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Our ref: ID 211

Victoria Manning  
North London Waste Plan  
Regeneration and Planning  
Camden Town Hall  
Judd Street  
WC1H 9JE

25/11/20

Dear Sir/Madam,

### **MMO Marine Planning and Marine Licensing response to North London Waste Plan.**

Thank you for giving us the opportunity to comment on the Waste Plan. The comments provided within this letter refer to the Main Modification Consultation Documents.

As the marine planning authority for England, the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent the Marine Plan boundaries extend up to the level of the mean high water spring tides mark (which includes the tidal extent of any rivers), there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure the necessary considerations are included. In the case of the document stated above, the [draft South East Marine Plan](#) is of relevance. The draft plan was published for public consultation on 14<sup>th</sup> January 2020, at which point it became material for consideration. The South East Marine Plans cover the area from Landguard Point in Felixstowe to Samphire Hoe near Dover, including the tidal extent of any rivers within this area.

All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan, in this case the [draft South East Marine Plan](#), or the [UK Marine Policy Statement](#) (MPS) unless relevant considerations indicate



otherwise. Local authorities may also wish to refer to our [online guidance](#), [Explore Marine Plans](#) and the [Planning Advisory Service soundness self-assessment checklist](#).

## Marine Licensing

The Marine and Coastal Access Act 2009 states that a marine licence is required for certain activities carried out within the [UK marine area](#).

The MMO is responsible for [marine licensing](#) in English waters and for Northern Ireland offshore waters.

The marine licensing team are responsible for consenting and regulating any activity that occurs “below mean high water springs” level that would require a marine licence. These activities can range from mooring private jetties to nuclear power plants and offshore windfarms.

## Summary notes

Please see below suggested policies from the Draft South East Inshore Marine Plans that we feel are most relevant to your waste plan.

These suggested policies have been identified based on the activities and content within the document entitled above. They are provided only as a recommendation and we would suggest your own interpretation of the South East Marine Plans is completed:

- **SE-REN-1:** Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.
- **SE-REN-2:** Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project
- **SE-HER-1:** Proposals that demonstrate they will conserve and enhance elements contributing to the significance of heritage assets will be supported. Proposals unable to conserve and enhance elements contributing to the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:
  - a) avoid
  - b) minimise
  - c) mitigate harm to those elements contributing to the significance of heritage assets
  - d) if it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.
- **SE-CC-1:** Proposals which enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference:
  - a) avoid

- b) minimise
- c) mitigate significant adverse impacts, or, as a last resort,
- d) compensate and deliver environmental net gains in line with and where required in current legislation.
- **SE-CC-2:** Proposals in the south east marine plan area should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.
- **SE-CC-3:** Proposals in the south east marine plan area and adjacent marine plan areas that are likely to have significant adverse impacts on coastal change should not be supported. Proposals that may have significant adverse impacts on climate change adaptation measures outside of the proposed project area must demonstrate that they will, in order of preference:
  - a) avoid
  - b) minimise
  - c) mitigate the significant adverse impacts upon these climate change adaptation measures.
- **SE-AIR-1:** Proposals must assess their direct and indirect impacts upon air quality and emissions of greenhouse gases and air pollutants. Where proposals are likely to result in air pollution or increased greenhouse gas emissions, they must demonstrate that they will, in order of preference:
  - a) avoid
  - b) minimise
  - c) mitigate air pollution and or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.
- **SE-ML-1:** Public authorities must make adequate provision for the prevention, re-use, recycling and disposal of waste to reduce and prevent marine litter. Public authorities should aspire to undertake measures to remove marine litter within their jurisdiction.
- **SE-ML-2:** Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported. Proposals that could potentially increase the amount of marine litter in the marine plan area, must include measures to:
  - a) avoid
  - b) minimise
  - c) mitigate waste entering the marine environment.
- **SE-WQ-1:** Proposals that enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference:
  - a) avoid
  - b) minimise
  - c) mitigate deterioration of water quality in the marine environment.

### Further points to note

**In section 1.5:** You refer to: “How does the North London Waste Plan fit with other plans and strategies?”: We would recommend you mention the [draft South East Marine Plan](#) here. The SE marine plan is due to be adopted in Spring 2021, so the plan will go from its current state of “material for consideration” to having the full weight of an adopted plan. Under the Marine and Coastal Access Act, any authorisation or enforcement decisions must be made in accordance with the marine plan. Any other decisions which may impact the marine area must have regard to the marine plan.

The [East Inshore and East Offshore Marine Plans](#) were adopted in 2014, and the [South Inshore and Offshore Marine Plan](#) was adopted in 2018, which cover the adjacent areas. Please ensure correct reference to the South East, South, and East marine plan areas where included.

I believe your council did not attend a South East Marine Plan Implementation Training session in February/March 2020. This provided an introduction to marine planning, and I would suggest re-visiting the material in our recorded [webinar](#) which supported the Consultation of the draft South East Marine Plan. Please let me know if you have any questions regarding implementation of the marine plan.

As previously stated, these are recommendations and we suggest that your own interpretation of the South East Marine Plan is completed. We would also recommend you consult the following references for further information: [Draft South East Marine Plan](#) and [Explore Marine Plans](#).

Yours sincerely,

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