Welsh government. As such, activities in the English section of the Severn estuary could create impacts upon existing uses within the Welsh section of the estuary. Therefore, it is essential for new activities proposed near the Welsh marine plan areas to also consider co-existence policies within the draft Welsh Marine Plan.
28. This policy is required to make sure that proposals seek to optimise the footprint of their development considering co-existence with other activities, where appropriate and co-operating with competing sectors to minimise conflict. Other policies under this [High Level Marine Objective](#), manage the spatial requirements of specific sectors.

#### **Who is this of interest to?**

- Marine Management Organisation
- Local planning authorities
- Port and harbour authorities
- Local Enterprise Partnerships
- Developers
- The Planning Inspectorate
- Maritime and Coastguard Agency
- Fishing industry
- Inshore Fisheries and Conservation Authority
- Ministry of Housing, Communities and Local Government
- Coastal Significant interest groups
- Tourism boards
- Royal Yachting Association
- Department of Business, Energy and Industrial strategy.
- The Crown Estate
- Recreational users

#### **How should this policy be applied?**

29. Proposals will:
- demonstrate whether and how the footprint could be reduced to optimise the use of space
  - consider opportunities for co-existence with existing activities or other known planned proposals
  - demonstrate how they have considered engagement opportunities with existing users to promote co-operation between sectors
  - demonstrate how they have considered impacts (both beneficial and adverse) upon existing activities in the proposal area, including displacement. Existing activities can be identified via the [Marine Information System](#) and the [public register](#). Additionally, existing activities are outlined in other policies within the

marine plans and in local and [shoreline management plans](#) as well as heritage coast and coastal partnership plans

- assess the overall relative importance of the proposed activities should they be incompatible with current use within the area of the proposed activity
- assess any unintended consequences as a result of the proposal and co-operate with existing users to, in order of preference; avoid, minimise or mitigate these consequences
- When proposing activities near Welsh marine plan areas, demonstrate that they have considered the policies within the (Draft) Welsh Marine Plan and determined any cross border impacts (both positive and negative)

30. Decision makers will assess proposals to confirm they optimise their use of space. They should also consider the impact on current and known future users of the same marine space when making their decision. For example, static installations could change mobile sediments to solid substrate resulting in a change in habitat with possible impact on other activities such as recreational sea angling.

31. Decision makers assessing proposals that have required to select option c ('if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.') will fully consider the relative importance of proceeding with the activity. The decision maker should only authorise the proposed activity if it is clear that the new activity will provide significant economic, social or environmental benefit to the local communities affected by this change. It is essential that all policies in the marine plan are applied to a proposal to ensure compliance with the marine plan. An assessment of all the policies against a new proposed activity will also provide guidance on the relative importance of the proposed activity compared to current use.

32. Proposals should consult with stakeholders that currently use the area to promote co-operation between sectors, minimise conflict and find ways to co-exist where appropriate. Note that current users can be a broad spectrum of stakeholders from fishermen to coastal communities that have a view of the coast. Consultation should therefore engage all interested parties who should be identified before the consultation stage begins. Consultation with stakeholders will also provide decision makers with further guidance regarding the relative importance of the proposed activity compared to existing use.

33. The term activities encompasses the full use of the marine area including (but not limited to) industrial, recreational and tourist use as well as management of designated and non-designated areas and the presence of heritage assets. Therefore, as well as the need to manage spatial interactions with other marine users, there is also the need to manage interactions with heritage sites (see policy SW-HER-XX), marine protected areas (see policy SW-MPA-XX) and other interests. An example of how this is being achieved is where the aggregates industry have adopted a range of best practice measures. This includes developing guidance notes concerning [heritage](#), [reporting protocols](#) and [fisheries liaison](#) codes of practice. In addition, regional approaches to assessment, monitoring and management have been adopted through regional dredging associations and associated marine aggregate regional environmental assessments.

34. Where co-existence is not possible, the potential use of a site over different periods of time should be explored. For example, early negotiation with aggregate extractors prior to the construction of offshore wind turbines. Where co-existence or sequential

use of a site cannot be achieved and detrimental impacts upon existing use is unavoidable, other measures to minimise or mitigate impact should be explored. In cases where co-existence with existing activities is not possible and it is not possible to minimise or mitigate impacts, an assessment regarding the relative importance of the activity in terms of wider environmental, social and economic objectives should be completed. The decision maker will take this into consideration when determining whether the proposal should proceed. Other factors will also need to be taken into consideration including Habitats Regulation Assessment, Environmental Impact Assessment and National Policy Statements where appropriate. A [marine licence](#) may be required and/or permission from [The Crown Estate](#) may be necessary depending on the proposed activity.

35. In examining and determining applications for nationally significant infrastructure projects, examining authorities and the secretary of state for The Ministry of Housing, Communities and Local Government must have regard to this policy for nationally significant infrastructure projects capable of affecting existing activities in the marine plan area.

### **Signposting**

36. Existing measures which relate to, and may contribute to the achievement of this policy include:

- Local authority plans
- [Shoreline management plans](#)
- Neighbourhood plans
- [Public register](#) of licenced activities in England
- [Marine Information System](#)
- [Welsh National Marine Plan \(draft\)](#)
- [MMO Byelaws](#)
- ICFA Byelaws ([Devon and Severn](#) and [Cornwall](#))
- The Crown Estate leases
- Harbour and port authority plans/jurisdiction
- [Public register](#) of licenced activities in Wales
- [Public register](#) of licensed activities (Wales)