



Llywodraeth Cymru  
Welsh Government



# Marine Planning Technical Statement Ports and Shipping – Sector Safeguarding

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## Introduction

The Welsh National Marine Plan ([WNMP](#)), provides a statutory policy framework to help guide decision making for the sustainable development of our seas. It sets out the Welsh Government’s vision and objectives for the Welsh marine plan area and policies to support their achievement. The Plan is supported by supplementary [Implementation Guidance](#) providing further detail on WNMP policies to help ensure their effective and consistent implementation.

The WNMP includes sector supporting and safeguarding policies for certain sectors which use Welsh seas. Supporting policies support the sustainable development of a sector. Safeguarding policies protect sector interests from inappropriate impacts from other activities.

## Purpose of this Marine Planning Technical Statement

This Marine Planning Technical Statement is intended to support the effective and consistent implementation of WNMP safeguarding policy for the Ports and Shipping sector and to clearly highlight areas of importance to the sector. It should be read alongside the WNMP and the WNMP Implementation Guidance. Where there may be uncertainty over the requirements or implementation of the WNMP or any of its policies, decision makers should refer to the WNMP for the definitive policy wording and intent.

This Technical Statement should be used by parties involved in decision making with the potential to affect the marine plan area, for example:

- Project applicants;
- Public authority decision makers including marine and terrestrial planning authorities and regulators; and
- Other users of the marine plan area.

This Technical Statement also provides context for all marine plan area users to understand areas of importance to the Ports and Shipping sector, which are safeguarded through WNMP policy. It sits alongside other non-statutory and plan-related policy, guidance and evidence, supporting marine planning for Wales, and may be updated periodically.

## Ports and Shipping

The WNMP identifies the Ports and Shipping sector as an area of priority for future development for Wales and a strategic priority for marine planning.

The Ports and Shipping sector covers the construction, operation and maintenance of ports, harbours and terminals and marinas to support the commercial and ancillary activities associated

with shipping cargo and transporting passengers by sea, and work associated with offshore energy industries.

The activities of the Ports and Shipping sector support a wide range of other sectors and depend upon and support a diverse range of associated activities and services including shipbuilding and repair, storage and warehousing.

Many ports have also become the location for industrial clusters of private companies and the WNMP anticipates that ports will play an increasingly significant role in supporting the development of the marine renewables sector. Ports, harbours and marinas also support tourism and recreation by providing vibrant waterfront destinations as well as landing points for passenger ferries, cruise ships and other marine tourism operators and offering facilities for recreational users.

There are a variety of major and smaller ports across Wales. Milford Haven is the largest port in Wales and the largest liquid bulk port in the UK. Holyhead, Fishguard and Pembroke Dock provide key roll-on roll-off ferry links with Ireland, while Newport, Cardiff, Port Talbot and Swansea specialise in bulk shipments.

## Safeguarding Policy SAF\_01

Safeguarding for the Ports and Shipping sector is provided through WNMP Policy SAF\_01, which relates to existing activity. Proportionate and rational application of the policy will help the sector thrive alongside other activities and uses for the benefit of current and future generations.

Policy SAF\_01 recognises the importance of providing security for ongoing operations and investments. It is designed to ensure that existing activities are clearly and systematically taken into account in marine decision making, including with respect to any new proposals with potential to adversely impact upon them.

Policy SAF\_01 recognises that, in rare cases, significant adverse impact(s) upon established use may be unavoidable. Such cases are likely to be infrequent in practice given the nature and importance of ports and established shipping lanes.

Smaller but nevertheless significant Welsh ports include Mostyn, which supports offshore wind construction and servicing and the export of aircraft wings, and Barry, which supports local chemical industries.

Shipping activity in the WNMP plan area comprises established navigation routes for commercial cargo and passenger vessels, widespread navigation of smaller vessels and associated aids to navigation, such as lighthouses, buoys and telecommunications equipment. These, along with areas such as anchorages and pilot boarding places, play an essential role in the movement and safety of maritime traffic. There are also International Maritime Organization (IMO) adopted Traffic Separation Schemes (TSS) in the areas off Pembrokeshire (TSS off Smalls), North Anglesey (TSS off Skerries) and in Liverpool Bay (Liverpool Bay TSS). Busier traffic areas occur around areas of access to ports and around headlands (e.g. Anglesey and Pembrokeshire).

In such instances, the policy establishes a hierarchy requiring proposals considered likely to have significant adverse impact(s) upon an established activity to demonstrate how they will address any compatibility issues. If this is not possible, developers will be required to submit a clear and convincing case, when seeking authorisation for their proposed project, to justify proceeding with their proposals.

Determining 'significance' is an important aspect of the safeguarding policy for ports and shipping. Ports and shipping is a long-standing, strategically important sector, with shipping heavily reliant upon established shipping routes, including designated routes under UK transposition of any international routing measures. Therefore, any proposals that have the potential to influence, to a reasonable degree, current shipping patterns or the safety of operations, may be considered by the decision maker to have a significant impact.

Submission of a case for proceeding does not mean that a proposal will be supported. It is at the discretion of the decision maker, when making a decision, to weigh up any case for proceeding (and the contribution of the proposal to other targets such as economic or social benefits) against the potential adverse impacts of the

proposal and other relevant policies and legislation. Given the significant contribution that shipping and Welsh ports make to the economy, in addition to safety and legal considerations, such cases for proceeding will be unusual and will need to be carefully considered.

### SAF\_01: Safeguarding existing activity

**a.** Proposals likely to have significant adverse impacts upon an established activity covered by a formal application or authorisation must demonstrate how they will address compatibility issues with that activity.

Proposals unable to demonstrate adequate compatibility must present a clear and convincing case for the proposal to progress under exceptional circumstances.

**b.** Proposals likely to have significant adverse impacts upon an established activity not subject to a formal authorisation must demonstrate how they will address compatibility issues with that activity.

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

Under SAF\_01 a and b, compatibility should be demonstrated through, in order of preference:

- Avoiding significant adverse impacts on those activities, and/or
- Minimising significant adverse impacts where these cannot be avoided; and/or
- Mitigating significant adverse impacts where they cannot be minimised.

### Ports and Shipping sector safeguarding

WNMP safeguarding policy for the Ports and Shipping sector is designed to ensure that developments or other activities which may restrict ports and shipping in terms of continuing current operations and responding to future development opportunities are considered and addressed in decision making. It aims to avoid and minimise negative impacts on shipping activity, ensure freedom of navigation and navigational safety which are provided under international law, and protect the efficiency and resilience of continuing port operations, including their economic interests.

This policy also recognises the potential for the coexistence of compatible activities with ports and shipping.

## Ports, harbours and marinas: Policy SAF\_01a

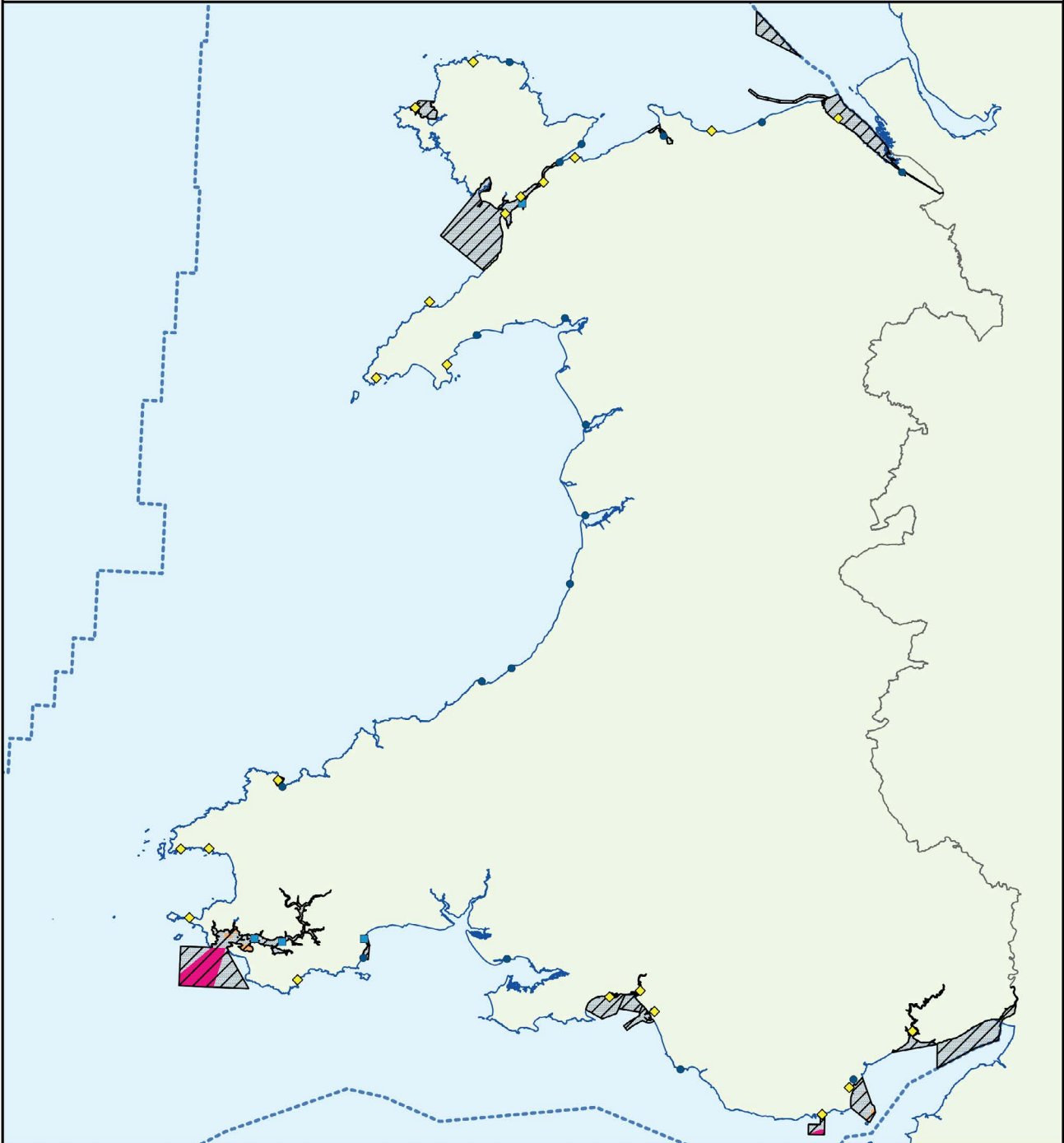
**Policy SAF\_01a** applies to all proposals from all sectors (including new Ports and Shipping sector proposals) with the potential to impact upon **existing ports, harbours and marinas, including navigation routes within port, harbour and marina boundaries.**






Proposals for marine activities and development should consider their potential impacts on vessel, port, harbour and marina infrastructure and operations. This includes the extent to which the proposed activity may interfere with existing or planned shipping routes; development of or access to ports and harbours and navigational safety; whether interference may occur; whether alternatives can be identified or where there are no reasonable alternatives; and the effectiveness of any minimisation or mitigation measures. Any works that could impact on, or be considered a danger to, navigation should be advised to Trinity House (and the Maritime and Coastguard Agency if outside of Statutory Harbour Area (SHA) limits) in order to determine if any marking or other risk mitigation measure is required.

The following map shows the SAF\_01a area for ports, harbours and marinas applying at the date of the publication of this Technical Statement. Developers and decision makers should refer to current maps on the [Wales Marine Planning Portal](#).

# Ports, Harbours and Marinas

Focus area for policy SAF\_01a



-  Ports SAF\_01a Focus Area
-  Anchorage (within SHA)
-  Pilot Boarding Area (within SHA)
-  Harbour Area
-  WNMP Area

- Port
-  Municipal
  -  Private
  -  Trust



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 Marine & Fisheries, Welsh Government. April 2023.

The SAF\_01a area is based on the boundaries for SHA jurisdictions in Wales. Welsh Government has mapped these boundaries based on the OceanWise Marine Themes Vector dataset and information provided by the SHAs themselves in the form of statute, definitive maps and charts, or GIS datasets.

Anchorage and pilot boarding areas were derived from OceanWise data. Additional anchorages and pilotage areas were also identified by the Welsh Government based on local knowledge and discussion with industry. Only anchorage and pilot boarding areas within SHA boundaries are included in the SAF\_01a area, shipping activity outside of SHA boundaries, including anchorage and pilot boarding areas, is safeguarded through Policy SAF\_01b.

The SAF\_01a policy also applies to ports, harbours and marinas outside of SHA boundaries. The location and ownership of ports in Wales is therefore shown on the map. This information is derived from [ports.org.uk](https://ports.org.uk). As the boundaries of ports outside SHAs are not known, these are not reflected on the map of the SAF\_01a area, and proposals will need to liaise directly with individual ports regarding precise boundaries.

### Shipping: Policy SAF\_01b

**Policy SAF\_01b** applies to all proposals from all sectors (including new Ports and Shipping sector proposals) with the potential to impact upon **established commercial navigation routes, pilot boarding areas and commercial anchorages outside of existing port, harbour and marina boundaries**.

Under this policy, public authorities should only issue consent if they are satisfied that a proposal will not result in a significant adverse impact on navigational safety or have an unacceptable impact

on shipping activities and freedom of navigation, and that it is in compliance with national and international maritime law. Given the important contribution that shipping makes to the economy, and safety and legal considerations, such cases will be unusual and will need to be carefully considered. Displacement of shipping should be avoided where possible.

When a proposal has the potential to impact on navigational safety, the proposer should submit a Navigation Risk Assessment clearly demonstrating that potential safety impacts have been considered and measures included to avoid, minimise or mitigate these.

Proposals should not be authorised where use of IMO routeing measures might be impacted. Other potential risks to navigation and navigational safety include interference with the functioning of maintained channels or areas of intensive shipping activity (including maintaining sufficient under-keel clearance) and the operation of aids to navigation. Proposals should allow sufficient safe sea space for vessels to manoeuvre as necessary to avoid collision with another vessel or infrastructure on, above or below the surface in the event of a steering incident. Where surface or water column infrastructure is proposed less than 2nm from a TSS or major shipping lane (see the SAF\_01b focus area map), there is significant probability of unacceptable navigation risk. Where infrastructure is seabed mounted, there must be sufficient water depths (i.e. under-keel clearance) to allow vessels to safely transit over the infrastructure.

Proposals should also consider their impacts on approach channels and commercial anchorages which are integral to logistical port operations and safe refuge of ships, as well as areas used by shipping more generally. Proposals should demonstrate that they have consulted the

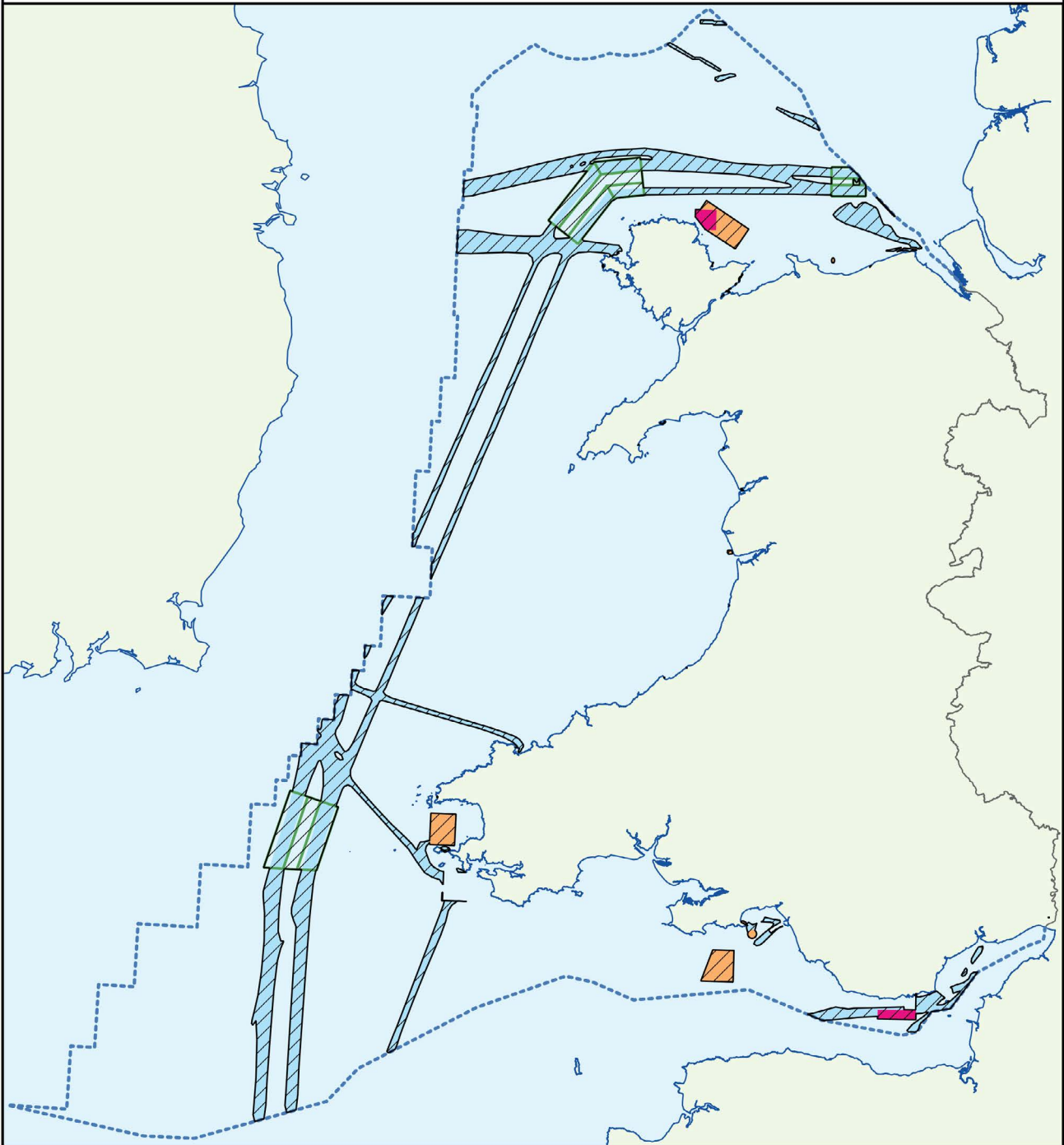


relevant statutory harbour authority and other navigation authorities (including Trinity House), port operators, public authorities (including the Maritime and Coastguard Agency), and commercial shipping representation (including the UK Chamber of Shipping).

The following map shows the focus area (i.e. the areas which are most significant for sector activity) for policy SAF\_01b for shipping activity, which applies at the date of the publication of this Technical Statement. Developers and decision makers should refer to current maps on the [Wales Marine Planning Portal](#).

# Shipping

Focus area for policy SAF\_01b



-  Focus area for policy SAF\_01b for shipping
-  Anchorage
-  Pilot Boarding Areas
-  Dredge & Disposal Areas
-  Main Shipping Routes
-  Traffic Separation Scheme
-  WNMP Area

0 25 50 km

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 Marine & Fisheries, Welsh Government. March 2023.

The focus area for policy SAF\_01b for shipping (i.e. the areas which are most significant for sector activity) was derived from data on shipping movement densities and areas related to shipping activity, outside of SHAs. Shipping densities were extracted from Automatic Identification System (AIS) data. AIS transit line data is from the first fourteen days of each month in 2019. This reflects any seasonal variations. AIS is mandatory for all ships of 300 gross tonnage and upwards engaged on international voyages, for all cargo ships of 500 gross tonnage and upwards not engaged on international voyages and for all passenger ships irrespective of size. The focus area was identified based on a minimum of 600 vessel transits per 1km<sup>2</sup> hexagonal cell per annum. The Milford Haven to Falmouth route, which fell below the 600 vessel threshold, was also identified for inclusion in the focus area. However, it is to be noted that policy SAF\_01b is to be applied, proportionately, to all shipping activity.

To map the focus area for Policy SAF\_01b, data was used from the following vessel types: cargo vessels, tankers, high speed craft, passenger vessels, port and non-port service craft, and dredging and underwater operations vessels. Small, isolated patches of apparent shipping activity (with an area below 1km<sup>2</sup>) were removed from the focus area. As SHA jurisdictions are safeguarded through SAF\_01a, shipping activity occurring within SHA boundaries was therefore also removed from the focus area. Boundaries of the focus area were simplified to help ensure that the main shipping areas were represented while allowing a clear area to be defined.

While the focus area for policy SAF\_01b for shipping does not include any buffers around TSSs or major shipping lanes, where surface or water column infrastructure is proposed less than 2nm from a TSS or major shipping lane (see the SAF\_01b focus area map), there is significant probability of unacceptable navigation risk. Where infrastructure is seabed mounted, there must be sufficient water depths (i.e. under-keel clearance) to allow vessels to safely transit over the infrastructure.

Data on shipping-related areas was derived from United Kingdom Hydrographic Office, OceanWise and Natural Resources Wales datasets, and includes anchorages; pilot boarding areas; navigation dredging and disposal areas; and traffic separation zones and lanes. Additional anchorages and pilotage areas were also identified by the Welsh Government based on local knowledge and discussion with industry. As SHA jurisdictions are safeguarded through SAF\_01a, shipping-related areas within SHA boundaries are not included in the focus area for SAF\_01b for shipping.