



RENEWABLES ADVISORY BOARD - MARINE SUB-GROUP

Date Wednesday 24th May 2006

Present Andrew Mill, NaREC, Chairman
 Paul Jeffriss, RSPB
 Neil Kermode, EMEC
 Richard Mellish, DTI Consents Unit
 John Callaghan, Carbon Trust
 Allan Moore, BWEA
 Gordon Edge, BWEA
 Rob Hastings, The Crown Estate
 Philip Michael, FES

Apologies Ron Loveland, Welsh Assembly
 John Spurgeon, DTI
 Neal Rafferty, Scottish Executive

Main points and actions

1	The minutes of the previous meeting were accepted.	
2	The only action that we couldn't confirm as complete was that on the DTI to speak with David Stanley of DETNI to enquire whether a representative of DETNI would like to participate in the RAB marine group.	ACTION: Phil Michael to confirm position with DTI (John Spurgeon)
3	Paul Jeffriss expressed some concern that the outline paper drafted by FES wasn't a true reflection of what he saw as the main outcomes from the previous discussion held on 4 th May, particularly in relation to the independence of the Marine Management Organisation, and whether it should be responsible for consenting developments.	
3	Andrew Mill responded that it was a draft for discussion, and that FES had discussed the overall content with him after the meeting of the 4 th May, and in particular to include within it marine spatial planning and strategic areas for development of renewables, and to consider in preparing the draft outline the BWEA paper on the marine bill.	
4	Gordon Edge then described the main aspects of BWEA's paper, which had been circulated to members of the RAB marine group. The BWEA paper had been prepared by a steering group of BWEA members, with some interaction with Defra and DTI officials. In summary: <ul style="list-style-type: none"> • BWEA is keen to maintain the current consenting regime, with 	

	<p>the DTI responsible for consenting projects. This is for a number of reasons. (i) To not lose the expertise that DTI has built up. (ii) As DTI is responsible for the policy and targets for renewable energy, it should have the role of consenting. (iii) BWEA does not wish to have separate arrangements for consenting offshore and onshore developments. (iv) BWEA feared that giving consenting responsibility to the MMO would cause confusion over accountability for decisions.</p> <ul style="list-style-type: none"> • BWEA sees marine spatial planning as desirable in principle, but is anxious that it doesn't cause delays in consenting whilst the plan is in preparation. • BWEA's view is that the MMO role should be limited to planning, not consenting. • It is understood that good data on possible environmental impacts of commercial developments is critical to the development of the plan, but BWEA has concerns about the application of the "precautionary principle" leading to delays in planning and consenting, preferring a proportionate, risk managed approach. 	<p>ACTION: Gordon Edge to confirm whether the BWEA is able to share its consultation response with the members of the RAB marine group, and if so to circulate the response.</p>
5	<p>This raised a discussion on whether RAB is constrained to follow BWEA's position, whether the RAB response to the marine bill has to be a consensus, and what are the mechanisms for showing dissent. If a consensus couldn't be achieved, then the paper would give options and pros and cons.</p>	
6	<p>The marine sub-group's draft response to the Defra marine bill must be put to the Renewables Advisory Board for it to endorse/amend as it saw fit, although its is accepted that the response should recognise other stakeholders and be part of the broad sustainability agenda.</p>	
7	<p>The group identified that the data to prepare a fully informed marine spatial plan does not exist.</p>	
8	<p>The group also raised the practical issue of implementation, and the transition from the present planning and consenting regime to any new arrangements, that could take many years, and could cause uncertainty and delay.</p>	
10	<p>There was a discussion, with many views presented, some conflicting, on the marine spatial plan concept, the MMO and consenting.</p> <ul style="list-style-type: none"> • Would the plan be binding or non-binding? • If it is binding, stakeholders' inputs to planning would be critical, as conflicts would need to be resolved when the plan is established. • If it is not binding, then is it just guidance? • It could be binding, but with a review process included. • It could be fully integrated, yet flexible, and no one policy should have absolute right over any others. 	

	<ul style="list-style-type: none"> • It is a spatial expression of existing policy, sensible and desirable, though not mandatory, with a process for review and identifying and resolving any conflicts. • The marine spatial plan would represent our current best understanding, but through more data it would become more informed and more certain. • More research is needed and there are certain areas of the sea that are higher priorities for research. • It should reduce the likelihood of conflict arising, but it could not remove it. • It should not be a moratorium on development. • What are the criteria for designating marine protected areas? • The marine management organisation should be a small body, with responsibility for the preparation of the plan. • Some members of the group thought the MMO should be responsible for consenting, whereas other members thought it should not be responsible for consenting. • It was noted that consenting for oil and gas developments is to remain with DTI. • Should there be a sectoral approach to consenting? • Some members of the group saw a potential conflict of interest between a planning function and a consenting function, though other members of the group saw no conflict. • Some members of the group were sceptical about whether a MMO would be able deal with fundamental conflicts of policy that would arise, which are presently resolved at Ministerial level. 	
11	Group members to provide, by c.o.p 2 nd June 2006, comments and contributions to a revised draft of the document giving RAB's response to the marine bill.	ACTION: Gordon Edge and Paul Jefferiss , but all group members are welcome to respond.
12	FES with Andrew Mill to integrate these comments and to circulate to main RAB group by 9 th June 2006 for its comment and endorsement.	ACTION: FES and Andrew Mill to amend draft and circulate to RAB.
13	Richard Mellish to try to arrange a meeting with the Defra bill team prior to the dead-line of 23 rd June for RAB to present its paper.	ACTION: Richard Mellish.
14	Under Any Other Business, the following were discussed. <ul style="list-style-type: none"> • The consultation on the Scottish multi-ROCs has a deadline of 3rd August 2006. It was agreed to consider this after the response to the marine bill had been completed. 	

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