



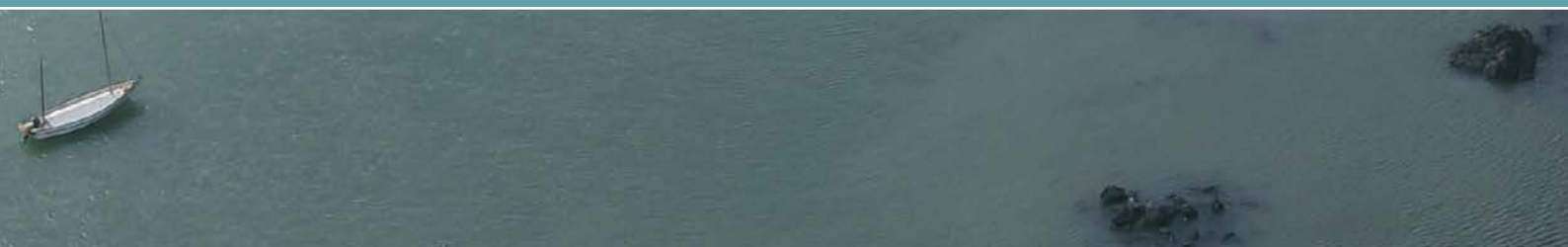
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Sustainability Appraisal: Post Adoption Statement

Welsh National Marine Plan

December 2019





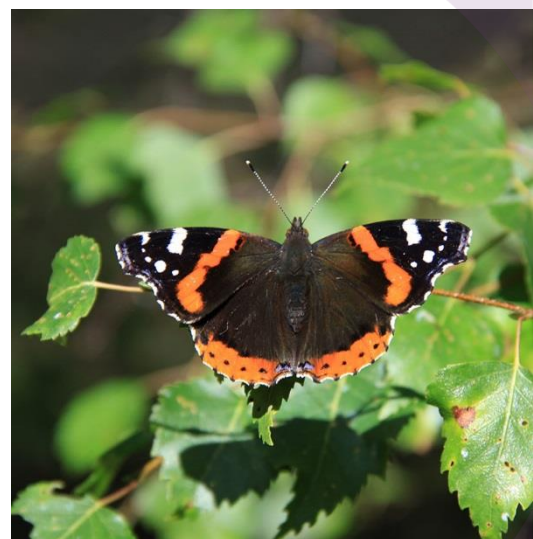
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Sustainability Appraisal of the Welsh National Marine Plan

Post Adoption Statement



Report for

Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Main contributors


Katharine Mason
Alex Melling
Pete Davis

Issued by



.....
Alex Melling

Approved by



.....
Pete Davis

Wood

Doc Ref. 35445 rbri04ir

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Document revisions

No.	Details	Date
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Foreword

The Welsh Government has prepared the Welsh National Marine Plan (WNMP) for the inshore and offshore regions of Wales in accordance with the Marine and Coastal Access Act 2009 (MCAA)¹.

The WNMP is the first marine plan for Wales and represents the start of a process of shaping a future for Wales' seas through marine planning to support economic, social and environmental objectives. It will implement the UK Marine Policy Statement (MPS) at the national level, guiding the sustainable development of Wales' seas by setting out how applicants should shape licence applications and how proposals will be considered by decision makers including, in particular, the consenting authorities as well as guiding other decisions with the potential to affect the plan area.

As required by Schedule 6 (Part 10) of the MCAA, the Welsh Government carried out a Sustainability Appraisal (SA) to assess the likely effects of the proposed policies contained in the Draft WNMP and help optimise the contribution of the plan to sustainable development. In meeting its requirement to undertake a SA of the WNMP, the Welsh Government also determined that the SA should incorporate an assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive² and transposing regulations³ (the SEA Regulations). SEA is an assessment process that supports decision making by identifying, characterising and evaluating the likely significant effects of a plan or programme on the environment and determining how any adverse effects may be mitigated or where any beneficial effects may be enhanced.

The Post Adoption Statement has been completed in order to meet the requirements of Article 9 of the SEA Directive and regulation 16 (4) of the SEA Regulations. It is being published in parallel with the WNMP.

1 HM Government (2009) *Marine and Coastal Access Act 2009*. Available from www.legislation.gov.uk/ukpga/2009/23/pdfs/ukpga_20090023_en.pdf [Accessed June 2019].

2 EU (2001) Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

3 HM Government (2004) *The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 1633)*.



1. Introduction

1.1 Overview

1.1.1 The Welsh Government has prepared the Welsh National Marine Plan (WNMP) for the inshore and offshore regions of Wales in accordance with the Marine and Coastal Access Act 2009 (MCAA)⁴.

1.1.2 The WNMP is the first marine plan for Wales and represents the start of a process of shaping a future for Wales' seas through marine planning to support sustainable development in the form of specific economic, social and environmental objectives and policies. It implements the UK Marine Policy Statement⁵ (MPS) at the national level, guiding the sustainable development of Wales' seas by setting out how proposals will be considered by decision makers. The plan and supporting material will be used by applicants to shape proposals and licence applications, public authorities to guide decision making, and other users to understand the Welsh Government's policy for the sustainable development of the plan area. The WNMP has been developed in the context of the Well-being of Future Generations (Wales) Act 2015 and Environment (Wales) Act 2016.

1.1.3 As required by Schedule 6 (Part 10) of the MCAA, the Welsh Government has carried out a Sustainability Appraisal (SA) to assess the likely effects of the emerging policies contained in the WNMP and help optimise the contribution of the plan to sustainable development. In meeting its requirement to undertake a SA of the WNMP, the Welsh Government also determined that the SA should incorporate an assessment in accordance with the requirements of the Strategic Environmental Assessment (SEA) Directive⁶ and transposing regulations⁷ (the SEA Regulations).

1.1.4 The Post Adoption Statement has been completed in order to meet the requirements of Article 9 of the SEA Directive and regulation 16 (4) of the SEA Regulations. It is being published in parallel with the WNMP.

1.1.5 Copies of the WNMP and accompanying documents are available at:

- llyw.cymru/cynllunio-morol (Welsh)
- gov.wales/marine-planning (English).

1.1.6 References to EU Directives in this report should, following the UK's departure from the EU, be read as references to the domestic legislation that implemented the Directive (including that domestic legislation as it is revised or replaced from time to time).

1.2 The Welsh National Marine Plan

Developing the WNMP

1.2.1 The WNMP has been prepared by the Welsh Government in accordance with the MCAA. It has involved a number of stages covering evidence gathering, policy development, arrangements for plan implementation and review, supported by ongoing stakeholder engagement and an iterative process of impact assessment.

1.2.2 As part of this plan development process, the Welsh Government prepared a draft Strategic Scoping Exercise (SSE)⁸ which presented information on the state of the Welsh marine environment and the relevant policy context. It also provided an evidence base to support decisions relating to the scope of the SA. Responses informed the revised SSE that is presented in Wales' Marine Evidence Report (WMER)⁹.

4 HM Government (2009) *Marine and Coastal Access Act 2009*. Available from www.legislation.gov.uk/ukpga/2009/23/pdfs/ukpga_20090023_en.pdf

5 HM Government (2011) *UK Marine Policy Statement*. Available from www.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf

6 EU (2001) Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

7 HM Government (2004) *The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 1633)*.

8 (gov.wales/strategic-scoping-exercise-national-marine-plan?_ga)

9 Welsh Government et al (2015) *Wales' Marine Evidence Report*. Available from gov.wales/wales-marine-evidence-report-wmer?_ga

1.2.3 The Welsh National Marine Plan:

Initial Draft¹⁰ was made available for comment between November 2015 and January 2016. This pre-consultation exercise and the responses received, alongside ongoing assessment and appraisal, helped to inform the preparation of the Draft WNMP.

1.2.4 The Welsh Government published the Draft WNMP¹¹ for formal, public consultation over a 16-week period between 7 December 2017 and 29 March 2018. The Draft WNMP contained the following components:

- **Vision:** an overarching statement about what will characterise the Welsh marine area at a given point in the future.
- **Plan objectives:** a statement of desired outcomes or observable behavioural changes that the WNMP is seeking to achieve in order to realise the vision.
- **Sector objectives:** objectives that operate alongside the plan objectives and are sector-specific statements of desired outcomes.
- **General cross-cutting policies:** plan policies of a general nature that apply to all sectors and activities (though the degree to which they need to be considered depends on the scale and likely impact of the proposal) and support the delivery of the plan objectives.
- **Sector policies:** sector specific policies that apply to decisions related to a particular activity (and that operate alongside the general cross-cutting policies). They included supporting policies (to support development of a given sector) and safeguarding policies (to protect current or potential future activities from negative impacts from other activities).

1.2.5 The Welsh Government received a total of 86 responses to the consultation. A summary of the consultation responses received to the Draft WNMP is available via the Welsh Government's website¹².

1.2.6 Taking into account the representations received to the Draft WNMP consultation, the findings of the accompanying assessments including the SA, ongoing stakeholder engagement and further detailed work in respect of tidal lagoons, the Welsh Government revised the Draft WNMP. The changes to the Draft WNMP included:

- **Structural changes:** for example, reducing the length and complexity of the plan by restructuring the Draft WNMP and removing/transferring some of the material to other documents such as Implementation Guidance (and potentially forthcoming Marine Planning Notices (MPNs), which will be produced in the future.
- **Policy amendments:** for example, revisions to the policies of the Draft WNMP including the combining of policies, changes to policy wording, the deletion of policies and the inclusion of additional policies.
- **Deletion of Strategic Resource Areas (SRAs):** the removal of SRAs¹³ from within the plan and deferral to their future consideration under individual MPNs, and focusing the role of SRAs on safeguarding possible future resource use, rather than supporting new activity.
- **Supporting text amendments:** for example, revisions to the introductory sections of the plan and amendments to the policy narrative.

10 Welsh Government (2015) *Welsh National Marine Plan Initial Pre-Consultation Draft*.

11 Welsh Government (2017) *Draft Welsh National Marine Plan*. Available from beta.gov.wales/sites/default/files/consultations/2018-02/draft-plan-en.pdf

12 Welsh Government (2018) *Draft Welsh National Marine Plan: Consultation – summary of response*. Available from beta.gov.wales/sites/default/files/consultations/2018-07/draft-welsh-national-marine-plan-summary-of-responses.pdf

13 In order to indicatively allocate space and focus future use, the Draft WNMP included SRAs for certain sectors. These were identified as areas of good opportunity for potential future use by a particular sector over the plan period and beyond.

1.2.7 The outcome of this revision process was the Revised Draft WNMP, which was the plan intended for adoption. The Revised Draft WNMP was reviewed by the Welsh Government and provided to the UK Government. Following the completion of final amendments, it was presented for ministerial sign off as the Final WNMP.

The Final WNMP

1.2.8 The Final WNMP (hereafter the 'WNMP') comprises of the following chapters:

- **Introduction:** which sets out the scope of the plan, the vision and the 13 plan objectives, the policy context for the plan, guidance as to the plan's use and an overview of the policies and approach to Resource Areas and SRAs.
- **General Cross-cutting policies:** which contains:
 - 2 general policies which represent the marine planning system's support for sustainable development of the marine area (in line with the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016) through proportionate and risk-based decision making;
 - 2 economic policies which outline how the plan supports a growing marine economy through policies that guide decision making in relation to sustainable economic growth and coexistence;
 - 11 social policies which aim to contribute to a strong, healthy and just society covering access, well-being, pollution incidents, promotion of the Welsh language, heritage, coastal change and climate change;
 - 7 environmental policies covering a range of issues including the protection, restoration and enhancement of marine biodiversity and the management of issues that could affect the marine environment (including invasive non-native species, marine litter, underwater noise, air and water quality);

- 2 policies promoting good governance for decision makers, applicants and local authorities, relating to the treatment of cumulative effects and cross-border and plan compatibility;
- 1 policy related to the use of sound evidence to inform decisions.

- **Sector policies:** which contains the 12 sector objectives, safeguarding policies and supporting policies for aggregates, aquaculture, dredging and disposal, energy, fisheries, ports and shipping, subsea cabling and tourism and recreation.
- **Annex 1:** which contains signposting to the other policy and regulatory requirements that provides the context for the WNMP.

Territorial extent

1.2.9 The Welsh marine plan area consists of around 32,000 km² of sea, with 2,120 km of coastline. The WNMP covers both the Welsh inshore region (from mean high water spring tides out to 12 nautical miles) and offshore region (beyond 12 nautical miles) in a single document. Unless otherwise stated, the policies apply to both regions. The plan area is adjacent to two English marine planning regions, the North West and South West plan areas. The plan also shares boundaries with Northern Ireland, the Isle of Man and Republic of Ireland.

Functional scope

1.2.10 The management of activities in Welsh waters is split between devolved functions which are the responsibility of Welsh Ministers, and reserved functions which are retained by UK Government. The Welsh Government has set out that the WNMP includes provision relating to devolved and retained functions and has been adopted with the agreement of the UK Secretary of State for Environment, Food and Rural Affairs.

1.2.11 The balance of retained and devolved functions may change with time.

Duration and review

1.2.12 The WNMP takes a 20-year view whilst recognising that certain activities may need to be planned for beyond this time period and that others are likely to change significantly during the lifetime of the plan.

1.2.13 Monitoring and reporting is a statutory requirement (MCAA s.61) and an important step in the planning process to ensure that the WNMP and its policies are effectively contributing to achieving the plan's objectives. The Welsh Government will review and report at least every three years on the effects of policies in the WNMP and their effectiveness at securing the plan objectives. The planning process is iterative; in accordance with the MCAA, future plans will be developed using experience and understanding gained from previous planning processes.

1.3 Sustainability Appraisal of the Welsh National Marine Plan

1.3.1 SA is a form of assessment that considers the social, economic and environmental effects of a plan or programme in the context of sustainable development. The requirement to undertake SA of marine plans is set out in Schedule 6 (Part 10) of the MCAA, which states that:

“(1) A marine plan authority preparing a marine plan must carry out an appraisal of the sustainability of its proposals for inclusion in the plan.

(2) The authority may proceed with those proposals only if it considers that the results of the appraisal indicate that it is appropriate to do so.

(3) The marine plan authority must publish a report of the results of the appraisal.

(4) The report is to be published when the marine plan authority publishes the consultation.”

1.3.2 In meeting its requirement to undertake a SA of the WNMP, the Welsh Government determined that the SA should incorporate an assessment in accordance with the requirements of the European Union Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment¹⁴, more commonly known as the SEA Directive. This has been transposed into UK regulations as the Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004 No. 1633), hereafter referred to as the SEA Regulations¹⁵.

1.3.3 The SEA Directive aims for a high level of environmental protection and to promote sustainable development. It applies to certain plans that are likely to have significant effects on the environment. The WNMP has been treated as a plan for the purpose of the SEA Directive, and the SA considers socio-economic and environmental effects in the same way as environmental effects are required to be assessed by the SEA Directive. The resulting SA Report has identified, described and evaluated the likely environmental, social and economic effects of the Draft WNMP and has also appraised the effects of a reasonable alternative to the WNMP. Where potential significant adverse effects have been identified, the SA has recommended options for avoiding, reducing, minimising or mitigating such effects.

1.3.4 The SA has been an integral part of the preparation of the WNMP with interim outputs available to support the development of the WNMP, particularly in terms of the effects of emerging and proposed policies. In this way, the SA has helped

¹⁴ Available from ec.europa.eu/environment/eia/sea-legalcontext.htm

¹⁵ Please note that the SA of the WNMP was undertaken in accordance with the UK as opposed to Welsh SEA Regulations given the potential for the plan to have effects in other parts of the UK.

inform the development of the WNMP (and the emerging policies) and supports the WNMP's contribution to the achievement of sustainable development.

1.4 Habitats Regulations Assessment

1.4.1 In accordance with Regulation 63 of The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'), there is a need for the Welsh Government to consider whether the WNMP is likely to have a significant effect (alone, or in-combination with other plans) on any European designated nature conservation site, a process known as Habitats Regulations Assessment (HRA). Such sites include Special Areas of Conservation (SACs), designated under Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, and Special Protection Areas (SPAs), designated under Council Directive 2009/147/EC on the Conservation of Wild Birds. UK policy accords the same level of protection to sites listed or proposed under The Convention on Wetlands of International Importance, called the Ramsar Convention, and to proposed SPAs (pSPAs), candidate SACs (cSACs) and possible SACs.

1.4.2 A report presenting the HRA of the draft WNMP was published alongside the draft plan in December 2017.

1.4.3 The HRA Report¹⁶ has been updated to reflect the changes to the Draft WNMP to accompany the final WNMP. Overall, the HRA has concluded that the measures within the WNMP, together with the availability and means of ensuring project-level mitigation, will ensure that there will be no adverse effect on the integrity of any European sites, alone or in combination, as a result of the plan's implementation. In reaching the conclusion, the HRA notes that the general cross-cutting policies within

the plan will provide safeguards for European sites and that all proposals will be subject to project level HRA as part of the consenting procedure.

1.5 Purpose of this report

1.5.1 In accordance with Article 8 of the SEA Directive, the Welsh Government has taken into account the findings of the SA Report and the consultation responses to the report in coming to its decision on the published WNMP.

1.5.2 Article 9 of the SEA Directive and regulation 16 (4) of the SEA Regulations require that when a plan or programme is adopted (in this case, the WNMP), the consultation bodies, the public and any other Member States consulted on the SA Report are informed and the following specific information is made available:

- the plan as adopted;
- a statement summarising:
 - (i) how environmental considerations have been integrated into the WNMP;
 - (ii) how the SA Report has been taken into account;
 - (iii) how opinions expressed in response to the consultation have been taken into account;
 - (iv) the reasons for choosing the WNMP, as published, in the light of the other reasonable alternatives dealt with; and
 - (v) the measures that are to be taken to monitor the significant environmental effects of the implementation of the WNMP.

1.5.3 The purpose of this Post Adoption Statement is to provide the specific information outlined under each of the points listed (i) to (v) above. The statement is structured as follows:

- **Section 2:** sets out how environmental considerations have been integrated into the designated WNMP;

¹⁶ (gov.wales/welsh-national-marine-plan-habitats-regulation-assessment)

- **Section 3:** describes how the recommendations of the SA have been taken into account in the designated WNMP;
- **Section 4:** summarises how opinions expressed during the consultation on the Draft WNMP and SA Report have been taken into account;
- **Section 5:** outlines the reasons for choosing the WNMP as adopted in light of the reasonable alternatives considered and appraised;
- **Section 6:** sets out how significant effects will be monitored.

1.5.4 A table demonstrating how this Post Adoption Statement complies with the SEA Regulations' post adoption procedures is included in **Appendix A**.



2. How environmental considerations have been integrated into the WNMP

2.1 Environmental considerations in the WNMP

2.1.1 Environmental considerations are integral to the policy and guidance contained in the WNMP. The plan is driven by the requirements of the MCAA, which includes policies relating to the sustainable development of the marine plan area.

2.1.2 The WNMP includes an overarching objective to “Support the sustainable development of the Welsh marine area by contributing across Wales’ well-being goals, supporting the Sustainable Management of Natural Resources (SMNR) by taking account of the cumulative effects of all uses of the marine environment.” This drives environmental considerations through support for sustainable development, in addition to supporting the seven well-being goals established in the Well-being of Future Generations (Wales) Act 2015 and the objective for SMNR established in the Environment (Wales) Act 2016, both of which include environmental considerations.

2.1.3 Environmental considerations are also incorporated into the WNMP through the range of objectives and policies in the plan which seek to protect and enhance the environment. For example, environmental objectives in the WNMP include the maintenance and enhancement of marine biodiversity, protection of water quality, and action supporting climate change adaptation and mitigation. Policies within the plan additionally seek to protect the environment by providing guidance for marine planning on matters such as a presumption in favour of the sustainable development of the plan area, cumulative effects and cross-border planning. Policies also contain support for ecosystem resilience, avoidance of marine pollution and litter, minimisation of the effects of climate change and coastal change, avoidance of underwater noise and protection of air and water quality.

2.1.4 Alongside the general cross-cutting policies, some of the sector policies include environmental considerations, for example through the requirement for development to contribute to the objectives of the WNMP and the encouragement for greater understanding of sustainable use of resources. The inclusion of support for low carbon energy developments will also contribute to the transition to a low carbon future, anticipating the need to respond to a changing climate.

2.1.5 The policy regarding tidal lagoons has evolved in response to environmental considerations. The Draft WNMP included support for tidal lagoons, in part as a contribution towards the development of low carbon energy in Wales. Following consultation on the Draft WNMP, the Welsh Government reviewed the proposed policy approach in light of the feedback received during consultation and wider policy changes. This review included considerations of the potential environmental and biodiversity effects of this policy, and resulted in a policy change to focus on developing evidence to support understanding of future opportunities for tidal lagoons.

2.2 Environmental considerations through the SA

Environmental considerations within the SA framework

2.2.1 The range of potential environmental and socio-economic effects considered in the SA has been informed primarily by:

- the SEA Directive and implementing regulations. Annex I of the SEA Directive and Schedule 2 of the SEA Regulations require that the assessment includes information on the “*likely significant effects on the environment, including on issues such as: biodiversity; population; human health; fauna; flora; soil; water; air; climatic factors; material assets; cultural heritage, including architectural and archaeological heritage; landscape; and the inter-relationship between the issues referred to*”;

- the scope of the WNMP;
- the review of other relevant plans and programmes and baseline information contained in the WMER; and
- responses received to consultation on the proposed SA criteria and guide questions set out in the draft SSE.

2.2.2 An SA Framework has been used to support the appraisal of the WNMP and which reflects the range of issues identified through consideration of the factors outlined above. The SA Framework comprises of SA criteria and guide questions which broadly represent the preferred social, economic and environmental outcome. By assessing each component of the emerging Draft WNMP (whether vision, objectives or policies), the potential environmental and socio-economic effects have been identified. **Table 2.1** presents the SA Framework.

Table 2.1: SA Framework

Criteria	
1.	To protect and enhance biodiversity (habitats, species and ecosystems).
2.	To protect and enhance the quality of surface, ground, estuarine and coastal water.
3.	To protect and enhance the physical features of the marine environment.
4.	To protect and enhance air quality.
5.	To protect and enhance landscape and seascape character and other protected features.
6.	To limit the causes and effects of climate change and promote adaptation.
7.	To protect and enhance cultural, historic and industrial heritage resources.
8.	To support and enhance the Welsh language and culture.
9.	To support appropriate tourism in Wales and protect and enhance opportunities for recreation.
10.	To promote the sustainable use of natural resources.
11.	To support sustainable development of marine and coastal economy.
12.	To maintain and enhance the well-being of local communities.
13.	To protect and enhance human health with special regard to vulnerable groups in society.
14.	To promote good governance.

Environmental considerations through the SA process

2.2.3 SA has been an integral part of the preparation of the WNMP. The main stages of the SA process are summarised below:

- Consultation on the scope of the SA as part of the draft SSE¹⁷ consultation that took place in August 2014. Responses to the consultation informed the revised SSE that is presented in the WMER¹⁸ and includes information on the state of the Welsh marine environment (including the current situation and future trends) and the relevant policy context.
- Ongoing, informal feedback on the developing WNMP vision, objectives and plan policies alongside a high level sustainability review¹⁹ of emerging policies that was published alongside the Initial Draft WNMP in November 2015.
- Detailed appraisal of the Draft WNMP policies in accordance with the approach set out in the SSE (as amended to reflect consultation responses) with the findings of the appraisal presented in an Initial Draft SA Report²⁰ that was issued to the Marine Planning Stakeholder Reference Group and other bodies for comment between 16 February and 10 March 2017.
- Publication of an SA Report²¹ to accompany the Draft WNMP.
- Appraisal of Tidal Lagoon Policy Options.
- Appraisal of changes to the Draft WNMP.

2.2.4 The SA of the Draft WNMP was completed in October 2017. The SA Report was prepared to meet the reporting requirements of the SEA Directive and assessed the following key components of the plan:

- vision;
- plan objectives;
- sector objectives;
- general cross-cutting policies; and
- sector policies (including SRAs).

2.2.5 In addition, the reasonable alternatives to the Draft WNMP (as proposed) were also appraised.

2.2.6 Comments received on the SA Report were wide ranging, covering all aspects of the report including the methodology, findings of the appraisal, recommendations and monitoring proposals.

2.2.7 Following consultation on the Draft WNMP, the Welsh Government reviewed the proposed policy approach to tidal lagoons, as set out in Policy ELC_01, in light of the feedback received during consultation. A Tidal Lagoon Policy and SA and HRA Technical Working Group (TWG) was established in order to provide advice and guidance on this matter and the associated SA and HRA. In liaison with the TWG, a number of potential tidal lagoon policy options were identified and considered by the Welsh Government. The policy options identified were subject to SA. The Welsh Government considered the SA of the tidal lagoon policy options alongside the comments received from the TWG and consultation responses to the Draft WNMP. As a result of this process, the 'Evidence Focus' policy text was selected as the preferred policy approach for tidal range development.

¹⁷ Welsh Government (2014) *Developing the Welsh National Marine Plan: Draft Strategic Scoping Exercise*.

¹⁸ Welsh Government et al (2015) *Wales' Marine Evidence Report*. Available from gov.wales/wales-marine-evidence-report-wmer?_ga

¹⁹ Amec Foster Wheeler (2015) *High Level Sustainability Review of the Emerging Policies of the Initial Pre-Consultation Draft Welsh National Marine Plan*. Available from gov.wales/welsh-national-marine-plan-sustainability-review

²⁰ Amec Foster Wheeler (2017) *Welsh National Marine Plan: Sustainability Appraisal Report (Initial Draft)*.

²¹ Amec Foster Wheeler (2017) *Welsh National Marine Plan: Sustainability Appraisal Report*. Available at: gov.wales/sites/default/files/consultations/2018-02/sustainability-en.pdf

2.2.8 The likely significant effects of the changes the WNMP have also been identified, described and evaluated. This has included consideration of secondary, cumulative, synergistic and cross-border effects and the effects arising from the reasonable alternatives to the WNMP.

2.2.9 Overall, the SA has found that the implementation of the WNMP policies will have positive effects on the majority of the SA criteria that have provided the framework for the appraisal.

This broadly reflects:

- the strong framework provided by the plan policies to help to conserve and enhance Wales' marine environment and support the SMNR;
- the inclusion of policies that will ensure the safeguarding of existing economic activity in the marine area whilst encouraging sector productivity and growth;
- the likely socio-economic benefits that supporting blue growth (including tourism) in the marine area is likely to deliver;
- the support given to proposals that aid the transition towards a low-carbon Wales (from both the general cross-cutting policies and the sector policies) in respect of offshore wind, wave energy, tidal stream and tidal range, acknowledging the interim role played by fossil fuel resources (including oil and gas) and options for the capture and storage of waste carbon dioxide;

- the encouragement of proposals for economic development that generate local employment opportunities and wealth, tackle deprivation and increase skills, delivering potentially substantial benefits to Wales' coastal communities;
- the emphasis of the general cross-cutting policies on the consideration of cumulative effects, adaptive management and the application of an evidence-based analysis in decision making.

2.2.10 In addition to considering the effects of the WNMP on the SA criteria, an assessment has also been undertaken of the contribution that the plan is likely to make to the achievement of the well-being goals established in the Well-being of Future Generations (Wales) Act 2015 and the objective for SMNR set out in the Environment (Wales) Act 2016.

This concluded:

“The overarching plan objective of the WNMP is to “Support the sustainable development of the Welsh marine area by contributing across Wales’ well-being goals, supporting the Sustainable Management of Natural Resources (SMNR) by taking account of the cumulative effects of all uses of the marine environment. Reflecting this objective, the WNMP policies are likely to make a significant positive contribution to the achievement of the seven well-being goals for Wales, supporting the objective for SMNR.”



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3. How the SA Report has been taken into account

3.1 Introduction

3.1.1 The SA has been undertaken iteratively alongside the development of the WNMP in order to enhance its sustainability performance. This iterative process has been documented in a number of reports including the SA Report.

3.1.2 This section describes how the findings of the SA process and subsequent SA Report have been taken into account in the designated WNMP.

3.2 How the SA Report has been taken into account in developing the WNMP

3.2.1 The preparation of the WNMP and SA thereof has been an iterative process. Informal feedback on the developing WNMP vision, objectives and plan policies was provided to the Welsh Government alongside a high level sustainability review of emerging policies contained in the Initial Pre-Consultation Draft WNMP. The high level review was undertaken to provide provisional views on the sustainability implications of the indicative policies of the WNMP as an early contribution to their further development. The review was published alongside the Initial Draft WNMP in November 2015.

3.2.2 The high level sustainability review concluded that the emerging draft general cross-cutting policies would be likely to have a positive or significant positive effect in respect of the SA criteria. The emerging draft sector policies, meanwhile, were assessed as having both positive and negative effects on the SA criteria, although the review concluded that the negative effects identified could be reduced through other Draft WNMP policies (and in particular those general cross-cutting policies that promote environmental conservation and enhancement) and that existing licensing and consenting regimes would ensure that any significant adverse effects associated with proposals in the marine area would be fully considered and minimised/mitigated where possible and appropriate.

3.2.3 Through the high level review of the Initial Draft WNMP, a number of recommendations were made. In terms of the emerging general cross-cutting policies, these recommendations predominantly focused on adjusting policy wording to more accurately capture how the policy might promote the interests of sustainable development as well as opportunities to merge policies on the grounds of clearer presentation of the strategic intentions of the WNMP. It was also recommended that a specific policy be included in the WNMP relating to support for Welsh language and culture. With regard to the emerging sector policies, recommendations focused on the inclusion of additional policy wording and/or supporting text relating to:

- the identification of factors to be taken into account when determining potential impacts on existing sector activities;
- detailing the instances where proposals which would adversely affect particular activities may be supported;
- highlighting the range of potential socio-economic and environmental impacts that could arise from the various sector activities and associated mitigation measures;
- ensuring that the adverse socio-economic and environmental effects of sector activities are avoided, minimised or mitigated and positive effects enhanced;
- avoiding duplication of existing legislation.

3.2.4 The recommendations of the high level sustainability review were considered by the Welsh Government in developing the Draft WNMP. In particular, on the basis of the findings of the review, a specific policy concerning Welsh language and culture was included (see Policy SOC_04).

3.2.5 The SA Report containing the SA of the Draft WNMP was published for public consultation alongside the Draft WNMP on 7 December 2017 and closed on 29 March 2018. It contained

24 recommendations for policy amendments to improve performance against the SA criteria, for example:

- *“GEN_01: Specific reference could be made within the policy to ensuring that marine spatial planning decisions are consistent with the SMNR principles (although it is recognised that this is covered in the supporting text).*
- *SOC_06: Policy SOC_06 could make explicit reference to the avoidance/minimisation of adverse impacts on the purposes and special qualities of National Parks and AONBs.*
- *ELC_01: The policy wording could make specific reference to encouraging research and development in addition to collaboration in order to understand further the opportunities for renewable energy development including environmental constraints and opportunities as well as the efficacy of mitigation. This may help to refine the extent of the SRAs identified for this sector in future marine plans and resolve the uncertainties identified in the assessment of Policy ELC_01.”*

3.2.6 Following consultation, and the subsequent analysis of responses, substantial amendments were made to the WNMP, which were subject to further SA (as outlined in Section 2). Welsh Government considered the findings of the SA alongside the comments received to produce its final WNMP, using the SA process to help sharpen and focus policy direction, where applicable; for example by strengthening the wording of Policy ECON_02 to focus on demonstrating how opportunities for coexistence have been considered or adding wording on avoiding/minimising adverse impacts into Policy SOC_06 (designated landscapes) to sit alongside encouragement of positive effects (while also strengthening the policy approach to encourage opportunities for enhancement in place of compatibility).

3.2.7 Cross-cutting issues such as a consistent articulation of the application of SMNR principles were addressed by a number of refinements to wording throughout the final WNMP, while the SA also informed Welsh Government’s approach to refining Policy ELC_01 (low carbon energy) policy, with the SA process, for example, central to the refinement of policy in relation to tidal lagoons.

3.2.8 Specifically, a technical group was convened to develop a suite of potential tidal lagoon policy options, which were then subject to appraisal and SA. Policy options not fulfilling the criteria for reasonable alternatives (as set out under Article 5(1) of the SEA Directive) were not taken forward to that assessment. Policy options considered to be reasonable alternatives (including the baseline option to retain the draft WNMP policy) were subject to appraisal against the SA criteria. The findings of this SA exercise played an important part in the determination of the preferred policy approach, alongside factors such as representations from the consultation exercise and advice from the technical group.

3.2.9 In addition to specific policy recommendations, the SA also included a number of broad-based recommendations which could be considered by the Welsh Government in working towards the preparation of the future plans. These recommendations are listed below:

- **Resolving uncertainties:** The appraisal of the WNMP highlighted that, despite the existing regulatory framework and policy provisions of the plan, there remains some residual uncertainty with respect to the probability of effects occurring and their magnitude which will be in part dependent on the exact type, scale and location of future development in the context of the sensitivity/capacity of the receiving environment. The development of future marine plans presents an opportunity to resolve these uncertainties through the development of the evidence base and ongoing monitoring (see also

Section 6) and in this regard, it is noted that the WNMP includes a number of policies that concern the development of the marine evidence base. It is recommended that the Welsh Government develops a programme for further research which may focus on, for example:

- the environmental capacity of the proposed SRAs to accommodate development for different sectors;
- the value of marine ecosystems and the goods and services they provide;
- the quantity, quality and distribution of natural resources in the marine area and their capacity to support the sustainable development;
- the potential environmental impacts of new development and activity in the marine area with particular emphasis on renewable energy development;
- the opportunities to avoid, manage and mitigate significant adverse impacts associated with new development and activity in the marine area;
- the potential conflicts and synergies that exist between marine users, activities and the environment and how these relate to Wales' wellbeing goals?;
- the cumulative effects of implementing the WNMP both alone and in-combination with other plans and programmes including the marine plans of surrounding administrations;
- the opportunities for delivering social, economic and environmental benefits and to support the achievement of Wales' wellbeing goals through development and use of the marine environment;
- any research programme should be developed in liaison with key stakeholders and be delivered through collaboration and engagement including across borders. Research should draw upon experience gained through the consenting, development,

operation and decommissioning of proposals in order to inform future decision making and policy.

- **Refining existing and identifying new SRAs:** Greater understanding of the capacity of SRAs, of sector compatibility and of the distribution/capacity of natural resources may enable future marine plans to provide a greater level of spatial specificity than is currently possible (proportionate to the level of evidence available). This would provide greater certainty with respect to future development/activity in the marine area, helping to support economic development (for example, by affording greater confidence to investors) and providing positive protection for the marine environment (for example, by excluding sensitive features of designated nature conservation sites from SRAs). In this regard, it is noted that the policies of the WNMP encourage collaboration between relevant authorities, sectors and other interested parties in support of the refinement/identification of SRAs.
- **Identifying targets:** Evidence on capacity may permit the identification of targets in future marine plans. Such targets may relate to, for example, the number of jobs to be created over the plan period, the volume of aggregates to be produced or the amount of low carbon energy to be generated. This could help provide greater clarity in terms of the intended outcomes of future plans, support future monitoring and prevent the over-exploitation of resources.
- **Providing supplementary guidance:** As new evidence becomes available relating to SRAs and specific sectors (particularly in the interim period between plan adoption and review), this could be presented in a series of supplementary MPNs that are linked to the Wales Marine Planning Portal (gov.wales/marine-planning-portal). MPNs could usefully detail, and provide direction on, the priorities, constraints and opportunities within each SRA. The Welsh Government

may also wish to consider whether additional supplementary guidance on specific topics or sectors could be developed in order to provide further detail in respect of the policies of the WNMP and ensure that they are understood and applied effectively.

- **Reviewing policy effectiveness:** Ongoing monitoring of the WNMP's implementation should be used to review the effectiveness of the plan policies in delivering sustainable development of the Welsh seas. In evaluating the effectiveness of plan policies, it will be important for the Welsh Government to consult the NRW Marine Licensing Team and other plan users.
- **Ensuring that marine spatial planning decisions are consistent with the SMNR principles and contribute to Wales' well-being goals:** the Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies

to carry out sustainable development aimed at achieving the seven well-being goals for Wales. The Environment (Wales) Act 2016, meanwhile, introduces a number of principles that underpin the achievement of SMNR. It is recommended that the Welsh Government gives further consideration with regard to how best to ensure and demonstrate the integration of SMNR principles and Wales' well-being goals in the process of future plan development and marine spatial planning decisions in order to ensure that it meets its duty to carry out sustainable development. This could be achieved through the preparation of a checklist(s) and associated guidance, for example.

3.2.10 The Welsh Government will consider these recommendations along with other evidence when it undertakes the review of the Marine Plan in 2022.



4. How opinions expressed on the consultation have been taken into account

4.1 Introduction

4.1.1 The overall approach to consultation is reflected in the Statement of Public Participation²² (SPP) in which the Welsh Government states that *“it is essential to take account of the views and interests of many different people and organisations in the marine planning process”* and *“emphasises our commitment to achieving meaningful and sustained engagement”*. This section describes the consultation on the WNMP and SA, providing a signpost to how responses have been taken into account.

4.2 Public consultation on the WNMP

4.2.1 Sustained public consultation has been a core part of the development of the WNMP. This has included:

- public consultation on specific marine planning documents supported by engagement events and questionnaires;
- establishing a Marine Planning Stakeholder Reference Group (MPSRG) to provide stakeholder feedback on the content and production of the WNMP and associated processes and to advise on implementation of the adopted plan;
- establishing technical working groups to consider specific topics or policies e.g. tidal range policy.

4.2.2 An initial consultation ran from November 2015 and January 2016, on the:

- Statement of public participation for marine planning;
- WNMP Vision and Objectives;
- the evidence base (SSE);
- scoping of the plan SA/HRA;
- an initial draft of the WNMP.

4.2.3 The Welsh Government developed the Draft WNMP reflecting responses to this initial consultation, the emerging evidence base and initial SA. Public consultation on the Draft WNMP began on 7 December 2017 and closed on the 29 March 2018.

4.2.4 The consultation was supported by active engagement with stakeholders through local drop in sessions, a wide range of discussions in meetings and a national conference with events taking place within the consultation period at:

- Swansea;
- Saundersfoot;
- Bangor;
- Aberystwyth;
- Flint; and
- Cardiff.

4.2.5 The Draft WNMP and consultation document were accompanied by several supporting documents, including:

- an overview of the developing Welsh National Marine Plan;
- a HRA;
- a SA;
- a review of interim Marine Aggregate Dredging Policy.

4.2.6 The consultation asked 17 questions related to the Draft WNMP and the supporting SA and HRA.

4.2.7 A total of 86 responses to the consultation were received from the following sectors covering environmental, social, economic and cultural interests:

- Academic bodies;
- Businesses;
- Government/Public Sector;
- Leisure and Tourism;
- Local Authorities, Community and Town Councils;

²² Welsh Government (2018) Statement of Public Participation. Available at: gov.wales/statement-public-participation-welsh-national-marine-plan

- Members of the public;
- Professional bodies and associations;
- Representative and local organisations/forums;
- Third Sector.

4.2.8 A Summary of Responses²³ to the consultation was published in July 2018, analysing and setting out the key themes to emerge from the consultation responses, together with the stakeholder engagement undertaken as part of the consultation. Table 4.1 summarises the themes, comments and the Welsh Government’s response.

Table 4.1: Summary of consultation comments

Stakeholder comment summary	Resulting change made
The Structure of the WNMP	
<p>The draft WNMP is extremely long. Elements of supporting and contextual information could be moved to appendices, reducing the length of the plan and increasing its usability.</p> <p>Including technical and detailed implementation guidance within the draft WNMP results in this guidance being labelled as policy, creating confusion between the status of this guidance and actual WNMP policies. This guidance would sit better in supplementary document(s) which can be updated more flexibly, enabling the WNMP to be more streamlined and user-friendly.</p>	<p>The WNMP has been re-focused on the core vision, objectives and policies. Plan policies are supported by sharper and more concise policy narratives. Supporting technical and guidance material has transferred to separate Implementation Guidance and other supplementary guidance documents. The WNMP Introduction clarifies the status of the Implementation Guidance as a relevant consideration in decision making.</p> <p>Safeguarding policy has been streamlined by replacing individual Sector Safeguarding Policies (for sectors other than Defence) with Common Safeguarding Policy. Narrative on the legislative and policy context for marine planning, on the marine planning process and on integration with other planning processes has been transferred to Annex 1 to the WNMP.</p>
Policy Coherence	
<p>It is unclear how plan policies interact with one another and which policies have priority in the event of a conflict; for example, between General and Sector policies.</p>	<p>Further clarity has been added to the WNMP confirming all policies apply equally, with no policy hierarchy. Policies GEN_01 and GEN_02 are no longer described as overarching.</p> <p>A table has been added to the Introduction showing the alignment of the General and Sector Policies to the Plan Objectives. The wording of the Sector Supporting Policies has been revised to explicitly reference the requirement to align with the General Policies. There was no support from MPSRG members for the inclusion of a table detailing the alignment between General and Sector Policies.</p>

²³ Welsh Government (2018) Consultation summary of response – Draft Welsh National Marine Plan. Available at: gov.wales/draft-welsh-national-marine-plan

Stakeholder comment summary	Resulting change made
<p>There is some inconsistency in wording between different policies which risks inadvertently creating a policy hierarchy.</p>	<p>The wording of individual policies has been reviewed and consistent terminology introduced where required.</p>
<p>Where policies are framed to provide general encouragement for specific types of proposals, there is lack of clarity on what is meant by the term 'encourage'.</p>	<p>Where relevant, the wording of General Policies has been revised to set out requirements for proposals to demonstrate how they have addressed considerations relevant to the policy aim. Some positively worded policy direction has been retained to enable the WNMP to function as a positive planning framework.</p> <p>The wording of the Sector Supporting Policies has been revised to state that proposals which contribute to and comply with WNMP objectives and policy will be supported.</p> <p>General and Sector Policies are supported by a narrative on the key aims and underpinning principles.</p>
Sustainable Development	
<p>There is a need to better balance and integrate the three pillars of Sustainable Development (social, economic and environmental). The draft WNMP currently places greater emphasis on the growth of the marine economy than on ensuring ecosystem resilience and sustainably managing natural resources.</p> <p>Sector Supporting Policies focus on economic growth and could undermine plan objectives on restoring ecosystem resilience. Policy expressing support for large scale tidal lagoon infrastructure has significant potential to result in adverse impacts on protected sites and species. SRAs are not yet underpinned by a consideration of environmental constraints or sensitivities.</p>	<p>The WNMP's policies have been developed to work together, with General cross cutting Policies and Sector Policies coming together to collectively support sustainable development. This is clearly stated in the WNMP and the wording of the Sector Supporting Policies has been revised to signal the requirement to align with the Plan Objectives and General Policies.</p> <p>The WNMP now makes clearer reference to the intrinsic value of the marine environment and marine ecosystems. References to prioritising investment, innovation and growth have been removed from the narrative accompanying policy GEN_01. Policy ENV_01 on resilient marine ecosystems has been strengthened to require consideration of potential adverse impacts, alongside encouraging positive benefits.</p> <p>Specific sector growth targets have been removed. Tidal lagoon policy has been refocused on a stepwise approach to supporting the sector, including developing evidence to allow for greater understanding of future opportunities.</p>

Stakeholder comment summary	Resulting change made
	<p>The link between SRAs and Sector Supporting Policy has been removed, with SRAs refocused as a tool to safeguard future potential sustainable resource use. The WNMP sets the criteria to be considered when developing SRAs, which include environmental constraints and opportunities. Clarification that SRAs will not unduly hinder the designation of MPAs to ensure an appropriate contribution to a coherent MPA network has been added to the policy narrative.</p>
<p>To align with the principles of the Wellbeing of Future Generations Act (WFGA), the terms “maximising growth” and “sustainable growth” should not be used; “sustainable development” should be consistently referenced. A definition of Blue Growth should be provided.</p>	<p>The text throughout the WNMP has been refined, with references to maximising growth or encouraging sustainable growth removed and consistent referencing of sustainable development included.</p> <p>A definition of Blue Growth has been provided, based upon economic growth and development which supports social equity while ensuring natural assets can continue to provide the resources and environmental benefits on which well-being relies. This definition was agreed with the MPSRG.</p>
<p>Good Environmental Status (GES)</p>	
<p>Some policies appear to be mistakenly attributed to certain GES Descriptors.</p> <p>The WNMP doesn't appear to have any policies relating to seabed integrity or alteration of hydrographical conditions.</p>	<p>Additional narrative has been incorporated to more clearly set out the nature of the WNMP's support for achieving GES and the means by which GES Descriptors are addressed by the WNMP and its policies.</p> <p>Narrative has been added into Table 5 setting out the nature of the WNMP support to achieving each GES Descriptor and describing how WNMP policies contribute to the achievement of that Descriptor. This includes clarity on the policies contributing to the achievement of the Descriptors on seabed integrity and alteration of hydrographical conditions.</p> <p>Text has been added into the narratives accompanying individual policies highlighting the alignment of these policies to the GES Descriptors.</p>

Stakeholder comment summary	Resulting change made
Sustainable Management of Natural Resources (SMNR)	
<p>There should be clearer application of the principles of SNMR and support for the delivery of the UK Marine Strategy.</p> <p>The achievement of SMNR is referenced as a desired outcome rather than a fundamental requirement.</p>	<p>A narrative to sit alongside the WNMP on the relationship between the Environment Act (Wales) 2016 and marine planning has been developed and published in collaboration with Natural Resources Wales (NRW) and Welsh Government Natural Resources policy officials. This reflects that the focus of the objectives and principles of SMNR apply to NRW in the exercise of their functions. The narrative sets out the role of the WNMP as a planning tool supporting natural resource management as set out in the Natural Resources Policy (NRP). The WNMP sits alongside other strategic and local plans and policies, supporting the delivery of NRP priorities. References to SMNR in the WNMP have been streamlined accordingly and clear and expanded narrative has been included in Annex 1 to the WNMP, setting out how the principles of SMNR are applied in the WNMP.</p> <p>The WNMP now makes clear reference to the intrinsic value of the marine environment and marine ecosystems. Sector growth targets have been removed, additional clarity has been provided on the alignment of plan policies to the UK Marine Strategy and GES Descriptors and the link between SRAs and Sector Supporting Policy has been removed.</p>
Cross-Border Management	
<p>Further information should be provided on how cross border coherence (both land/sea borders and marine planning/national boundaries) will be achieved and how cross-boundary issues should be considered.</p>	<p>Annex 1 to the WNMP has been expanded to address this issue and to provide greater information on integration with other planning processes, while Policy GOV_02 has been re-focused specifically on cross-border and plan compatibility.</p> <p>More reference to cross-border considerations will be included in the Implementation Guidance accompanying the WNMP.</p>
Proportionality and precaution	
<p>The draft WNMP's focus on proportionality and the inclusion of policies GEN_02 and SCI_01 was welcomed. Respondents noted the importance of clear policy direction to enable proportionate decision-making while ensuring the precautionary principle is not lost.</p>	<p>Further language on the precautionary principle has been added to the WNMP, while the Implementation Guidance accompanying the WNMP will include guidance on proportionate decision making while also applying the precautionary principle where appropriate (for example, where a lack of evidence is a factor).</p>

4.3 Consultation on the SA Report

Initial consultation

4.3.1 An Initial Draft SA Report on emerging WNMP policies was issued to the MPSRG and other bodies for comment between 16 February and 10 March 2017. Comments were received from (inter alia) Natural Resources Wales, the Marine Management Organisation, Wales Environment Link, Joint Nature Conservation Committee and the Department for Business, Energy and Industrial Strategy.

Public consultation on the SA Report

4.3.2 Public consultation on the SA Report, as part of the suite of documents to support the Draft WNMP, began on 7 December 2017 and closed on the 29 March 2018.

4.3.3 Comments received on the SA Report were wide ranging, covering all aspects of the appraisal including the methodology, findings of the appraisal, recommendations and monitoring proposals.

4.3.4 Regarding the methodology adopted for the SA, comments related to:

- the assumptions underpinning the SA and in particular the extent to which the general cross-cutting policies and project-level assessment will be effective in mitigating the adverse impacts identified in the appraisal;
- the scoping of cross-boundary effects and the need to consider cross-boundary socio-economic effects;
- the need for greater clarity with respect to how environmental limits to the plan area have been assessed;
- the combining of SEA topics, the perceived ‘balancing’ of socio-economic and environmental effects and the need for a separate SEA Environmental Report;

- the definitions of significance used to guide the SA;
- the need to consider how the Draft WNMP performs against the principle of SMNR;
- the need for greater stakeholder involvement in future assessments and the incorporation of ecosystem services assessment; and
- the need for an internal compatibility analysis of the Draft WNMP, highlighting synergies and potential areas of tension between the plan’s vision, objectives and policies.

4.3.5 Where appropriate the comments were taken into account for the SA of the Revised Draft WNMP.

4.3.6 Several respondents highlighted the need for the SA to consider a broader range of reasonable alternatives to the Draft WNMP, including for example; a high level national plan only, increased use of zoning and local/subnational plans underneath a national plan. These alternatives were considered further by the Welsh Government as part of the development of the Revised Draft WNMP, and, in the case of the high level plan alternative, was taken forward as the basis of the revised plan. Other suggested alternatives were not taken forward as they were not considered reasonable alternatives.

4.3.7 The majority of responses received relating to the findings of the SA concerned the effects identified in respect of the tidal lagoon element of Policy ELC_01. The comments received concerned (inter alia):

- the need to consider the effects of renewable energy development on the ports and shipping sector;
- the prominence of effects of tidal lagoons in the context of Ecologically Coherent Networks of marine protected sites;
- the need to more fully consider the cumulative impacts of multiple tidal lagoon projects; and

- the extent to which some of the effects identified in respect of tidal lagoons may be significant (for example, in terms of salinity and increased water temperature) and/or uncertain given that the technology and the measures required to mitigate impacts are not well understood.

4.3.8 Following consultation on the Draft WNMP and the responses received, the Welsh Government developed a number of potential tidal lagoon policy options in discussion with the TWG. These policy options were subject to SA, which was refined to take into account the consultation responses received. The Welsh Government considered the findings of the SA of the tidal lagoon policy options alongside the comments received from the TWG and consultation responses to the Draft WNMP. As a result of this process, the 'Evidence Focus' policy text was selected as the preferred policy approach for tidal range development.

4.3.9 Respondents generally agreed with the SA Report's recommendations, including ensuring marine planning decisions are consistent with

the SMNR principles and undertaking further research to resolve the uncertainties identified in the appraisal. Some respondents suggested that further detail could be provided in respect of how environmental effects could be mitigated through refinement of policies and SRAs and targets.

The Welsh Government will consider these points further, in conjunction with the emerging evidence that, as it becomes available, will inform the future development of SRAs, as appropriate.

4.3.10 A number of respondents felt that further work is required in respect of monitoring, taking into account the challenges of different reporting cycles, choice of monitoring indicators, practicalities and robustness of monitoring and roles and responsibilities. These have been reflected in the Welsh Government's approach to monitoring and reporting and where appropriate, have been taken into account in Section 6 of this Post Adoption Statement.



5. The reasons for choosing the WNMP as published, in the light of the other reasonable alternatives dealt with

5.1 Introduction

5.1.1 Article 5(1) of the SEA Directive requires the identification, description and evaluation of *“the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme”*.

5.1.2 In accordance with the requirements of the SEA Directive, and following the consideration of a range of possible alternatives identified through the application of the hierarchy of alternatives contained in Government’s SEA guidance²⁴, one alternative to the Draft WNMP was identified as ‘reasonable’ and taken forward for appraisal in the SA Report, namely a ‘High level strategic Draft WNMP’. For the purposes of the SA, it was assumed that the ‘High level strategic Draft WNMP’ would still provide sector-specific policy but would not identify SRAs. The appraisal of this reasonable alternative was presented in Section 4.10 of the SA Report which concluded:

“The appraisal of the high level strategic Draft WNMP alternative suggests that, overall, the range and type of effects on the SA criteria associated with its implementation would be very similar to those identified in respect of the Draft WNMP as proposed. This reflects the expectation that a high level strategic Draft WNMP would contain the same general cross-cutting policies. However, the appraisal has highlighted that the absence of sector-specific SRAs would, relative to the Draft WNMP as proposed, result in a higher level of uncertainty with regard to the magnitude of effects across the majority of the SA criteria. This alternative would also likely reduce the value and utility of the WNMP as it is more likely to describe (as opposed to manage) sustainable development.”

5.1.3 In response to consultation on the Draft WNMP, the SRAs were deleted from the plan and the alternative of a ‘High level strategic Draft WNMP’ was taken forward as the basis of the Revised Draft Plan and which has now been adopted as the Final WNMP. In particular, removal of the SRAs addressed a number of the issues raised during consultation including (inter alia):

- ambiguity on the definition and application of SRAs in decision making;
- perceived prioritisation of economic growth over biodiversity conservation;
- the need to incorporate consideration of environmental opportunities, sensitivities and constraints when identifying SRAs;
- a lack of evidence to support the identification of SRAs; and
- the need for stakeholder engagement in the identification of SRAs.

5.1.4 Although SRAs have been removed from the WNMP, it should be noted that there remains provision for the future identification of SRAs in a MPN. This is supported by Policy SAF_02 which states that *“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”*. The intent of SRAs will be to safeguard strategic resources with potential for sustainable use (although the plan indicates that, as marine planning matures and the evidence base develops, SRAs will be further refined and may evolve to offer greater clarity and certainty and, where there is good confidence, may over time identify areas for sustainable use). In consequence, the increased uncertainty associated with the high level strategic

²⁴ ODMP (2005) *A Practical Guide to the Strategic Environmental Assessment Directive*. Available from www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

Draft WNMP alternative that was identified in the SA Report is likely to reduce over time as SRAs are identified.

5.1.5 Section 1.3 of the UK MPS sets out the expectation that, together, the MPS and marine plans will *“provide for greater coherence in policy and a forward-looking, proactive and spatial planning approach to the management of the marine area, its resources, and the activities and interactions that take place within it.”* It is the Welsh Government’s view that the introduction of a new, statutory policy framework for the Welsh marine area should be done

in a measured way, recognising the significance of transitioning from the current system to a plan-led system. Stakeholders have cautioned the Welsh Government to not step too far too quickly but at the same time to introduce a plan which adds value. The Welsh Government considers that the WNMP, as adopted, represents an appropriate start to a process of shaping the future for Wales’ seas through marine planning by establishing specific economic, social and environmental objectives and policies, informed by evidence and consultation that will support sustainable development.



6. The measures decided concerning monitoring

6.1 Introduction

6.1.1 It is a requirement of the SEA Directive to establish how the significant effects of implementing the WNMP will be monitored. As set out in Government Guidance²⁵, “it is not necessary to monitor everything or monitor an effect indefinitely. Instead, monitoring needs to be focused on significant sustainability effects”. This section sets out the arrangements for monitoring measures.

6.2 WNMP monitoring and reporting

6.2.1 Monitoring the WNMP for sustainability effects can help to answer questions such as:

- Were the SA’s predictions of sustainability effects accurate?
- Is the WNMP contributing to the achievement of desired SA objectives?
- Are mitigation measures performing as well as expected?
- Are there any unforeseen adverse effects? Are these within acceptable limits, or is remedial action desirable?

6.2.2 This is particularly important given the uncertainties identified through the appraisal of the plan policies and the fact that the WNMP is the first marine plan for Wales. In this context, monitoring should therefore be focused on:

- significant sustainability effects that may give rise to irreversible adverse effects, with a view to identifying trends before significant adverse effects occur;
- significant effects where there was uncertainty in the SA and where monitoring may enable preventative or mitigation measures to be undertaken; and
- where there is the potential for effects to occur on sensitive receptors.

6.2.3 The SA found that the implementation of the WNMP is likely to have positive effects across all the SA criteria. This broadly reflects the likely socio-economic benefits that supporting economic activity in the marine area is likely to deliver and the strong framework provided by the plan policies that will help to conserve and enhance Wales’ marine environment and support the sustainable management of natural resources. However, the SA also noted despite the provisions of the general cross-cutting policies, cumulative significant negative effects have been identified in respect of:

- Landscape and seascape (SA Criteria 5), due to the support provided by Policy ELC_01 for offshore wind development, which has the potential for adverse impacts on seascape character, although a number of inherent uncertainties relating to the scale and location of development, the baseline environmental characteristics of development locations and the potential for project-level mitigation to be implemented, were also noted.
- Resources (SA Criteria 10) arising from the winning of marine aggregates (Policy AGG_01) and the continued extraction of hydrocarbon reserves (Policy O&G_01a). Policy SAF_01 was also assessed as having a significant negative effect on resources (SA Criteria 10) (albeit with a significant positive effect recorded against the same criteria). This reflects the fact that, whilst the policy safeguards resources within the plan area (with associated benefits for those sectors covered by the WNMP), this is likely to lead to the future use of non-renewable resources (with associated negative environmental effects).

6.2.4 Article 10(2) of the SEA Directive states that, where appropriate, existing monitoring arrangements may be used to assess the success of the appropriate plan in achieving its objectives;

25 ODPM (2005) *A Practical Guide to the Strategic Environmental Assessment Directive*. Available from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

it does not require that targets be developed for the SEA itself. In this context, Welsh Government has developed a monitoring and reporting framework in response to the requirements of the Section 61 of MCAA in order to assess the effects of policies in the WNMP and their effectiveness at securing the plan objectives. This will also be used to meet the SEA requirements.

6.2.5 In consequence, as part of an integrated monitoring framework for the WNMP, Welsh Government will cross reference the detailed assessment of the significant effects of each

policy in the SA with indicators identified through consideration of policy aims and outcomes. This will ensure that where relevant, each policy will have indicators for those SA criteria which have been assessed as being significantly impacted by that policy.

6.2.6 The Marine Plan Monitoring and Reporting Framework is to be published in due course.

6.2.7 Consistent with the requirements of the MCAA, Welsh Government will report at least every three years on the effects of policies in the WNMP.



SEA Compliance

Table A.1 details the SEA Regulations’ requirements of the Post Adoption Procedures and indicates where relevant information required can be found in this report. Note that whilst the SEA Regulations transpose the requirements of the SEA Directive, with respect to Article 9 and the Post Adoption Statement, the regulations are specific to the requirements of the UK, and so are used in preference to demonstrate compliance.

Table A.1: Compliance of this Report with the Requirements of the SEA Regulations

SEA Regulations Requirement	Location in the Post Adoption Statement (where appropriate)
Information as to adoption of plan or programme (SEA regulation 16)	
<p>(1) As soon as reasonably practicable after the adoption of a plan or programme for which an environmental assessment has been carried out under these Regulations, the responsible authority shall:</p> <p>(a) make a copy of the plan or programme and its accompanying environmental report available at its principal office for inspection by the public at all reasonable times and free of charge; and</p> <p>(b) take such steps as it considers appropriate to bring to the attention of the public</p> <p>(i) the title of the plan or programme;</p> <p>(ii) the date on which it was adopted;</p> <p>(iii) the address (which may include a website) at which a copy of it and of its accompanying environmental report, and of a statement containing the particulars specified in paragraph (4), may be viewed or from which a copy may be obtained;</p> <p>(iv) the times at which inspection may be made; and</p> <p>(v) that inspection may be made free of charge.</p>	<p>A copy of the WNMP and accompanying reports and documentation is available at:</p> <p>llyw.cymru/cynllunio-morol – Welsh</p> <p>gov.wales/marine-planning – English</p> <p>A paper copy of the WNMP, SA Report (which addresses the requirements of the Environmental Report) and this Post Adoption Statement are available for public viewing at:</p> <p>Welsh Government Sarn Mynach Llandudno Junction Conwy LL31 9RZ</p> <p>The office is open from 9am until 5pm Monday to Friday.</p>

SEA Regulations Requirement	Location in the Post Adoption Statement (where appropriate)
<p>(2) As soon as reasonably practicable after the adoption of a plan or programme:</p> <p>(a) the responsible authority shall inform:</p> <ul style="list-style-type: none"> (i) the consultation bodies; (ii) the persons who, in relation to the plan or programme, were public consultees for the purposes of regulation 13; and (iii) where the responsible authority is not the Secretary of State, the Secretary of State; <p>and</p> <p>(b) the Secretary of State shall inform the Member State with which consultations in relation to the matters referred to in paragraph 3.</p>	<p>A copy of the WNMP and accompanying reports and documentation is available at:</p> <p>llyw.cymru/cynllunio-morol – Welsh</p> <p>gov.wales/marine-planning – English</p> <p>A copy of the SA Report which addresses the requirements of the Environmental Report is available at:</p> <p>gov.wales/welsh-national-marine-plan-sustainability-appraisal</p> <p>Public notification of this was made on 12 November 2019.</p> <p>This Post Adoption Statement addresses (iii) and contains particulars specified in paragraph (4) as outlined below.</p>
<p>(3) The matters are:</p> <ul style="list-style-type: none"> (a) that the plan or programme has been adopted; (b) the date on which it was adopted; and (c) the address (which may include a website) at which a copy of: <ul style="list-style-type: none"> (i) the plan or programme, as adopted, (ii) its accompanying environmental report, and (iii) a statement containing the particulars specified in paragraph (4), <p>may be viewed, or from which a copy may be obtained.</p>	
<p>(4) The particulars referred to in paragraphs (1)(b)(iii) and (3)(c)(iii) are:</p> <ul style="list-style-type: none"> (a) how environmental considerations have been integrated into the plan or programme; (b) how the environmental report has been taken into account; (c) how opinions expressed in response to: <ul style="list-style-type: none"> (i) the invitation referred to in regulation 13(2)(d); (ii) action taken by the responsible authority in accordance with regulation 13(4), (d) how the results of any consultations entered into under regulation 14(4) have been taken into account; 	<p>Section 2</p> <p>Section 3</p> <p>Section 4 and the ‘Consultation on the draft WNMP: Summary of responses and government response’, available at:</p> <p>gov.wales/draft-welsh-national-marine-plan</p> <p>Not applicable – no transboundary consultation with other EU Member States took place</p>

SEA Regulations Requirement	Location in the Post Adoption Statement (where appropriate)
<p>(e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and</p> <p>(f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.</p>	<p>Section 5</p> <p>Section 6</p>
Monitoring of implementation of plans and programmes (SEA regulation 17)	
<p>(1) The responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action.</p> <p>(2) The responsible authority's monitoring arrangements may comprise or include arrangements established otherwise than for the express purpose of complying with paragraph (1).</p>	<p>Monitoring arrangements are set out in Section 6, linked to the Welsh Government responsibilities under Section 61 of the MCAA. A WNMP Monitoring and Report Framework will be published in due course.</p> <p>The monitoring arrangements are addressed through the Welsh Government's WNMP Monitoring and Reporting Framework that will be published in due course.</p>