

Marine Spatial Planning – Related Plans

1. Purpose

This note seeks to describe the possible relationship between UK regional marine spatial plans (MSPs) and a range of more local marine plans. In particular, it describes the possible relationships between regional MSPs and:

- Sub-regional (= subsidiary) plans;
- Other statutory plans with a marine element (Single Schemes of Management under the Habitats Regulations, River Basin Management Plans);
- Non-statutory plans with a marine component (Shoreline Management Plans, Coastal Management Plans and Strategies, Beach Management Plans, Estuary Management Plans, Harbour Authority Area Management Plans, Integrated Coastal Zone Management Plans).

The note also considers the relationship between UK MSPs and the current terrestrial spatial planning framework as well as how UK MSPs might interact with the possible development of broader MSPs at a European level.

The material in this note will be presented and discussed at the Stakeholder Workshop on 29th September 2005.

2. Assumptions

For the purposes of this note, it has been assumed that UK regional marine spatial planning will be introduced as a statutory system.

3. Introduction

There already exist a wide range of statutory and non-statutory plans in the UK which impinge on the marine environment. In introducing a new statutory system of marine spatial planning, it is essential to achieve integration between regional MSPs and more local marine plans and to ensure that the relationships between the different types of plan are clear.

Coastal planning authorities have, in the past, produced a variety of plans such as beach plans, coastal management plans, and estuary management plans. The advent of marine plans provides an opportunity for these informal plans to be rationalised and formalised within both the marine and terrestrial systems.

The need for a subsidiary regional plan will emerge from the implementation needs of the regional Marine Spatial Plan, usually during the course of its production and become established in the Marine Spatial Plan Scheme (MSPS).

Within the marine environment, three different generic types of plan can be identified, for which the relationship with regional MSPs needs to be clarified:

- Subsidiary regional plans (formerly termed sub-regional plans) – such plans could include:
 - Sub-regional plans for areas of the regional plan where the intensity and/or nature of the conflicts meant that more detailed policies objectives and targets were necessary;
 - Sectoral plans for particularly complex developments, for example, where a development involved construction activities at a number of different locations in the plan area;
 - Multiple use plans, for example, indicating how an area safeguarded for a specific future use might be used by other sectors before, during and after occupation of the site by intended use;
- Other statutory plans with a marine element (Single Schemes of Management under the Habitats Regulations, River Basin Management Plans) for which close integration will be required with regional MSPs;
- non-statutory plans with a marine component. These include Shoreline Management Plans, Coastal Management Plans and Strategies, Beach Management Plans, Estuary Management Plans, Harbour Authority Area Management Plans, Integrated Coastal Zone Management Plans etc. Such plans will need to be informed by regional MSPs but will also play an important role in informing regional MSPs.

Given the large number of plans interacting with the marine environment and their interaction with the regional MSP, there is a considerable benefit to be derived from adopting a framework within which the production of these plans can be prioritised and managed. Proposals for a Marine Spatial Plan Scheme to achieve this are discussed in section 4.

Given the extensive system of spatial planning that already exists for the terrestrial environment, it is important that Regional MSPs also clearly document this relationship. A description of this possible relationship is given in section 5.

At a European level, there are already a number of initiatives that are seeking to take forward marine spatial planning on the basis of biogeographical subdivisions that extend beyond UK waters. For example, ICES has proposed 13 Marine Regions or sub-Regions, 10 of which are potentially to be included within the framework of the EU Marine Thematic Strategy¹. It is therefore helpful to understand how a system of UK marine spatial planning might interact with this wider European agenda. This possible relationship is described in section 6.

4. Marine Spatial Plan Scheme

The Planning and Compulsory Purchase Act 2004 introduced the concept of a Local Development Scheme (LDS) within the context of the Local Development Framework for land-use planning. The LDS provides for local planning authorities to set out a timetable for preparing ancillary documents to the Local Development Framework and to manage the process of their production. All Local Planning Authorities in England have now prepared such documents as of March 2005. It includes both statutory and non-statutory documents which it is intending to prepare.

¹ Report of the ICES Advisory Committee on Fishery Management and Advisory Committee on Ecosystems, 2004. Volume 1, number 2: pp115-131

It is suggested that a similar framework will be of assistance for the co-ordination of the production of equivalent documents relating to the marine environment. This might be called a Marine Spatial Plan Scheme (MSPS). A schematic indicating the range of different documents that might be incorporated within the MSPS is given in Figure 1.

A programme for the production, implementation and review of relevant documents would be set out in a Marine Spatial Plan Scheme for each regional sea, scheduling the time-table, purposes and scope of each of the MSP documents to be produced.

Such a scheme would assist in clarifying the relationship between different marine plans and the regional MSP. It would also serve to clarify the requirements for different types of plans in different areas and assist in securing the necessary political support to commit resources to their production and implementation.

In order for subsidiary regional plans to be statutory they would follow the full process of plan preparation including stakeholder and community involvement and undertaking a strategic environmental assessment.

Non-statutory plans, the equivalent of Supplementary Planning Documents in the land-use system, would be referred to as 'Supplementary Marine Plans' and would be particularly useful in complementing terrestrial plans of a similar nature, e.g. where a supplementary planning document is produced for the landward side of the coast and requires complementary policies in the adjoining marine environment. They would be subject to the requirement to produce a Sustainability Appraisal and to the lesser demands of public involvement associated with non-statutory land-use plans. It is also possible to envisage a supplementary marine plan providing the marine element of ICZM. Consequently the ICZM could be part of both the MSPS and the LDS for the neighbouring Local Planning Authority.

Subsidiary regional plans of all types, whether statutory or not would be required to conform to the regional marine spatial plan. This means that the policies of the subordinate document should be demonstrably in conformity with the policies of the superior document, and that its parameters, such as time scale, should also be respected although not necessarily the same.

5. Responsibilities

The Marine Agency, responsible for the production of the regional marine spatial plan would also assume responsibility for ensuring the production of the MSPS and for the production of the documents within it. However where there was a significant overlap in responsibility for a sub-regional plan it would be appropriate to establish a partnership with other responsible organisations, for example local planning authorities, to oversee the plan's production. Ultimately the responsibility for adopting plans, whether regional, sub-regional or parts of non-statutory sub-regional plans would fall to the Marine Agency.

6. Terrestrial Spatial Planning

Regional marine spatial plans will share a boundary with land-use plans, both statutory and non-statutory. Clearly plans on either side of the coastal divide should respect one another and there should be close liaison between the relevant authorities. One question raised in earlier documents concerned the appropriate line to draw between the two regimes of planning. A case has been made for the mean high-water mark as being the logical divide while at present

the mean low-water mark is the extent of land-use planning's jurisdiction. However, the legal complexities associated with changing the downshore limit of the land-use planning boundary are likely to be very significant. For pragmatic reasons and in the belief that no rational decision about development between the two water levels could be made without effective consultation, it is therefore suggested that the status quo should be accepted.

7. European-level Marine Spatial Plans

There are a number of developments at a European level that may result in the identification of areas for regional scale marine spatial plans which extend across international borders. For example, ICES has proposed 13 Marine Regions or sub-Regions, 10 of which are potentially to be included within the framework of the EU Marine Thematic Strategy. These areas, which would include subdivisions such as the Celtic Seas and the North Sea, would clearly be at a much larger scale than might be envisaged for the development of UK regional marine spatial plans. In that sense, the UK Regional MSPs might then be seen as sub-regional plans in a European context. Nevertheless, the UK Regional MSPs are likely to be a more suitable level for the management of UK interests and should therefore be retained. Information from these regional plans could then be fed in to any larger scale plans as required.

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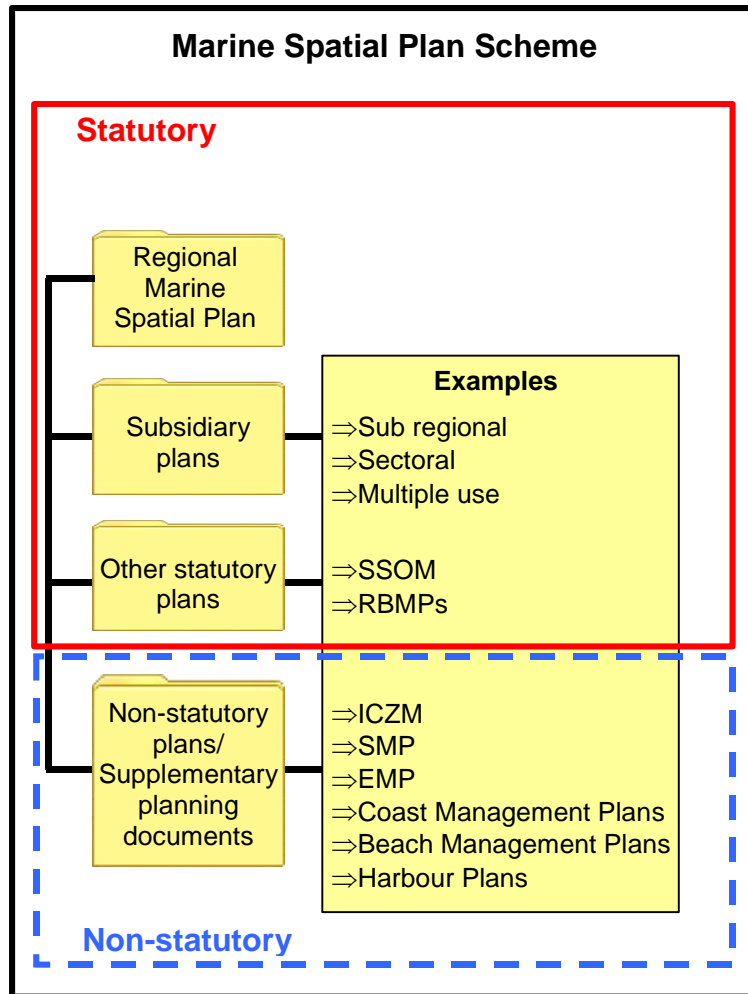


Figure 1: Marine Spatial Plan Scheme