



Potential aquaculture areas in marine plans –

What they mean for potential new aquaculture businesses and their relationship with Marine Protected Areas (MPAs)

Objective

This document clarifies the purpose of the mapped and modelled aquaculture areas in relation to new aquaculture businesses, and how the designation of new MPAs will affect these new businesses.

High level national policy

The importance of aquaculture, particularly in relation to food security, is noted in the UK Marine Policy Statement (MPS). The MPS requires the marine planning regime to take account of both existing aquaculture activity in plan areas and **“seek information on possible future aquaculture operations in areas not previously used, assessing the suitability of those areas for development”**.

Progress on identification of future areas

Consequently, consultants for the MMO conducted a review of best available information and provided the MMO with a GIS computer model and an assessment of the spatial potential for aquaculture in the East and South Marine Plan Areas. The development of this model led to the production of charts identifying areas of both existing and future potential for different categories of aquaculture. This report is available at:

<http://webarchive.nationalarchives.gov.uk/20140108121958/http://www.marinemanagement.org.uk/evidence/documents/1040.pdf>

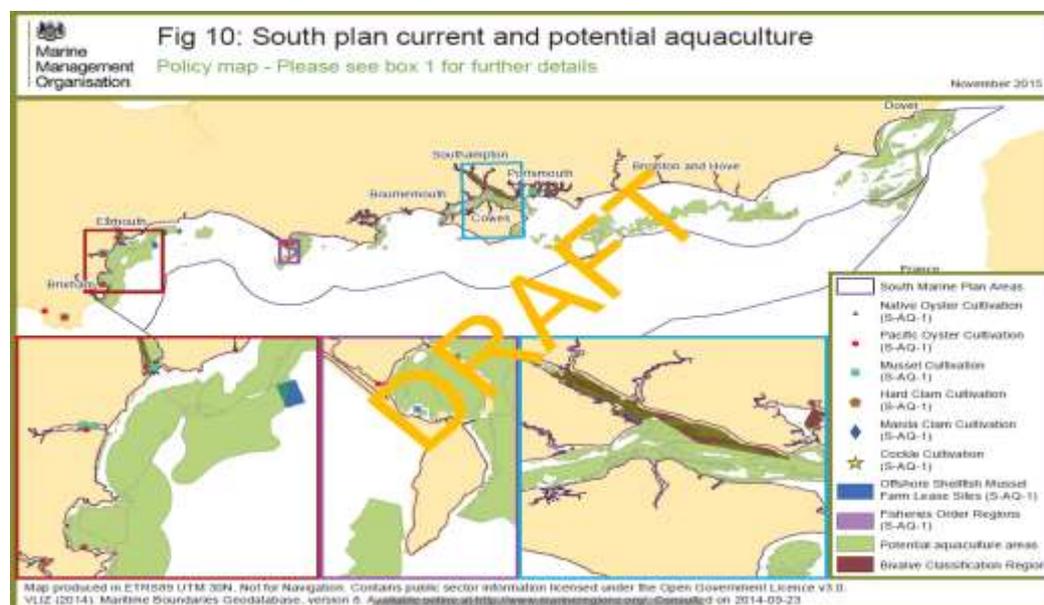
The areas identified and modelled took into consideration the best available datasets covering marine user areas where exclusions or buffer zones might be required. The report also identified economic constraints such as distance from ports and values of products. The advantage of the model is that it can be upgraded and amended for future plan areas as better data and information becomes available. The methodologies and limitations were documented and are available at:

<http://webarchive.nationalarchives.gov.uk/20140108121958/http://www.marinemanagement.org.uk/evidence/documents/1040-procedures-guidance.pdf>

In conclusion, the project produced maps of potential aquaculture areas so that both developers and planners are better placed to make more informed and efficient decisions when used as guidance during pre-application consultation and in marine planning. However, the report noted that the responsible authority (e.g. the MMO) would still need to rely on planning principles (including Marine Licensing) to obtain negotiated agreement among affected groups, and the maps produced are merely an informative tool.

Subsequently, the information for inclusion in marine plans was reduced to an aggregated output of aquaculture potential rather than identifying potential by aquaculture type as in the original model. The original category specific data layers are still held but are not published for data management purposes.

See example below from draft south plan.



Future mapping of potential aquaculture areas within future marine plan areas

The processes for any future mapping and the specifications for doing this have still to be determined.

Current policy in regional marine plans

Each regional marine plan develops policies that reflect the requirements of the marine policy statement (MPS). Specific policies relating to the enabling of aquaculture development are present in both the East plan and the South Plan.

Within the east plan AQ1 is designed to enable aquaculture (be it for shellfish, finfish, novel forms such as algae cultivation, or re-stocking wild populations of species such as lobster using hatchery reared animals) to continue, or to realise new opportunities, subject to meeting legislative requirements and other plan policies.

Policy AQ1 does not preclude other developments or activities, including current aquaculture. Rather, it applies the intent of the national policy to ensure consideration is given to how other proposals may impact access to and use of areas suitable for future aquaculture development.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/312496/east-plan.pdf

Within the south plan the following policies enable aquaculture.

S-AQ1 recognises that aquaculture is an important industry in the south inshore marine plan area, and has potential to increase in supply, contributing to food security in England. This policy supports the continuation of existing production as well as sustainable expansion of aquaculture to maximise

opportunities. The policy highlights current and potential sites for future expansion where other industries are required to demonstrate their compatibility with aquaculture.

S-AQ2 recognises that fisheries and aquaculture are important particularly to coastal communities in the south marine plan areas. Both industries require supporting infrastructure to enable their benefits to be realised onshore. This policy ensures support is given to proposals that provide supporting infrastructure either at sea or on land for fisheries and aquaculture to promote safe, profitable and efficient marine businesses.

S-FISH 2 recognises that sustainable fishing and aquaculture industries provide benefits to coastal communities' and contribute to UK food security. These activities are restricted in where they can operate making them vulnerable to loss of access caused by surrounding sea use. This policy limits impacts of other marine activities on fishing and aquaculture access, maximising marine resource use and generating prosperous resilient and cohesive coastal communities.

S-FISH 3 policy provides further support to sustainable fishing and aquaculture by supporting proposals that enhance access to sites, including through co-existence and co-location of facilities.

https://consult.defra.gov.uk/mmo/draft-south-marine-plan-consultation/user_uploads/draft-south-marine-plan-new.pdf

Regulatory requirements within and without of mapped potential aquaculture areas

The purpose of mapping aquaculture areas is not only to enable developers, planners and regulators involved in marine planning to make better informed and more efficient decisions regarding aquaculture developments, which would normally be supported, but also to ensure that non aquaculture applications don't impact on the development of aquaculture within the areas.

It is important to understand that locating a new business within one of these mapped aquaculture areas **does not** remove the need for the normal regulatory permits and leases, and these requirements are detailed, by aquaculture sector, in the Toolbox available here:

<http://www.seafish.org/industry-support/aquaculture/aquaculture-regulatory-toolbox-for-england>

Equally, locating a new business outside of these areas does not mean an application will not be supported, rather it means that if there are conflicts with other users, then these would need to be addressed through the normal consenting processes which will take into consideration the type of aquaculture and its compatibility with other sectors. These applications should still progress through the normal regulatory channels as above.

Potential aquaculture areas and marine protected areas (MPAs)

In marine planning terms both these areas share common ground in that any potential developments within their boundaries need to consider the objectives set out in the marine plans and not impact on their functionality.

Aquaculture can and does exist within MPAs as does agriculture within national parks and terrestrial nature designations. The type of aquaculture and the type of protected features and their sensitivity within the MPA will determine the compatibility levels and risk based decisions in line with the

relevant legal framework will need to be made by regulators. This is effectively the same approach that has been taken regarding other authorised activities including fisheries.

Previously European guidance was made available for aquaculture in Natura 2000 sites. The guidelines mainly focus on the implementation of the provisions of Articles 6(3) and 6(4) of the Habitats Directive (appropriate assessment of plans and projects) and are designed to contribute to a better understanding of the conservation objectives of the sites, promoting best practices which illustrate how nature protection provisions can be compatible with sustainable aquaculture development.

<http://ec.europa.eu/environment/nature/natura2000/management/docs/Aqua-N2000%20guide.pdf>

Where new MPAs are designated that include either mapped potential aquaculture areas or existing aquaculture businesses the exact requirements for reviews and consents will depend on the type of MPA. For European marine sites (EMS) e.g. SACs or SPAs a new designation triggers a review of consents, meaning any existing 'plan or project' would need to be reassessed – as explained in the following paragraph.

For existing aquaculture sites, this issue has been previously clarified within the Nature 2000 guidance document in that aquaculture activities that were authorised before the EMS designation must, to the extent that they constitute a project and could potentially have a significant effect on the site concerned, undergo an assessment of their implications for that site where they are continued after designation of the site. This also applies to authorised aquaculture developments where new aspects are introduced or management is changed.

(Further clarification on habitats risk assessments and likely significant effects and the roles and responsibilities for doing are to be provided in a separate document under phase 2 of the regulatory toolbox.)

There is no requirement for a review of consents (ie of overlapping pre-existing activities) at the point of designation of a new Marine Conservation Zone (MCZ).

However, for both EMS and MCZs, any new authorisations following designation must be determined in line with the relevant legal framework (article 6 of the Habs Directive for EMS and s125/126 of MaCAA for MCZs).

Only in exceptional circumstances can activities which do not pass the relevant legal 'bar' be authorised – see Art 6(4) of the Habs Dir and s126(7) of MaCAA)

References

MMO (2013). Spatial trends in aquaculture potential in the South and East Inshore and Offshore Marine Plan Areas. A report produced for the Marine Management Organisation, pp 202. MMO Project No: 1040. ISBN: 978-1-909452-18-3.

EC (2012) Guidance on Aquaculture and Natura 2000. Sustainable aquaculture activities in the context of the Natura 2000 Network. European commission 2012.