Statement of Public Participation for the Welsh National Marine Plan

September 2018
Overview
The key purpose of this publication is to provide an up-to-date timetable for the Welsh Government Statement of Public Participation for the Welsh National Marine Plan.

The Statement of Public Participation (SPP) sets out how interested parties can be involved in the marine planning process.

Further information and related documents
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Foreword

The Marine and Coastal Access Act 2009 introduced a new era in the management of Welsh seas, providing for a much stronger, joined-up and plan-led approach.

In the same way sustainable development is at the heart of everything we do in the Welsh Government, sustainable development will be at the heart of our new marine planning system. The Well-Being of Future Generations (Wales) Act 2015 and Environment (Wales) Act 2016 reinforce the principle and importance of involving people in developing and delivering policy.

I want our marine planning system to be proactive, inclusive and provide clarity for everyone with an interest in the future of our seas. I want your help in establishing a system to say to the world Wales, through the sustainable use of our seas, has significant potential now and for our future generations. This Statement of Public Participation underlines our commitment to working with you throughout the marine planning process.

I encourage you to get involved in developing and implementing our first Welsh National Marine Plan.

Lesley Griffiths AM
Cabinet Secretary for Environment and Rural Affairs
Summary

The Marine and Coastal Access Act 2009 (MCAA) provides the statutory basis for a new plan-led system for marine activities throughout the UK. Welsh Ministers are the Planning Authority for the Welsh inshore and the Welsh offshore areas.

The key purpose of this revised Statement of Public Participation (SPP) is to set out our intention on how and when the Welsh Government will engage with the public and stakeholders throughout the marine planning process. We will keep the SPP under review and amend it as appropriate. This document updates the SPP published in January 2017.

Glossary

**MCAA**: Marine and Coastal Access Act 2009

**SPP**: Statement of Public Participation

**WNMP**: Welsh National Marine Plan

**MPS**: UK Marine Policy Statement

**DEFRA**: Department for Environment, Food and Rural Affairs

**NDF**: National Development Framework

**SA**: Sustainability Appraisal

**SEA**: Strategic Environmental Assessment

**HRA**: Habitats Regulation Assessment

**(SoNaRR)**: The State of Natural Resources Report

Well-being of Future Generations (Wales) Act 2015

Environment (Wales) Act 2016

**SSE**: Strategic Scoping Exercise

**WMAAG**: Marine Action and Advisory Group

**MPSRG**: Marine Planning Stakeholder Reference Group

**WCMP**: Wales Coastal Maritime Partnership

**MPDMG**: Marine Planning Decision Makers Group
Introduction

The seas around Wales are becoming increasingly crowded. There are competing demands for space and use of our natural resources. There is huge potential for our seas and we want to manage them in a more joined-up and planned way. This will mean doing things differently, encouraging greater integration between different uses and organisations as well as introducing a more forward-looking, proactive and spatial approach.

Establishing a new plan-led marine planning system is a complex task as it covers so many different interests and activities. It requires sustained participation with a wide range of people and organisations. We want to maintain positive and productive engagement with all those interested or involved in the seas around Wales and developing our approach through consultation and engagement is a key part of this. This will help ensure the plan developed in Wales is fit for purpose and provides benefits to society, the economy and the environment.

The Marine and Coastal Access Act (MCAA) (S 51(1)) sets out the requirement to produce a marine plan for each marine plan area. The Welsh Ministers are the planning authority for the Welsh inshore and offshore regions (see map on next page). To provide a consistent and simple approach, the Welsh National Marine Plan (WNMP) will be a single document containing plans and policies for both the inshore and/or offshore regions. We consulted on a draft WNMP in December 2017. Following consultation we’ve published a Summary of Responses¹ and have been working with stakeholders to consider their representations, as we move towards settling the final plan text.

In accordance with the MCAA, all four UK administrations adopted the Marine Policy Statement (MPS)² in March 2011. The MPS provides the high level policy context, within which Marine Plans will be developed, implemented, monitored and amended.

Due to the current devolution settlement, UK Government has some retained powers, which means the marine plan prepared by Welsh Ministers in the offshore region will need the agreement of the Secretary of State in Department for Environment, Food and Rural Affairs (DEFRA). Similarly, if the inshore marine plan includes reference to policy areas in respect of which the Secretary of State retains functions, these will also need the agreement of the Secretary of State. The Welsh Government is working closely with the UK Government on plan development.

The marine planning system will need to integrate with terrestrial and other planning systems. The planning process will help to achieve this by taking account of all relevant plans including Local Authority, National Parks, River Basin Management, Shoreline Management and Flood Risk Management as well as any other plans prepared by a public or local authority in connection with the management or use of the sea or the coast. As the National Development Framework (NDF) develops we will work closely with land planers to ensure plans are coherent and take account of each other.

A Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA), will be integrated with the plan-making process and will ensure full account is taken of the potential social, economic and environmental implications of the plan. There will also be other assessments carried out on the impact of the Plan, for example a Habitats Regulation Assessment (HRA), Welsh Language standards, on the rights of our citizens, children and young people and on the need to be widely inclusive.

The Purpose of the Statement of Public Participation (SPP)

We recognise it is essential to take account of the views and interests of many different people and organisations in the marine planning process. The publication of this SPP, in line with requirements under the MCAA, emphasises our commitment to achieving meaningful and sustained engagement. This statement briefly describes how stakeholders can expect to engage with us and what we will do with the outcomes of the views and opinions we receive.

The SPP is not a static document. We will keep it under review and, if appropriate, update it as the Welsh National Marine Plan develops.

The Scope of the Welsh National Marine Planning system

Marine plans facilitate opportunities to manage marine activities in a sustainable way, taking into account economic, social and environmental considerations. The WNMP will inform and direct decisions on the activities happening in our marine area. This will help to realise the potential of our seas to contribute positively to the well-being of future generations in Wales.

The plan will be supported by all available evidence. The main sources of information are Wales’ Marine Evidence Report (formerly the Strategic Scoping Exercise), the State of Natural Resources Report (SoNaRR) and an online Marine Planning Evidence Portal.

Wales’ Marine Evidence Report addresses our marine natural resources, the use we make of them and future opportunities. It is an extensive evidence base, consulted upon widely, to inform marine planning. As further evidence becomes available we will take this into account and, from time to time, update our evidence base.

The Marine Planning Evidence Portal is an online tool to offer users layered data-sets from a variety of sources in a spatial format. These will be available, with other relevant evidence, on the Marine Planning pages of the Welsh Government website³.

In particular, amongst other relevant authorisations with the potential to affect the plan area, the WNMP will support and inform the marine licensing system and other decisions needing to be taken on the use of our marine area. It will do this by:

- clarifying marine objectives and priorities
- directing decision-makers and users towards more consistent, evidence-based decisions for the sustainable use of marine resources in the Welsh inshore and offshore regions.

The UK Marine Policy Statement (MPS) provided the initial framework of the considerations to be taken account of in marine plans. The objectives and the policies identified in the plan, address the key activities which happen in the marine area.

The responses to our 2014 consultation on the structure of the plan have informed its development. Welsh Government proposes the WNMP will include:

- An Introduction, which will help set the context of the plan.
- General, cross-cutting policies which have relevance to many activities and decisions. The general policies will identify how we can act in such a way to promote sustainability for the economy, the environment and for our communities in Wales.

Sector specific policies will support the general, over-arching policies. These sector specific policies will include, for example, policies relating to Aquaculture; Aggregates; Defence; Dredging and Disposal; Energy; Fisheries; Ports and Shipping, Tourism and Recreation.

(This list is not intended to be a final or complete list of all the areas of policy to be covered by the plan.)

We are committed to working with all those with an interest in developing a marine plan for Wales.

**Marine Planning for Wales – progress to date**

The MPS acts as the framework for marine plans and provides consistency in marine planning across the UK marine area. If public authorities make decisions which may affect a marine area, the decision must be made in accordance with relevant marine plans. The direction contained in the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016, on the need to manage activity in our seas, to secure meaningful engagement, integration and long term environmental sustainability aligns with the MPS.

In 2011, Welsh Government consulted on the approach to marine planning for Wales. The consultation, ‘Sustainable development for Welsh seas: Our approach to marine planning in Wales’[^4], sought views on how we intended developing marine planning in Wales in line with our powers and responsibilities. The consultation explained our intention to develop a national plan for the Welsh inshore area and a national plan for the Welsh offshore area. It also set out options for, and asked questions on how, we should plan on a sub-national level. We received 47 formal responses to this consultation.

The main messages received from our consultation on the approach included: support for a national plan with spatial priorities; uncertainty regarding the level of subnational planning needed; the need for early engagement in the marine planning process; the need to consider the land-sea interface; the need to link marine planning with the Marine Strategy Framework Directive and the resources needed to establish marine planning.

At the start of marine planning, following consultation on our approach, we published the first Statement of Public Participation for the WNMP. In 2014, we conducted a further 12 week consultation on a proposed structure and the Vision and Objectives of the WNMP. This consultation included the proposed Scope of the Sustainability Appraisal. At the same time, we made available for comment the draft report of the Strategic Scoping Exercise (SSE) and an early version of the Marine Planning Evidence Portal.

We received 52 formal responses to the consultation. Most of these supported the proposals, with suggestions to sharpen the Vision and add a more Welsh focus to the Objectives. All responses have been considered during the development of the plan. The consultation document and a summary of responses document was published on 31 March 2015.

An initial draft of the plan was shared for comment and supported by public engagement workshops held around Wales in November 2015. Formal consultation on the first draft of the WNMP and associated documents was undertaken from December 2017 to March 2018.

A Senedd debate was held during the consultation period to enable Assembly members to contribute their views. Further, the Climate Change, Environment and Rural Affairs Committee held a workshop with certain stakeholders and made recommendations to Government on the draft plan. The report⁵ and Government response⁶ are available online.

Following formal consultation, Welsh Government has published a Summary of Responses⁷ document. This document provides an overview of the representations received and sets out Welsh Governments commitment to working with stakeholders to further consider their feedback in moving towards settling the final text of the plan.

A series of workshops have been held following the publication of the Summary of Responses and further meetings will be held to develop our thinking. The workshops focussed on evidence for marine planning, sustainable development, strategic resource areas and cross-border planning. In addition to these themes, a technical working group has been established to specifically consider the tidal lagoon policy in the plan and the related findings of the Habitats Regulation Assessment.

Aside from plan development, a stakeholder task and finish group has been established to support development of our approach to monitoring and reporting on the effectiveness of the plan. We are also establishing a relevant public authorities group to advise on and support plan implementation.

More widely, we continue to work with other marine planning authorities. We have a shared ways of working document that we agreed with the MMO who we work closely with. We are also contributing to a cross-border Irish Sea marine planning authorities group.

**Welsh Government approach to participation in marine planning**

We recognise the need for sustained and meaningful engagement. We continue to engage in a timely manner with people and organisations throughout Wales and beyond. Those representing wider environmental interests, as well as statutory consultees under the SEA regulations, are encouraged to participate in the marine planning process to ensure the Sustainability Appraisal (incorporating the SEA) will consider all potential environmental effects.

Marine planning is a new concept and involvement of all those with an interest is crucial to achieving a useful and robust planning system. The Welsh Government strongly encourages all individuals or groups likely to be interested in, or affected by, the policies or proposals contained within marine plans, to engage directly with the marine planning system so we can achieve the maximum benefit for the people of Wales.

We already work with many marine and coastal stakeholders but we are always looking to build on these relationships. We work with stakeholders through the Wales Marine Action and Advisory Group (WMAAG) which involves a broad range of groups. Through WMAAG we publish a ‘Marine User Update’, which provides information from the sub-groups of WMAAG including the Marine Planning Stakeholder Reference Group (MPSRG). We have created a Stakeholder Register which lets people register their interest and choose which topics they wish to be contacted on. To promote investment in the marine sector we have created a Business Wales: Marine Wales website where stakeholders are encouraged to contribute.

We also encourage informal engagement as well as through our formal consultation exercises, our established advisory groups and across our existing networks. We also want our local communities to send us their views. We are keen to understand what works and what doesn’t work, so we can encourage people to get involved appropriately, and at the right level, as we develop the first marine plan for Wales. We will continue to share updates and documents on the Marine Planning pages of the Welsh Government website as part of the development process and through our stakeholder newsletter – email us to be added to the subscriber list.

Contact us via the mailbox to feedback at any point in time: marineplanning@gov.wales

How we will engage?

We will seek your views and comments through consultations, public events, workshops and meetings. We will carefully consider any comments received on any aspect of marine planning. When we are consulting or seeking representations at certain stages of the development of the WNMP, we will clearly explain how long you have to make your views known and how to do so. We will publish responses to consultations in a timely manner.

Throughout the marine planning process we will also use, as appropriate:

- Email updates.
- Presentations at events, conferences, etc.
- One-to-one meetings, workshops and drop-in sessions.
- Web updates.
- Focus groups on specific issues to gain insight, information and views.
- Social media.
- A dedicated newsletter.

Advisory groups

Welsh Government regularly engages with a wide variety of people and organisations on marine planning through formal consultation, meetings and informal networking and liaison. We have established advisory groups comprising representatives from a wide range of specialist areas and will continue to build upon and use these groups as the plan develops.

We will work through the advisory groups to share progress and seek the views of a range of representatives, including the Wales Marine Action and Advisory Group (WMAAG).

The group brings together a broad range of strategic interest groups to ensure effective and meaningful engagement in relation to the delivery of marine policy.
Members include:
- Bangor Mussels
- British Marine Aggregates Association
- British Association for Shooting & Conservation
- British Marine
- Chair of WMFAG (representing fisheries stakeholders structures)
- Cragen Llyn a Mon
- Dwr Cymru
- Joint Nature Conservation Committee
- Keep Wales Tidy
- Mariteam Associates
- Marine Conservation Society
- Marine Energy Wales
- Milford Haven Port Authority
- National Parks
- Natural Resources Wales
- One Voice Wales
- Pembrokeshire Coastal Forum
- Pwllheli Partnership
- Renewable UK Wales
- Royal Commission on the Ancient and Historic Monuments of Wales
- Royal Yachting Association
- RSPB
- Seabed Users and Developers Group
- Severn Estuary Partnership
- The Crown Estate
- Visit Wales
- Wales Environment Link
- Welsh Federation of Sea Anglers
- Welsh Fishermen’s Association
- Wildlife Trust Wales
- WLGA (delegating to LA’s as appropriate)
- WWF

We have also established a **Marine Planning Stakeholder Reference Group (MPSRG)** with whom we share early thinking and who provide feedback on our developing approach to marine planning. We will work closely with this group as we develop marine planning.

Members include:
- British Marine Aggregate Producers Association
- British Marine Federation
- Deepdock Mussels
- European Subsea Cables Association
- Horizon Nuclear Power
- Joint Nature Conservation Committee (JNCC)
- Marine Conservation Society
- Marine Management Organisation (MMO)
- National Trust
- Natural Resources Wales
- Pembrokeshire Coastal Forum
- Royal Yachting Association
- RSPB
- Seabed User and Developer Group SUDG
- SEACAMS2
- Seafish
- Severn Estuary Partnership
- The Crown Estate
- Tidal Lagoon Power
- UK Chamber of Shipping
- UK Renewables
- University of Liverpool
- Wales Environmental Link
- Welsh Fisherman’s Association
- Welsh Fishermen’s Association
- Welsh Ports Group
- WLGA

We will establish task and finish groups of the MPSRG when there is a particular issue that needs careful consideration. There has previously been an implementation group and at the time of this SPP update publication a monitoring and reporting group has been established.
When will we engage?

We keep stakeholders informed and share developments for comments as they emerge.

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<tr>
<th>Stage</th>
<th>Timescale</th>
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<tr>
<td>1. Initial meetings to consult stakeholders on the approach to a National Marine Plan for Wales.</td>
<td>December 2010 – February 2011 COMPLETED</td>
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<td>4. Consider the responses to the marine planning consultation.</td>
<td>May 2011– November 2012 COMPLETED</td>
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<td>6. Develop and consult on plan scope, vision and objectives.</td>
<td>Summer/Autumn 2014 COMPLETED</td>
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<td>7. Informal and widespread discussions on the initial draft WNMP and revision of the Plan in light of points raised.</td>
<td>Autumn 2015 COMPLETED</td>
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<td>8. Formal Consultation on the revised draft of the WNMP.</td>
<td>December 2017 – March 2018 COMPLETED</td>
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<td>9. Consider the responses to the formal consultation on the revised draft of the WNMP.</td>
<td>April – May 2018 COMPLETED</td>
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**Stages 10 – 14 (Please note – all future timings are subject to change)**

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<td>10. Finalising the text of the plan following consultation with input from policy leads and stakeholders*</td>
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<td>11. Developing, monitoring framework, planning portal and associated plan supporting material before adoption of final draft.</td>
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<td>12. Final consideration and adoption of the WNMP and associated documents.</td>
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<td>13. Implement and evaluate the WNMP</td>
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<td>14. Delivering training and guidance</td>
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*assumes no independent investigation as set out under Schedule 6, S13 of MCAA. If an independent investigation is appropriate then the SPP will be updated to reflect changes to the above timescales.
The table above sets out what we see as the key stages and indicative timetable for marine planning. Further details of activity are outlined below:

**Stage 1: Initial meetings to consult stakeholders on the approach to a National Marine Plan for Wales (December 2010 – February 2011)**

Welsh Government facilitated a workshop at the Wales Coastal Maritime Partnership (WCMP) conference in March 2010 to consider initial approaches to marine planning in Wales. The workshop built on advice provided to the Welsh Government by the partnership. This informed early thinking for the most appropriate approach to be taken for developing the first marine plan for Wales.

**Stage 2: Prepare consultation on the Welsh approach to Marine Planning (January – February 2011)**

Welsh Government invited the WCMP to form a marine planning sub-group to provide strategic advice on the marine planning consultation. Members of the group were:

- British Marine Aggregates Producers Association
- British Marine Federation
- Countryside Council for Wales
- Environment Agency Wales
- Pembrokeshire Coastal Forum
- Professor Lynda Warren WCMP (Chair)
- Renewables UK
- Royal Yachting Association
- The Crown Estate
- The National Trust
- The Severn Estuary Partnership
- Wales Environment Link
- Wales Landscape Partnership
- Welsh Ports Group

**Stage 3: Consult on an approach to marine planning in Wales (12 weeks) (February 2011 – May 2011)**

The consultation entitled ‘Sustainable Development for Welsh Seas: Our Approach to Marine Planning in Wales’ sought views on marine planning in Wales. The consultation invited views on how the Welsh Government intended developing marine planning in Wales in line with our powers and responsibilities under the MCAA. It also set out our intention to develop a single national plan covering both the inshore and offshore marine regions. Lastly, it set out options for, and asked questions on, planning on a sub-national level. Welsh Government held a consultation workshop at the WCMP conference 2011.

**Stage 4: Consider the responses to the marine planning consultation (May 2011 – November 2012)**

The consultation ended 11 May 2011 with a total of 47 responses received. The information contained in the responses to the consultation has continued to inform our approach to marine planning throughout this process.

During this period, Welsh Government officials attended successive meetings of the WCMP to provide an update on current thinking and to informally test reactions to Welsh Government ideas. A full copy of all the consultation responses was published on the Welsh Government website along with a consultation response summary document.
**Stage 5: Prepare and consult on the Statement of Public Participation (SPP) (September 2013 – Spring 2014)**

Welsh Government held informal discussions with stakeholders on the draft SPP before its publication for formal consultation began in February 2014. The consultation ran for 8 weeks, during which time Welsh Government held a workshop for national stakeholders and four public engagement ‘drop-in’ events around the Welsh coast.

The consultation date and details of the events and workshop were published on the Welsh Government website. The consultation, national stakeholder workshop and public engagement events provided an update on and background to marine planning, and sought initial sector views and information on matters to be included in the marine plan. We published the revised SPP in May 2014 alongside the Welsh Government summary of consultation responses.

**Stage 6: Develop and consult on the scope, vision and plan objectives (Summer/Autumn 2014)**

Following publication of the SPP, a formal consultation was undertaken on a draft Vision and Objectives, the proposed outline of the WNMP, as well as the scope of the Sustainability Appraisal to support development of the plan. A series of public meetings and a national stakeholder event were held across Wales to facilitate engagement and gain feedback during the consultation period.

The consultation documents were also made available on the Welsh Government website. At the same time technical comments were invited on the evidence base which were collated to inform the WNMP – Wales’ Marine Evidence Report\(^8\) (based on the Strategic Scoping Exercise\(^9\)) and an online Evidence Portal\(^10\) which presents various data-sets from a variety of sources in a spatial way. These inform the marine planning system.

**Stage 7: Draft and engage informally on the initial draft framework marine plan (Autumn 2015)**

The objective of this stage was to receive feedback on the draft plan. Open public engagement meetings were held across Wales to support the informal sharing of the draft plan. All views and comments received were used to inform the latest development of the Plan.

**Stage 8: Formal Consultation on the revised draft of the WNMP (December 2017 – March 2018)**

In December 2017 the draft WNMP was published for consultation for a period of 12 weeks. Engagement events were organised across Wales during the consultation period and feedback from those events has been published on the website and will be considered during the re-draft of the plan. The consultation invited views on a draft of the first WNMP, as well as the Sustainability Appraisal (SA) of the plan, the Habitats Regulation Assessment (HRA) of the plan and the review of interim marine aggregate dredging policy.

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Stage 9: Consider the responses to the formal consultation on the revised draft of the WNMP (April – May 2018)

The consultation ended 29 March 2018 with a total of 86 responses received. The information contained in the responses to the consultation has continued to inform our approach to marine planning throughout this process.

Stage 10: Finalising the text of the plan following consultation with input from policy leads and stakeholders (April – December 2018)

Members of the MPSRG were asked to help structure the plan and the supporting material. Workshops were held in July 2018 with the MPSRG to look at the emerging themes from the consultation responses in more detail. The themes being; Sustainable Development, Strategic Resource Areas, Cross border management and evidence for planning.

A technical working group has been established to support the development of the Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) elements of the plan. A number of smaller working groups were held to look at SRAs and Sustainable Management of Natural Resources within the plan.

Stage 11: Developing, monitoring and framework, planning portal and associated plan supporting material before adoption of final draft (July 2018 – March 2019)

The revised Plan will require the approval of Welsh Government Ministers and for certain non-devolved matters the Secretary of State at the Department for Environment, Food and Rural Affairs (DEFRA) in Westminster.

The Welsh Ministers could appoint an independent person to investigate the draft and report back to them if they think it necessary. This would be done prior to the final draft being submitted for agreement at both Welsh and UK Government level. The decision to carry out an independent investigation is a matter for Welsh Ministers, as the marine planning authority, depending on the extent to which matters raised by representatives have not been resolved.

Stage 12: Final consideration and adoption of the WNMP and associated documents (Late Spring/Early Summer 2019)

Once the plan has been tested, subject to formal consultation and all necessary approvals have been secured, the WNMP will be considered to be adopted and will be published as promptly as possible. A post-adoption statement and statement of environmental particulars showing how the WNMP has been amended in light of the responses received and how the environment has been taken into account will also be published.

Stage 13: Implement and evaluate the WNMP 2019 onwards (April 2019 – ongoing)

Any review and amendments to a published WNMP will follow the same detailed consultation, investigation and parliamentary process as the original plan and will be outlined and published in a further SPP. The WNMP will be reported on in line with the requirements of the MCAA.
**Stage 14: Delivering training and guidance (2018 onwards)**

Guidance and training will be very important in ensuring good use of the Plan. We have initiated contact with all ‘Relevant Public Authorities’ who take decisions in line with the plan, as set out in Section 58 of the MCAA. Introductory webinars were arranged throughout August to provide organisations with initial information about the plan and their subsequent role. The formation of a Marine Planning Decision Makers Group (MPDMG) has been suggested to first meet from September 2018; one role of which would be to consider what implementation guidance and training may be required to meet their needs. Our approach is to ensure the plan does not place an additional burden on small scale/low risk activities.

If you have any comments on this document or would like more information on marine planning for Wales please contact:

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