10\textsuperscript{th} January 2012

Dear Sir

Re. East Inshore and East Offshore marine plan areas
Evidence & Emerging Issues Draft Overview Report

1. The British Marine Aggregate Producers Association (BMAPA) is the representative trade organisation for the British marine aggregate sector and a constituent body of the wider Mineral Products Association. The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, ready-mixed concrete, lime, mortar and silica sand industries. With a growing membership of 272 companies, it is the largest UK trade association in the sector and represents the majority of independent companies, as well as the 9 major international and global companies. The MPA represents 100\% of GB cement production, 90\% of aggregates production and 95\% of asphalt and ready-mixed concrete production. Each year the industry supplies £5 billion of materials to the £110 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy. BMAPA represents 11 member companies of the MPA who collectively produce around 90\% of the 20 million tonnes of marine sand and gravel dredged from licensed areas in the waters around England and Wales each year.

Background

2. Marine dredged sand and gravel is principally used by the construction industry, and the marine contribution provides 20\% of overall sand and gravel demand in England, 90\% of fine aggregate demand in South Wales, 35\% of total construction aggregate demand in South East England and over 50\% of construction aggregate demand in London. In this respect, marine aggregate supplies play a key role in supporting the delivery of various Government policies, including Sustainable Communities, the regeneration of Thames Gateway and the 2012 Olympic Games.

3. Marine dredged sand and gravel also provide a strategic role in supplying large scale coast defence and beach replenishment projects – over 25 million tonnes being used for this purpose since the mid 1990\’s. With the growing threats posed by sea level rise and increased storminess, the use of marine sand and gravel for coast protection purposes will become increasingly important.
4. In the near future, marine sand and gravel resources can be expected to play a key role in supporting the successful delivery of major infrastructure projects associated with Government policies related to energy security and climate change, such as nuclear new builds, tidal power developments, port developments and offshore wind farms. The coastal location of many of these developments means that the sector is ideally placed to supply the large volumes of construction aggregate and fill material that will be required.

5. In all cases, the marine aggregate sector is dependant upon identifying and licensing economically viable sand and gravel deposits to secure sufficient reserves to maintain long term supply to existing and well established markets. The location of such deposits is extremely localised around the waters of England and Wales, restricted to their geological distribution and their geographical position related to the markets location.

6. At present 1291km$^2$ of seabed is licensed for marine aggregate extraction (as of the end of 2010), of which around 105km$^2$ is dredged in a typical year. This represents around 0.15% and 0.014% of the total UK continental shelf area (867,000km$^2$) respectively. A further 1931 km$^2$ of seabed is currently under application or covered by prospecting licence. In this respect, the marine aggregate sector is responsible for managing a significant area of the UK seabed.

**Overview**

7. As a sector, we very much welcome the opportunity to contribute and participate in the marine planning process for the East Inshore and East Offshore areas. These two regions contain significant marine aggregate interests, with the production licence areas in the Thames, East coast and Humber regions covering an area of 789km$^2$ and providing over 50% of the total UK marine aggregate production in 2010 (8.74 million tonnes out of a total of 16.1 million tonnes). The region also contains a number of option and application areas totalling 1190km$^2$, and significant areas of marine aggregate resource which have future potential value.

8. A robust, efficient and proportionate planning regime which provides a framework to enable delivery of a ‘licence to operate’ for all activities and operations is essential to support the wider sustainable development and management of UK waters. Given the wide range of activities and operations that take place in the marine environment, it is also important that the information requirements, regulatory processes and expectations are as consistent as possible – allowing for the differing scales of activity, the environment in which they occur, their environmental significance and the nature of the associated impacts.

9. The draft Evidence and Emerging Issues Overview Report represents a comprehensive summary of the evidence and information available to help inform and shape the marine planning process in the East Inshore and Offshore regions. However, there are some key points of accuracy or omissions that could usefully be corrected. BMAPA has engaged in extensive bi-lateral discussions with MMO staff on a range of issues relating to the marine aggregate sector – both generally and across the region. As these discussions occurred after the main drafting of this report we would suggest that some of the sections could usefully be updated and amended. A version of the final amended notes arising from this meeting is attached as Annex I to this response.

**Key comments**

10. While the report details uses and activities across the marine plan region on a sector by sector basis, for those activities that are constrained in their ability to be located (such as aggregates) it is important to understand the wider resource
potential across the region, not only in terms of their wider spatial distribution but also in terms of the existing constraints that may already exist. The recent mapping work undertaken by the British Geological Survey to define marine mineral resources across the East Inshore/Offshore plan area will form an excellent reference source to help inform this process. This identifies those areas of prospective sand and gravel resource based on the best available existing evidence alongside wider evidence including, where available, aggregates industry data. It is important to stress that some substantial resources are likely to be highly localised and may therefore not be specifically identified on the regional maps – hence the importance of the high resource potential areas defined. In addition to the input from BGS, we believe that the marine planning team would benefit from a greater level of understanding of the natural occurrence of commercially viable marine sand and gravel deposits, and the practicalities and constraints of prospecting for and investigating these features. Given the relevance of this issue across all of the marine plan regions, we would be happy to provide further information and explanation to MMO planning staff through a workshop-type event.

11. Marine aggregate extraction can only occur where commercially viable geological deposits are located – which by their nature tend to be relatively discrete and localised features. Over the next 20 years, many of the existing production licence areas are likely to become exhausted, and as a consequence replacement production licence areas will need to be secured to maintain existing levels of marine aggregate supply to the well established markets they support. Over the same period, there is also the potential for new demands for large volumes of marine aggregate to emerge, in support of energy policy (renewables and nuclear), transport (port and airport developments) and climate change adaptation (large scale beach nourishment works). It is therefore important that suitable safeguarding policies are developed and implemented through the marine planning process to ensure that marine sand and gravel resources can be protected in the long term. We would endorse the recent research undertaken by the British Geological Survey on this subject, which draws on their long standing experience of safeguard policies for terrestrial mineral resources.

12. The 20 year plan period means that defining accurate and credible future need for all activities over the plan area becomes vitally important – particularly if the planning process is to enable sustainable marine development, rather than act as a constraint. For the marine aggregate sector, this is especially important, as the plan period will actually incorporate a 40 year resource planning horizon, on account of any new licences permitted in the second half of the plan period potentially having a working life of 30 years plus. In a limited number of cases there are some clear policies to provide guiding metrics, but in many cases there is very little. For aggregates, while there are some assumptions for the marine contribution to English construction aggregate requirements (Annex A of the National and regional guidelines for aggregates provision in England 2005-2020 (DCLG, 2009), which identifies the proportion of the national guidelines expected to be derived from marine sand and gravel), there is no indication how this national demand relates to supply from the plan region. There is also very little policy covering the other essential strands of the marine aggregate business, namely exports, beach nourishment or contract fill. The assumptions that the MMO develop to define future needs will therefore be very important – particularly given the likely changes in market needs and resource requirements over the plan period.

13. The Cranfield futures scenarios that have been developed do not accurately reflect the future needs of the marine aggregate sector – focussing on dredged area rather than the wider area required for exclusive use (incorporating production licences, application areas and option areas now and into the future). While dredged area is relevant for regulatory management and control, we do not consider it to be a relevant metric for planning purposes over a 20 year horizon. For activities that may be constrained by the location of particular resources, while it
may be possible to make some estimates as to what footprint is likely to be required over the plan period – where that footprint actually needs to be located within the wider plan area to service market demands etc is much harder to predict. Therefore the assumptions used to derive future needs have to be robust, but they also have to incorporate some flexibility to account for changes in market needs and resource requirements across all four strands of the sectors business over the plan period (UK construction aggregates, export construction aggregates, UK beach nourishment and UK contract fill). In conjunction with The Crown Estate, we would be pleased to assist MMO develop a more realistic series of metrics to define the likely future need for marine aggregate interests in the East Inshore/Offshore area.

14. It is important that the plan process understands and acknowledges not only the potential for conflicts but also the potential interdependencies between the various sectors and uses and the policies that underpin them – both within and outside of the plan area. For the former, while the Evidence and Emerging Issues report contains some limited reference to local mineral policies in the plan area, there is virtually no link between port and infrastructure developments and the need for construction/fill material to support this. The same applies to renewable developments (concrete aggregates and fill for gravity base foundations) and also to the support for Shoreline Management Plans (beach nourishment material). Outside of the marine plan area, the links with sub-national policy outside of the immediate plan area is a major omission – the current process does not appear to recognize that the social, environmental and economic benefits of activities taking place in the plan area may actually only be realized outside of it. The strategic importance of marine aggregate supplies into London and the Thames is a good example of these linkages outside of the immediate, and arbitrary, confines of the marine plan area, which are currently not accounted for at all in the report. By reflecting these issues more fully, the marine planning process should be able to maximise the added value that results from these interdependencies.

15. Given the default position for multiple use in the marine environment, there needs to be a clear understanding of the degree to which activities and uses may be compatible with one another – even to co-locate. This applies not only to primary use or activity, such as an offshore wind farm or offshore platform, but also the secondary infrastructure that supports them i.e. the cables and pipelines, which have the potential to interact with other interests a considerable distance from where the main development takes place. The needs for individual sectors – for example, the need for buffer zones between marine aggregate interests and offshore renewable developments to allow safe operations – have to be defined up front so there are consistent and transparent guiding principles as to how the marine planning authority would manage interactions between sectors.

16. Further detailed comments on specific sections of the draft report, where issues highlighted in either the points above or in the notes of the bilateral meeting, are set out in Annex II attached to this response.

17. We trust that you find these comments of use, and look forward to continuing to contribute and work with the MMO as the marine planning process develops.

Yours faithfully

Mark Russell
Director, Marine Aggregates
Annex I

Bilateral Meeting Between BMAPA and MMO on the Aggregates Chapter of the Emerging Evidence & Issues Report - 3rd November 2011
Attendees: Mark Russell (BMAPA), David Cowell (MMO) & Martyn Youell (MMO)

National Policy
Issue with sector is that there are 4 different markets and only one has a policy context (putting Marine Policy Statement aside). This is the national construction market through the MPS-1 (Minerals Policy Statement-1) plus annexes only relates to home construction demand and guidance from CLG on volumes required and marine contribution was based on an assumption of supply. In terms of hard figures 1993 – 2012 only figures e.g. 16 million tonnes per annum from marine. NPPF (which replaces the Minerals Policy Framework-1) has no ref to marine contribution so a lot of uncertainty over the current policy context.

Other 3 components – export for construction aggregates, beach recharge and major construction infrastructure fill e.g. nuclear, ports – no policy that is directly relevant to any of these e.g. national policy statement even though marine aggregates will directly support their delivery. This is a worry as it gives uncertainty in MMO work in terms of planning. There is no concrete policy on which to hang judgements of future need/priority. This is the biggest challenge for the MMO in planning for marine aggregates. BMAPA suspect that a metric is needed to judge whether adequate allocations in planning terms is made. Therefore, an effort will be made to define the licence footprint for what would be required under good economic conditions over the plan period. This is not as easy as with renewable energy where measurable in terms of Megawatts and number of turbines. As the policy area is lacking and doesn’t give signals BMAPA and The Crown Estate could come up with a working assumption with supporting evidence, to guide the MMO in terms of the spatial area that we need to plan for – regionally and nationally. This could be based on historical records as good data exists through the BMAPA/Crown ‘Area Involved’ reporting initiative. Tonnage extracted is largely unrelated to extent of licensed area required as operators are able to work the same area more intensively.

It is difficult to make a cohesive position given the lack of policy clarity and range of markets supplied and MPS (Marine Policy Statement) is the only place it is pulled together across all the market uses.

NPPF is only likely to flag the need for marine resource to be factored in somewhere, from the point of view of the importance of terrestrial planning authorities providing sufficient wharf capacity to enable access to market. It will not provide a view or position on future needs, and it is also only concerned with national construction aggregate requirements, not any of the other three strands of the business. The Crown Estate should be able to give confidence on where the business is going as a whole.

NPPF should have joined up marine and terrestrial minerals planning regimes but didn’t – it separated the two.

It would be difficult for the marine planning process to influence the integration of terrestrial and marine as terrestrial is often supplying a localised supply. Marine is a much less locally constrained system and the marine sector has to be much more flexible in the markets it supplies and supports – both in terms of the nature of the markets (not just home construction use, but also beach recharge, exports and fill) and the distances over which marine aggregates are transported. Another key difference is that marine licences are delivered purely on an environmental acceptability level. This is very different to land. The Marine Planning system will
have to try to form a link with both Local Authorities in and outside of the current plan areas. It is good that we can plan the East coast areas first as this allows us to focus on the big national issues given so much of regional production is landed outside of the marine plan area (supply into the Thames, the North East (Tyne/Tees) and exports to the near Continent).

No national policy is missing from the chapter text.

Regulatory policy – Marine Minerals Guidance 1 (ODPM, July 2002 – see http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/documents/planningandbuilding/pdf/156357) environmental protection principles, and particularly on minimising the area of seabed dredged and minimising the area of seabed licensed. The objective was to (linked to Minerals Policy Statement 1) defining governance policy in terms of environmental sustainability. It was introduced in 2002 and clarified the policy expectations. In parallel industry and The Crown Estate had introduced a process of rolling reviews of licence and dredged area from 1999, and the extent of the national area licensed and dredged reduced over time. It is not very clear how this policy currently fits with MMO licensing guidance. Maybe it does in a grey sense. The spatial expression of the policy was driven by a need to limit the spatial footprint in terms of limiting the interactions with other marine users, particularly fishing interests, and more generally the footprint of environmental impacts. Marine Minerals Guidance 2 (Defra, 2007) explains how the Marine Mineral Dredging Regulations 2007 functioned – as these have now been replaced, this is likely to now be irrelevant. The industry tends to concentrate more intensively on a smaller area of a licensed block initially and then move on rather than roaming the site – this has now been accepted as standard practice in the industry. This makes efficient use of resources and limits conflicts.

Ships are now managed by knowledge of the geological resource more tightly than in the 1990’s both for efficiency benefits and the eternal need to comply with licence conditions.

**Sub-national Policy**

There is very little reference to marine minerals policy in Local Authority Local Development Frameworks (LDFs) or County Minerals and Waste Plans. That is because within the bounds of the plan area, there is little market for the marine minerals produced as >90% of aggregates dredged from East coast areas are landed in the coastal urban areas in the NE and SE ie. outside of the plan area. So LDFs/Mineral Plans in these wider areas will certainly include references to marine aggregates. The East coast area does not have much construction aggregate landed as the market demand is met by terrestrial supplies. For existing markets, Mark doesn’t see this situation changing greatly as the terrestrial resource is not as constrained as in London and the South East, and the market demand is relatively small. The exception in the plan area is Hull, where marine aggregates are landed for construction aggregates.

In the Socio-economic study the Lincolnshire Local Authority saw marine aggregates as one of biggest threats (to coastal erosion?) – however, the commentary failed to acknowledge/recognise that 19 million tonnes of marine aggregate has been used for beach recharge in that region – to protect coastal infrastructure. It is difficult for a LA to see the bigger picture, and the SMP process also fails to acknowledge the future need and importance of marine aggregate resources to support ongoing coastal management strategies. Several LAs may be planning to source marine minerals to be less reliant on politically unpopular terrestrial aggregate extraction. Principal sub-national plans that will apply fall outside the first plan areas.
There is also the wider need for marine aggregates over and above as the use for construction aggregates. New port developments in Humber will need significant volumes of marine minerals to infill or reclaim land area. Also, gravity based foundations for R.3 turbines could generate significant volumes of marine resource for concrete and for ballast. In both cases, the resources will need to be sourced from local sources within the marine plan area.

County minerals and waste plans make assumptions on the contribution that marine will make and therefore the percentage that terrestrial extraction has to make up. They take no account of the wider market needs. No policies missed at sub-national level.

Data and evidence
These figures will only ever be indicative due to the uncertainties. Using 2010 as baseline based on Humber and East coast licensed area – a 20 year projection of dredged area to 2030 gives a required total dredged area of 224 km2. But BMAPA could not tell us where those activities would take place. So the licensed footprint is the most important metric to consider. Any licensed area would have to be renewed over that period as 15 years is the maximum licence issued so it is likely that new areas will be licensed, with some renewed and some going out of use.

The Crown Estate have an important role as the individual corporate aspirations of producers are likely to be very different and this makes it hard for BMAPA to predict as they don’t have access to the corporate aspirations but The Crown do have this overview as the mineral owner. The input of The Crown is therefore very important and a positive feature versus land as all have different mineral owners.

The dredged area should be seen as a licensing issue and is not so helpful in terms of planning.

Maps
The resource information behind it is accurate and current use and prospecting areas are accurate but a word of caution that things will change e.g. Crown to have another round to tender in 2012.

Information that British Geological Survey work has provided gives a better degree of refinement in terms of resource potential and extent than would have been possible with original data set.

Prefers ‘areas of high potential’ rather than ‘prospective areas’ as the second implies something will happen. The geological terms doesn’t translate well to common language.

Striping out hard constraints (infrastructure) is helpful.

Be careful with MCZs and SACs – these should not be viewed as hard constraints but softer ones. Practical examples include production areas currently operating within existing SAC designations (e.g. Race Bank and Inner Dowsing, North Norfolk and Severn Estuary) , which includes one in Welsh waters where sandbank feature is being exploited and not deemed as having a significant effect on the integrity of the site. All of these licence activities (and indeed activities adjacent to site boundaries) have been subject to either an Appropriate Assessment or a Habitats Regulation Assessment to allow extraction operations to continue on the basis that they are not considered to be having a significant impact on the features for which the site has been designated.

BMAPA have reservations with the sensitivity maps – only focusing on green areas and selecting them out. Sensitivity analysis is crude and based on effect of pressure
at a point and not of the significance of that pressure to the broader habitat which
may be exposed. E.g. small scale operations could be covering a sensitive area but
in very small scale on a national level and therefore not significant on terms of
potential damage. Mark doesn’t think that the data on sensitivity is robust enough
to constrain. If we were to constrain we should focus on MCZs/MPA’s as softer
restrictions – accepting the earlier points made above.

It could be helpful to flag sensitivity and therefore relative difficulty to gain
permission but not impossible – however it shouldn’t necessarily exclude. There is a
danger that we over prescribe based on vulnerability of pressures, rather than
deferring to the evidence-led impact assessment process for individual license
decisions. EIA process may discover something that we didn’t know/higher
resolution so that red areas could be acceptable and green may throw up a feature
that is sensitive and therefore a no to development– it could be poor for a
developer if they see a green area and then get held up at public enquiry on licence
permission for example.

Mark sees the Marine Protected Area network as a positive as the developer better
understands the risks (environmental) that exist for a project. This is a big step
forward from 4 years ago. Mark can see the planning process as adding value in
terms of broadening this out into the sector use picture – not just environmental.

An example from Welsh waters – colour coded based on sensitivity to aggregate
extraction – red to green. Mark saw this as over simplistic e.g. red area abutting
green too simplistic. The colour lead thinking down a route of prejudging
acceptability and clouds the fact the situation is more complex on the ground.

Cranfield economic projections don’t relate directly to the area dredged and
markets supplied are not directly tied to national economic growth. E.g. in some
regions, marine aggregates in 2011 are likely to go up 50% against 2010. BMAPA
and The Crown Estate could come up with a more robust projection as described
previously based on past performance and future projection.

Projections might work for some of the business e.g. construction activity (but even
here flexibility is needed – e.g. sand from North Sea licences being supplied into
Thames markets to mix with crushed rock a new use within last 10 years). Other
business aspects have high peaks and troughs and are demand led. These are not
directly linked to dredge area but volume.

Within a licensed area – BMAPA can make predictions on a footprint area but not to
pin down where that will be within the area as this depends on the resource
characteristics across the site that drives where producers go.

**Key action** – David to think about offer to produce projections and let Mark know –
he will work with Ian Selby on this. Or what metrics do we need to form future
projections.

There are concerns over land banks policy on land that are effectively caps
transferring to the marine world. The capital required for a marine dredging
company to invest in a new build aggregate dredger and to see a return on that
investment requires an operating period of 25 years – a very large investment is
required versus land. Also, unlike on land, the marine sector is supporting four very
distinct markets (home construction aggregates, export construction aggregates,
beach recharge and contract fill), each of which has its own drivers and needs.
National and LA policy relating to home construction aggregate supply can only bite
at the wharves – planning permissions/maintaining – they have limited influence
but important that they know their role in terms of marine aggregate dredging.
Nice example of where LA and Marine policy must support each other for either to
achieve an outcome.
Sizewell nuclear power station used 1.6 million tonnes of marine aggregate – good example of need to have sufficient resource available to allow companies to compete – competitive pricing and a healthy industry.

60% of production has to be renewed by 2013/14 (based on 15 year renewals) and compliance with Marine Works Regulations by Oct 2012. Therefore there are issues on the continuation of the function. Marine aggregates are not limited by resource offshore – the challenge is to secure and maintain the consents from an environmental constraint point of view.

There is a question around how to relate where mapping raises high sensitivity ‘red areas’ and they overlap with already licensed areas. An external party could criticise a previous decision to licence an area based on the impacts assessed at the project level.

**Action** – think about covering ourselves that maps give ideas and that there are certain constraints based on the mapping and the approach used – MMO may need to re-visit this going forward. This may not be what the final version looks like.

**Issues**
East plan area is most important nationally

Need to replace a lot of the fleet and confidence needs to be high to encourage this. Environmental issues to address but procedures to do this

**Co-location/Issues**
Fisheries – aggregates companies engage actively with the fisheries sector – they have built up trust and understanding in recent years through enhanced levels of communication and engagement. The liaison process came about in the early 90’s and the marine aggregate sector now provides twice yearly maps and contacts for the aggregates areas being worked. The potential for issues/conflicts remains, it is simply managed more effectively.

Cabling – particularly renewable export cables and offshore grid developments - the BIG issue for the marine aggregate sector as expected to grow and not so certain of where they will be in support of especially wind. The issue is that their routes sterilise resources, and constrain the ability to work existing production/application interests because they are installed too close.

Wind energy gives operational constraints – it could affect the ability to continue to extract minerals and has displacement effects on shipping traffic with an effect on aggregate dredgers. The wider impact is an effect on vessels navigating to ports given access to many wharves is tidally constrained. If an increase in the transit time for a vessel means that it misses its window of access, it effectively loses 12 hours of production time. For a vessel on a 12 hour turnaround, this means the productivity of the vessel can be halved.

The economic situation - DCLG aggregates guidelines figures project that marine will play a greater part going forward in the sector.

The need for new developments to consider Mineral safeguarding areas could make a tangible difference in terms of hard constraints sterilising areas of future resource as it would make other developers think about constraints on future marine aggregate development.

Coast defence – the role of climate change and need for more beach recharge – expect over 20 years that more beach nourishment will be required dependent on government policy but this is very difficult to quantify.
Maintaining access to what we have got (licensed areas) – the certainty that the planning process can give the industry to develop and make necessary investments.

**Co-location**
More difficult for hard constraint and dependent on proximity.

Can co-locate with MPAs – shouldn’t be discounted.

Can be compatible with navigation – e.g. East English Channel traffic separation scheme and the Sunk traffic separation scheme off Felixstowe/Harwich. Aggregates and shipping have good experience of working alongside one another.

Fisheries – already update them each 6 months on areas being exploited – particularly relevant for static gear.

Biodiversity action plan launched by BMAPA to help manage the sector-wide impacts on biodiversity at a regional scale. BMAPA will be taking this forward over the next 18 months.

**Conflict**
Disposal of dredged material from navigation as contains contaminants (peat, clay, chalk as well as chemical).

Exploited areas have relatively little conflict with recreational/tourist uses as so far offshore.

Historic environment – several protocols are in place – a constraint that is managed and mitigated. Guidance note developed with English Heritage in 2002 on marine aggregate dredging and the marine historic environment and separate reporting protocol for items identified.

**Vision**
Very difficult to provide a comment on this.

Crown may have one and individual operators may have but would be commercially sensitive.

One of BMAPAs objectives as a trade association is to maintain, protect and enhance the ability of the industry to operate.

To realise the sector’s opportunity over the long-term.
Annex II

Specific BMAPA comments on the East Inshore & East Offshore Marine Plan
Areas Evidence and Emerging Issues Draft Report

Overview Report

Page 13, Section 4.1, last bullet – While it now appears that the MCZ designation process is going to be a more lengthy process, it is important to have clarity over how MCZ sites which may been consulted upon, but which have not yet been designated, will be treated through the marine planning process.

Page 25, Section 4.3.2, Issues for other sectors – For the marine aggregate sector, the potential interaction with export/inter-connector cable routes and the proximity of existing/planned marine aggregate operations to offshore renewable interests is a key issue to be managed. Mineral safeguarding is also an important issue, given the likely extent of cable routes and offshore renewable developments, the resulting potential for significant areas of mineral resource to be sterilised in the medium/long term by hard infrastructure.

Page 33, Section 4.4, Issues for other sector – We are not clear why cables and aggregates are linked here? We would also challenge the suggestion that an increase in sand and gravel landings would necessarily require new port facilities. While this may be the case if a new wharf needed to be established, where existing wharf infrastructure exists this should not represent a constraint or pressure – if anything an increase in supply would be seen as a positive step for a port operation, given the likely increase in port dues etc resulting from the more regular trade.

Page 35, Section 4.5, Bullet 1 (Current) – The 14% figure cited should be predominantly linked to landings in the North East of England (Tyne/Tees), as with the exception of limited landings to Humberside, the majority of these landings occur outside of the marine plan region. We are also unclear why there is no reference to local coast defence needs, and the supply of beach nourishment materials along the Lincolnshire, Norfolk and Suffolk coast?
Bullet 2 (Future) – This is not quite correct, further licence areas will be required but not within a ‘future prospective area’ – this implies the area has already been defined. Instead, the BGS study has identified areas of high resource potential across the region, within which new developments are more likely to occur.
Bullet 3 (Future) – Again, this is not quite right. There has been a transfer of production effort for some gravel extraction to other regions (specifically from East Anglian and Thames region licences to the East English Channel), however, this reduction has been offset by an increased demand for coarse sand from these licences.
Final paragraph – This is not correct, as the potential demand is largely unrelated to any new extraction areas. Production from new licence areas will not drive demand, rather their development will be in response to anticipated market demand in the short, medium and long term.

Page 36, Figure 4.7 – The production, application and option areas would appear to be some years out of date. This has previously been flagged through the online Marine Planning Portal.

Page 37, Issues for delivery, bullet 2 – While there are no trends emerging from the Cranfield futures scenario analysis (which methodology for which we consider to be flawed), there is clear evidence of potential growth markets emerging in the marine plan area over the plan period – namely renewables, nuclear, port infrastructure and coast defence. The national guidance also suggested that marine sourced sand and gravel will play an increased role in meeting national construction
aggregate supply. While it is difficult to predict the licence/option area required, there is clear evidence that the need for marine aggregates from the region is likely to increase over the plan period.

Issues for other sectors, bullet 1 – The interaction of concern is more around renewable energy/grid export cables and interconnectors rather than telecom infrastructure.

Bullet 4 – Landing infrastructure in ports is already covered by existing terrestrial policies (National Planning Policy Statement 1 and local mineral plans), which require the local mineral planning authority to safeguard aggregate import facilities.

Issues for sustainability, bullet 3 – We do not consider that noise resulting from marine aggregate extraction operations represents a significant issue following recent research funded by the Marine ALSF programme. We are not aware of any constraints or restrictions on licensed operations being introduced as a consequence of this issue and suggest that it should be removed.

Page 56, Section 4.11, Issues for other sectors – Given the importance of the beach as a tourist asset, as well as the coast defence benefits it brings, surely there should be some reference here to the future requirement to maintain beaches in the plan area, and the knock-on implication this could have for marine aggregate production from adjacent licence areas. The ongoing Lincshore coast defence scheme is an excellent example of this ongoing relationship.

Page 60, Section 5.2 – We are concerned that the sensitivity analysis methodology that has been adopted is misleading, in that it simply determines point specific vulnerability of a feature where the pressure is occurring. This takes no account of overall significance of pressure/vulnerability at the plan scale, informed by the wider extent of the pressure occurring compared to the extent of the feature under pressure. The wider analysis is also only as good as the baseline habitat data that informs it, which we are aware has limited resolution and accuracy. The use of this approach therefore has to be heavily caveated and any use or application must guard against an over prescriptive approach, which overwrites or pre-judges the evidence-led impact assessment process for individual licence decisions.

Full Report

Chapter 2

Page 15, Assessment of pressures... - We would caution over any reliance upon the MB0102 outputs as while these consider point source pressures and vulnerability, they take no account of the wider significance of the pressures compared to the regional extent of the features being considered. This results in a highly precautionary approach which is based wholly on site specific considerations. For the purposes of informing and guiding the marine planning process, we would suggest that a more strategic, regional-scale approach needs to be adopted that better reflects regional scale significance of site specific pressures.

Page 16, para.1 – Care must be take when relying upon broadscale habitat classification to judge the significance of site specific pressures. The accuracy and resolution of the habitats depicted are not necessarily comparable to the resolution of the pressures that are being considered. Also, a particular sensitivity does not mean that a particular pressure cannot occur – as demonstrated by the multiple activities and their associated pressures that have already been licensed to take place within areas considered to be 'sensitive'. There is a risk this crude approach begins to pre-judge the site specific EIA process.

Page 17, Limitations, bullet 1 – Similar to the comments made under p.16 above. Given the caveats outlined, how exactly is this approach intended to be used? The statement ‘...this assessment should only be viewed at a broadscale with decisions only being made with reference to the underlying confidence in the data’ implies
that it will be used to support decisions. Given the various caveats outlined above, it is important to explain clearly how this methodology is intended to be used to inform or support decisions.

Chapter 4

Page 42, Section 4.1, Potential future situation - Designated sites including marine protected areas - While it now appears that the MCZ designation process is going to be a more lengthy process, it is important to have clarity over how MCZ sites which may have been consulted upon, but which may not yet have been formally designated, will be treated through the marine planning process. With all the proposed sites to be subject to public consultation towards the end of 2012, we expect that all sites will become a material consideration to both the planning and licensing process. However, as the subsequent formal designation of these sites is expected to be undertaken on a phased basis thereafter, there will be an extended period of time when many proposed sites are effectively in limbo. Furthermore, there appears to be no guarantee that all of the sites consulted upon will ever become formally designated MCZs. Unless clear guidance on the status of these areas is provided (both within 12nm and outside), there is a risk of prolonged uncertainty for all marine users, regulators and planners during this hiatus, which is likely to result in a form of planning blight across the MCZ areas that have been consulted upon.

Page 45, Issues for other sectors – The points above re. status apply here.

Page 66, Section 4.3.2, Potential future situation – There need to be links and references here to the impacts and interdependencies on other marine sectors in the region. For the construction of the manufacturing facilities, and indeed some of the turbine foundations themselves, there is likely to be an additional requirement for fill material and construction aggregates from marine licences in the plan area.

Page 66/67, Relevance to East plan areas – The points above (P.66) equally apply here. To successfully realise the opportunities, there will be dependencies on other marine sectors to support which need to be recognised through the marine planning process.

Page 69, Issues for other sectors – There should be reference to the implications of cable routes to marine aggregate interests – both in terms of the viability of existing production/application/option areas and the potential impacts on areas of future resource.

Page 80, Section 4.3.4, Issues for other sectors – We welcome the recognition of the potential linkages and interdependencies with other activities in the marine plan region to support any new-build nuclear programme.

Page 87, Section 4.4, Issues for other sectors, bullet 2 – We are unsure why marine aggregates are specifically highlighted here, as the impacts of changes in market requirements are no different to any other trade. We would also challenge the suggestion that an increase in sand and gravel landings would necessarily require new port facilities. While this may be the case if a new wharf needed to be established, where existing wharf infrastructure exists this should not represent a constraint or pressure – if anything an increase in supply would be seen as a positive step for a port operation, given the likely increase in port dues etc resulting from the more regular trade.

Section 4.5 – We would refer to our previous comments and evidence provided in bi-lateral meetings, our main consultation response and our comments on the overview report. These points have not been repeated here. In addition we offer the following comments:
Page 90, Section 4.5, East marine plan areas – current situation, Para.1 – Dredging only occurs within a small part of the licensed area (64.9km\(^2\) dredged of a licensed area of 789km\(^2\)), therefore the footprint of the activity is small. As currently worded it implies that the licensed area is the same as the dredging footprint, which is incorrect.

It is not clear whether the 70% figure which is defined (‘East plan areas hold almost 70% of the aggregate dredging areas nationally’) refers to licensed area (km\(^2\)) or permitted tonnage (tonnes). It would be sensible to define both.

Bullets – We are not clear why landings to North East ports (Tyne/Tees) are not defined separately? We are also not clear why beach nourishment and fill tonnages are not also defined, given that these result from the same licensed areas.

Page 92, Existing measures – It would make sense here to clarify that the impact footprint is directly related to the dredged footprint and not the wider licensed area, and that policy (Marine Minerals Guidance Note 1) and best practice (BMAPA/Crown Estate area involved initiative) is to minimise the area of seabed licensed, available to be dredged and actually dredged through careful management and zoning.

While a marine licence can be granted for a 15 year term, they are reviewed by regulators every 5 years through a substantive review process. Furthermore, operators will seek to renew existing licences at the end of their term is sufficient reserves of commercially viable sand and gravel remain. It is therefore not uncommon for production licence areas to remain in production for 30 years or longer – with many of the existing production licences in the East plan region actually dating back to the 1970’s.

Page 92/93, Existing planning context – We would suggest that the presence of MDP’s in the East marine plan area simply reflects where marine aggregate resources are currently landed. The focus on the Humber authorities is a reflection that this is the only location in the marine plan region where marine aggregates are currently landed – rather than proximity to licensed resources. The strategic importance of marine landings outside of the marine plan area – particularly to the north east, into the Thames and to the near Continent – is a significant omission that should be corrected, given that these regions are highly dependant upon marine aggregate supply from the marine plan region.

We also consider that it is important that reference to SMPs and coastal authority policies for local coastal management and beach replenishment requirements need to be included.

Page 93, Potential future situation, para.1 – We would comment that many of the existing licensed areas have been dredged for several decades, and are currently going through a programme of licence renewals that if successful would permit extraction for a further 15 year period (to 2028/29). This would suggest that the exhaustion scenario described in this paragraph is no here yet. Para.3 – Future coast defence needs are also an important consideration here too. Para.4 – We would endorse the need to develop policies to ensure marine mineral resources can be effectively and robustly safeguarded through the marine planning process.

Page 94, Relevance to East plan area – Bullet 2, we are not sure that the breakdown of regional supply is necessarily correct. Deliveries to the plan region only accounted for 115,000 tonnes (2010) out of a total production of 8.745 million tonnes. We would also suggest that beach nourishment production be added, with 0.545 million tonnes supplied along the Lincolnshire coast alone in 2010. Bullet 3, This is not quite correct, further licence areas will be required but not within a ‘future prospective area’ – this implies the area has already been defined.
Instead, the BGS study has identified areas of high resource potential across the region, within which new developments are more likely to occur.

Bullet 4 - Again, this is not quite right. There has been a transfer of production effort for some gravel extraction to other regions (specifically from East Anglian and Thames region licences to the East English Channel), however, this reduction has been offset by an increased demand for coarse sand from these licences.

Final paragraph – This is not correct, as the potential demand is largely unrelated to any new extraction areas. Production from new licence areas will not drive demand, rather their development will be in response to anticipated market demand in the short, medium and long term.

Page 156, Section 4.15, Potential opportunity – Future interests (option/application areas) in the zones of high resource potential defined by the BGS will be refined by the industry over time based on the precise geological extent of commercially viable resources.

Page 159, Defining future growth – The predictions reported are entirely misleading, as they fail to account for the fact that the majority of production from licence areas in the marine plan area is used to support markets outside of the East inshore/offshore region. They also fail to account for ongoing export requirements, and any future changes in market demand resulting from infrastructure requirements (ports and energy developments) and future coast defence requirements over the term of plan – demands which are not included in the national and regional guidelines for aggregate provision in England, produced by DCLG.

Page 159/160, Possible approach – We would suggest that the methodology presented is focussing on the wrong metric – namely area of seabed licensed. While this is relevant for the ongoing management of environmental impact, it is less useful for the purposes of planning future spatial needs for the sector. The conclusions reached by the analysis of historic dredged area are also misleading, as the figures simply reflect the fact that the area of seabed dredged has become increasingly well managed by the marine aggregate sector in line with the prevailing policy and best practice that exists. Far more relevant for planning should be the area of exclusive use that is required for marine aggregate extraction in the region over the plan period, incorporating production licence area, application area and option area – i.e. all the stages of the marine aggregate development cycle. We would suggest that for the purposes of strategic planning, the critical metric is how this area of exclusive use is likely to change over the plan period to ensure that the industry can both maintain supplies to existing markets, as well as respond to any future potential market demands.

Chapter 5

Page 164, Limitations of method – The issue of the significance of a pressure beyond the site specific impact on a particular feature is critical for this approach to have any relevance to the regional scale marine planning process. In this respect, the need to consider the scale of the activity/activities which are resulting in the pressure, against the extent of the feature present at the plan scale is particularly important.

Page 178 & Figure 5.11, Section 5.3, Aggregate extraction – We would suggest that all this actually shows is where the more sensitive, exposed rock habitats are located – based on Eunis Level 3 data. These coverages are themselves flawed, as much of the area defined as having a higher cumulative sensitivity (particularly in the English Channel) will actually be covered with veneers of sand and gravel. While these sediments are of no interest for marine sand and gravel extraction, these habitat types are far more tolerant of physical disturbance. These subtleties and their implications will of course be determined through the site specific EIA.
process for a particular activity, but there is a risk that by applying a broadbrush screening approach, the acceptability of particular site specific uses or activities becomes pre-judged.

Page 180, Section 5.4, Shipping and aggregate extraction – We would note that a significant proportion of the shipping traffic recorded in the region will be related to marine aggregate operations transiting to/from production licences and ports. The 8.745 million tonnes dredged during 2010 equates to 1749 cargoes of 5,000 tonnes which in turn represents just under 10 shipping movements per day, 365 days a year.

Page 185, Section 5.5 – Given the issues previously highlighted surrounding the accuracy of the future need projections, we would suggest that these interactions should be re-visited once more robust metrics have been developed.

Emerging Annexes

Annex 2, Marine aggregates – Within the narrative entitled ‘Comments expressed by this sector’, there is a comment that states ‘No screening at sea in future, reducing impacts on environment and other marine users’. We are unsure where this comment has originated from, and would suggest that it would not have come from anyone in the sector. Screening is an important option for marine aggregate operators to retain on production licence areas, as it allows resources that would otherwise not be commercially viable to continue to be worked. It also allows the same licensed deposit to be used for a range of potential end uses. There is also a comment that there is insufficient ports with supporting infrastructure available within the East plan area – again, we are unsure where this comment may have come from.