



Llywodraeth Cymru
Welsh Government

OPEN CONSULTATION, DOCUMENT

Consultation on Strategic Resource Areas for Marine Planning

We want your views on proposals to identify Strategic Resources Areas (SRAs) for tidal stream energy.

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Overview

This consultation document outlines the Welsh Government's proposals for the introduction of a Marine Planning Notice (MPN) identifying Strategic Resource Areas (SRAs) as part of marine planning for Wales.

SRAs are being proposed for tidal stream energy.

How to respond

Please submit your comments by 5 June 2024.

Please respond to this consultation in any of the following ways:

- complete our online form
- download and complete the response form and send it to MarinePlanning@gov.wales.
- download and complete our response form and post to:

Marine and Biodiversity Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

When responding please state whether you are responding in a personal capacity or are representing the views of an organisation.

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Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

For further information:

Marine and Biodiversity Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Email: MarinePlanning@gov.wales

This document is also available in Welsh: <https://www.llyw.cymru/ardaloedd-adnoddau-strategol-ar-gyfer-cynllunio-morol>

Introduction

Under the Marine and Coastal Access Act (2009) the Welsh Ministers are the marine plan authority for the Welsh inshore and offshore regions.

The first Welsh National Marine Plan was adopted in November 2019. It sets Welsh Government's policy to guide the sustainable development of our seas, where natural resources are sustainably managed for the benefit of current and future generations. The Marine Plan's publication represented the introduction of

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a new planning system for Welsh seas.

The Welsh National Marine Plan makes provision, through the publication of a Marine Planning Notice (MPN), for Strategic Resource Areas (SRAs).

MPNs provide formal planning guidance on the implementation of Welsh National Marine Plan policy. All proposed MPNs will be consulted upon before introduction. Once introduced, MPNs will be a material consideration for public authorities taking decisions relating to the marine area.

SRAs are discrete areas of resource to which the Marine Plan safeguarding policy SAF_02 is applied.

Marine Plan Policy SAF_02: Safeguarding strategic resources

Proposals which may have significant adverse impacts upon the prospects of any sector covered by this plan to engage in sustainable future strategic resource use (of resources identified by an SRA) must demonstrate how they will address compatibility issues with that potential resource use.

Proposals unable to demonstrate adequate compatibility must present a clear and convincing case for proceeding.

Compatibility should be demonstrated through, in order of preference:

- avoiding significant adverse impacts on this potential strategic resource use, and/or
- minimising significant adverse impacts where these cannot be avoided, and/or
- mitigating significant adverse impacts where they cannot be minimised

Policy SAF_02 has effect, applying to an SRA, from the point it is introduced through the publication of an MPN.

This consultation document outlines the Welsh Government's proposals for the introduction of an MPN identifying SRAs for tidal stream energy.

Strategic Resource Areas (SRAs)

Mapping SRAs aims to ensure that the ability of future generations to meet their needs is not inappropriately compromised by short term planning and consenting decisions. SRAs identify areas of natural resource which may have potential to support future use by specific marine sectors (referred to as 'focus sectors'). Marine Plan policy SAF_02 will be applied to identified SRAs. This aims to ensure that new development doesn't inappropriately and without careful consideration block the potential for the focus sectors to submit future applications for consent to locate activity in these areas.

The identification of SRAs does not mean that development in these areas would be supported. It also does not mean that a sector has to locate in an SRA. All developers (whether seeking consent to locate within or outside an SRA) will still need to apply for relevant consents, including demonstrating compliance with Marine Plan policies on environmental protection and on social issues such as delivering benefits for coastal communities, heritage and resilience to coastal change. All developers will also need to comply with environmental regulations in the usual way. Instead, identification of SRAs will ensure that the ability of future generations to access resources is formally considered by public authorities when taking decisions relating to marine management and consenting (e.g. when determining marine licence applications).

Mapping SRAs helps us understand the location of areas of natural resource with potential to support future use and how these relate to environmental

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sensitivities. In this way, mapping SRAs is an important intermediate step to help enable future marine planning work to understand where and how much development might be possible in our seas, while exploring how marine planning can help to direct activity away from the most environmentally sensitive areas.

Draft Marine Planning Notice

This consultation is seeking your views on a draft MPN relating to proposed tidal stream energy SRAs.

As SRAs are a new marine planning tool, we are consulting on initial tidal stream energy SRAs. This initial consultation will enable us to understand and take into account the views of our stakeholders and communities, to inform a decision on both these initial tidal stream energy SRAs and on consulting on further SRAs for other sectors.

The decision to focus on tidal stream energy for this initial consultation reflects that supporting the sustainable development of the sector is a priority for Welsh Government. The tidal stream energy sector is also dependent on relatively small and well understood areas of resource, making resource safeguarding a potentially appropriate approach.

Not progressing SRAs for other sectors as part of this initial consultation does not mean there is no benefit in doing so. As an integrated planning process, it is important that marine planning takes a holistic approach across sectors, including established sectors and those which represent new and expanding opportunities, including for our coastal communities. Therefore, we will continue to work on developing mapping and understanding the potential to bring forward SRAs for further sectors.

Specifically, subject to the outcome of this consultation, we will look to work with

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stakeholders to develop and bring forward for consultation proposals for SRAs for aquaculture by the end of 2024. We will also work with the Crown Estate to develop mapping and understand the potential to bring forward SRAs for floating offshore wind and we will consider the merits of the SRA approach for marine aggregates. Alongside this, we will continue to work to develop understanding of the resource and spatial needs for wave energy and tidal range, to inform considerations on the merits of proposing SRAs for these sectors.

The draft MPN sets out the rationale and marine planning policy context for introducing SRAs for tidal stream energy and identifies the areas covered by the proposed SRAs.

The draft MPN is accompanied by a derivation report setting out the mapping process and technical details through which the proposed SRAs have been identified.

The SRA mapping process

The proposed SRAs have been mapped in line with high-level criteria set out in the Welsh National Marine Plan. These high-level requirements are supplemented by specific SRA design principles to help guide the mapping process, which can be found at [Strategic Resource Area identification: design principles](#). Taken together, the high-level criteria and design principles provide a framework to ensure that SRAs and the SRA mapping process:

- align appropriately with Welsh National Marine Plan objectives and policies
- are based on best available evidence
- focus safeguarding on technically viable resource
- promote opportunities for co-existence and minimise potential conflict between sectoral opportunities
- balance the interests of the focus sector with the regulatory burden upon

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other sectors resulting from the introduction of SRAs

- are proportionate to a sector's current scale of operation and potential growth rate, and
- provide clarity of safeguarding; ensuring proportionate, coherent and spatially focussed SRAs

Welsh Government has worked collaboratively with stakeholders, including its Marine Planning Stakeholder Reference Group, to map potential SRAs.

The starting point for the SRA mapping process was the broad Resource Areas identified by the Welsh National Marine Plan for a range of sectors. These Resource Areas are broad areas where natural resources, such as marine energy, occur and are either currently used, or might (in terms of technical feasibility) be available for sustainable use by a certain sector.

Maps of Resource Areas are an informational tool only and are shown on the [Wales Marine Planning Portal](#). As noted in the Marine Plan, the spatial distribution of these resource areas may change as evidence improves or sector technology develops.

Technical mapping work to refine these Resource Areas was undertaken by ABPMer on behalf of Welsh Government and with the involvement of a wide range of stakeholders. This process included:

- agreeing focus sectors and any sector sub-divisions based on the nature of the activity or technology used
- validating the underlying Resource Areas, taking account of available evidence and sector-specific characteristics, and
- identifying and excluding areas subject to hard constraints i.e. factors, such as existing fixed infrastructure or activity (including MoD live firing areas or busy shipping lanes) meaning that new development for a particular sector is, in practice, not possible

This process covered mapping in relation to the tidal stream and range, wave energy, floating offshore wind, marine aggregates and aquaculture (bivalve and seaweed) sectors. For each of these sectors, it enabled the identification of Refined Resource Areas i.e. areas where technical conditions may be appropriate to support future use, from which areas subject to hard constraints have been removed.

The Refined Resource Areas represented the starting point for further application of SRA design principles in mapping potential SRAs. This process included removal of small and isolated or fragmented areas to avoid overly complex or fragmented areas. It also included application of spatial policy considerations, including to:

- concentrate mapping on areas most likely to be a realistic focus for the focus sectors, while removing offshore and very nearshore areas not likely to be currently realistically or practically viable, and
- balance the interests of the focus sector with potential regulatory burden upon other sectors resulting from the introduction of an SRA

Additionally, a wide range of soft constraints of relevance to each focus sector were identified. Soft constraints are factors (such as ecology, seascapes and marine activity such as fishing or recreational boating) which will be a likely consideration in project planning and may influence prospects for consent in a given area. In some situations, certain soft constraints may act as a very significant limitation to development potential within an SRA. However, in other situations, design, mitigation and/or compensation measures may provide an option to allow a project to proceed without inappropriate adverse impacts in an area with various soft constraints, meaning a soft constraint does not necessarily limit development in all circumstances.

It was determined, in agreement with stakeholders, that these soft constraints would not be used to identify or refine boundaries of potential SRAs. Soft constraints mapping will be presented alongside any SRAs, facilitating greater

understanding around the future prospects for a sector, the scope for coexistence in a given area and where might be the best location for certain uses under different scenarios.

Spatial data taken into account through the mapping process differed depending upon the sector. The detailed mapping methodology can be found in the SRA derivation report, which has been published alongside this consultation document.

Decision to proceed with proposed SRAs

As required by the Welsh National Marine Plan, Welsh Government, in considering the need for SRAs, has had regard to matters such as:

- the prospects of a sector needing to expand;
- the resources upon which a sector depends being impacted by another sector; and
- the relative benefit of introducing an SRA compared to not doing so

Following careful consideration and discussions with stakeholders, Welsh Government has decided that there is merit in proposing to introduce SRAs. However, because SRAs are a new marine planning tool, we will do this in a careful and incremental manner, taking account of the views of our stakeholders and communities.

We are therefore starting by consulting on SRAs for tidal stream energy. This will enable us to understand and take into account the views of our stakeholders and communities, to inform decisions on both the initial proposed SRAs for tidal stream energy and on the SRA approach and the merits of consulting on SRAs for other sectors.

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The decision to consult on potential tidal stream energy SRAs in this initial phase reflects that the sustainable development of tidal stream energy is a priority for Welsh Government, with tidal energy identified as an important focus in the Programme for Government. However, the tidal stream energy sector is dependent on relatively small areas of resource. These areas of resource are well understood and relatively discrete spatially, making them potentially appropriate for safeguarding. There are also ambitions for the sector to increase in scale, making resource safeguarding through SRAs a relevant approach. It is noted that limited grid connectivity is currently a consideration for the proposed Llŷn Peninsula and Pembrokeshire SRAs. However, these areas have been retained within the scope of proposed SRAs due to the potential of the tidal stream resource to support schemes providing local community benefit and high quality employment opportunities for our coastal communities.

The **SRA Design Principles** include focusing SRA considerations particularly towards the inshore area (within 12nm of the coast). In line with this approach, the initial proposed SRAs for tidal stream concentrate on areas likely to be a more immediate focus for the sector, excluding offshore areas outside of 12nm from the coast. This does not preclude potential for further areas to be considered for inclusion in a subsequent tranche of SRAs.

Not progressing SRAs for other sectors as part of this initial consultation does not mean there is no benefit in doing so. As an integrated planning process, it is important that marine planning takes a holistic approach across both established and innovative and emerging sectors. Therefore, subject to the outcome of this consultation and informed by the views expressed by our stakeholders and communities, we will look to progress further SRAs for further sectors, or introduce spatial guidance in other ways as part of our ongoing marine planning work.

Specifically, subject to the outcome of this consultation and in line with the SRA Design Principles', we will work with stakeholders to refine spatial data and mapping, enabling us to develop and bring forward proposals for aquaculture

SRAs in the inshore area by the end of 2024. We will also consider the merits of an SRA approach for marine aggregates and other important sectors which interact with each other in the inshore plan area. This includes wave energy and tidal range, emerging and innovative sectors with potential to play a role in the decarbonisation of our energy system and offer employment opportunities for our coastal communities. As both these sectors are at a comparatively early stage of development, we will continue to work to develop understanding of the resource and spatial needs, to inform considerations on the merits of proposing SRAs.

For the offshore area, we will work with the Crown Estate to develop mapping and understand the potential benefits of proposing SRAs for floating offshore wind. Floating offshore wind has the potential to contribute significantly to decarbonising the energy system and achieving net zero for Wales. It also has the potential to offer significant and high quality employment and supply chain opportunities, supporting our coastal communities. We therefore place priority on developing marine planning tools to maximise the contribution floating offshore wind can make and benefits it can provide, both to our communities and our ambitions to reach net zero, over the medium to longer term.

While a decision on proposing SRAs for other sectors will be informed by the outcomes of this first phase of consultation, the evidence developed during the mapping process described above is available through the **Wales Marine Planning Portal**. This evidence represents a significant resource which the different sectors can draw upon to support project planning.

In addition to making this evidence available, Welsh Government is working with The Crown Estate to understand how a Whole of Seabed approach can best support marine planning for Wales, including the identification of further potential SRAs. Welsh Government is also engaging with the UK government on relevant marine planning initiatives, including the Marine Spatial Prioritisation Programme which is considering matters such as spatial co-location, optimisation and prioritisation in English waters.

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Impact assessments

An MPN may be considered a 'plan' in terms of Habitats Regulation Assessment (HRA) and Strategic Environmental Assessment (SEA). Consequently, HRA and SEA screening exercises have been undertaken, which can be viewed at [Strategic Resource Areas: guidance](#). These screenings concluded that there is no requirement for an SEA or a HRA Appropriate Assessment, as there is no potential for an MPN to have likely significant effects on the environment or features of protected sites. The Welsh National Marine Plan itself was subject to HRA and SEA (as part of a wider Sustainability Appraisal process), which can be found at [Welsh National Marine Plan: sustainability appraisal](#) and [Welsh National Marine Plan: habitats regulation assessment](#).

SRAs have effect upon public authority decision making with respect to any sector proposing an activity within or potentially affecting an SRA. The potential regulatory effect of introducing SRAs was assessed as part of the Welsh National Marine Plan Sustainability Appraisal process and can be found [Welsh National Marine Plan: sustainability appraisal](#). Additionally, a Sustainability Appraisal on SRA mapping was undertaken, to support policy considerations on SRAs and can be viewed alongside this consultation document.

Viewing maps

In considering the Welsh Government's proposals to introduce SRAs, interested parties may wish to view the proposed SRAs alongside other spatial data to understand how different spatial layers (human activity, natural resources and management measures) relate.

The [Wales Marine Planning Portal](#) includes the proposed SRA areas in a layer under the following hierarchy: Engagement > Mapping for Strategic Resource

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Areas.

This spatial evidence will be available to support any MPN that is introduced, allowing developers and interested parties to view and understand important environmental, economic and social constraints to potential development.

A user guide is available in the Marine Planning Portal under the 'Help' option.

Next steps

Welsh Government will consider all responses to this consultation and publish a summary of responses.

Further mapping may be undertaken, depending upon the feedback received, to refine and identify any SRAs proposed as final and for inclusion in a finalised MPN.

The Welsh Ministers, informed by the views expressed by our stakeholders and communities through this consultation, will take a decision on the introduction of any SRAs through an MPN. Any SRA, and the application of policy SAF_02 to that SRA, will have effect from the point it is introduced through the publication of an MPN.

We will keep under review the effect of any SRAs introduced. Subject to the outcome of this consultation, we will work with stakeholders to develop and bring forward for consultation proposals for SRAs for aquaculture by the end of 2024. We will also work with the Crown Estate to develop mapping and understand the potential to bring forward SRAs for floating offshore wind, and we will consider the merits of the SRA approach for marine aggregates. Alongside this, we will continue to work to develop understanding of the resource and spatial needs for wave energy and tidal range, to inform

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considerations on the merits of proposing SRAs for these sectors. The effect of any SRAs will be included in our three yearly report to Senedd Cymru / the Welsh Parliament on the effect of the Welsh National Marine Plan.

Consultation questions

Welsh Government would welcome any views on the draft Marine Planning Notice (MPN) for tidal stream energy, in particular on the following questions. Please provide evidence to support your answer.

Question 1 - Do you agree with the proposal to introduce SRAs for tidal stream energy?

Question 2 - Do you agree with the spatial constraints which have been applied in the identification of proposed tidal stream energy SRAs?

Question 3 - Do you agree with the proposed boundaries of the tidal stream energy SRAs?

Question 4 - Do you know of any additional spatial evidence that should be made available on the Wales Marine Planning Portal to help users understand relevant constraints and opportunities for each SRA?

Question 5 – Do you consider that potential SRAs should be developed and brought forward for consultation for further sectors?

Question 6 - Do you have any comments on the findings of the Sustainability Appraisal on SRA mapping?

Question 7 - What, in your opinion, would be the likely effects of the introduction of SRAs on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the

Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

Question 8 - In your opinion, could the introduction of SRAs be formulated or changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

Question 9 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

UK General Data Protection Regulation (UK GDPR)

The Welsh Government will be data controller for Welsh Government consultations and for any personal data you provide as part of your response to the consultation.

Welsh Ministers have statutory powers they will rely on to process this personal

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data which will enable them to make informed decisions about how they exercise their public functions. The lawful basis for processing information in this data collection exercise is our public task; that is, exercising our official authority to undertake the core role and functions of the Welsh Government. (Art 6(1)(e))

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. In the case of joint consultations this may also include other public authorities. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation and that the Welsh Government may be under a legal obligation to disclose some information.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

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- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the UK GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail: dataprotectionofficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Tel: 0303 123 1113

Website: <https://ico.org.uk/>

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