

Commission meeting with Dickon Howell, Head of Marine Licensing, Marine and Maritime Organisation

11 July 2013

Commissioners Present:

Paul Silk

Nick Bourne

Jane Davidson

Eurfyl ap Gwilym

Trefor Jones

Noel Lloyd

Helen Molyneux

Points made in discussion:

- The MMO was established in 2010, and had five delivery functions: marine licensing, marine planning (for England)-, quota management, vessel licensing, and nature conservation management. It also had an enforcement role. [It/They](#) had a number of offices and enforcement officers, and operated under the Marine Coastal Planning Act (which brought together functions of a number of Acts (eg, Food and Environmental Protection Act, Coast Protection Act, Electricity Act). The MMO had a different role in Scotland and Northern Ireland – largely relating to quota plans and fisheries.
- The MMO's funding came largely from five UK departments (Defra primarily, also DECC, DfT, CLG and MoD), with ten per cent coming from Marine Licensing. The MMO was accountable to its sponsor departments for its performance against its corporate plan, and had no reporting or funding relationship with the Welsh Government.
- The MMO did not have a Wales-specific team, and were organised by sector rather than geography (with licensing based in Newcastle). As many partner organisations or delivery agents were geographically based, this could sometimes present a challenge. The Welsh Government would be the lead authority to be consulted on matters in Wales, and the MMO would take Welsh interests into consideration.
- The MMO's responsibility for consenting in relation to England and Wales were for developments under 100MW, often pilots from developers to test proposals before a larger development. Examples in Wales of projects it had dealt with were off Anglesey and Pembrokeshire. Of the 500 licences given by the MMO each year, about 100-150 required environmental impact assessments (meaning they were of some complexity), of which around 5-10 related to Wales.
- Asked whether having separate processes for consents and operating licenses in Wales was inefficient, [the witness it was](#) noted that it was rare for the MMO to be the only regulator in England. [It/They](#) sought to make effective decisions as per the law. [It also/They](#) sought to front-load information to reduce times taken to make decisions, and this could benefit from sharing information between the MMO and Welsh Government. An informal agreement was in

place with the consenting team that a development in Welsh waters would be led on by the Welsh Government, and if largely in English it would be the MMO, which the MOU would hopefully clarify. Efforts were also underway to streamline decision-making in relation to England, in particular developments going between the land and coast.

- As ~~to~~ whether developers considered using the Transport and Works Act to gain consent for developments, it was noted that these were largely sewerage or transport-related (eg, the Thames tidal sewer or the Ipswich Coastal Barrier, which did not have energy generating capacity, and had a road on top).
- The MMO had hoped to agree a Memorandum of Understanding with the Welsh Government, but were now pursuing one with Natural Resources Wales, which would include providing access to MMO training programmes as part of ~~its~~ commitment to ensuring robust decision-making. The MMO was well-respected internationally, and keen to share best practice internationally and alignment of its work with neighbouring authorities.
- There was no reason in principle why the MMO's functions in relation to Wales could not be taken on by Natural Resources Wales, though no opinion was given as to whether that would mean greater accountability. It was also noted that the MMO had a larger resource for licensing than Natural Resources Wales (eg, there were 50 people working on licensing for MMO, with 10 in Natural Resources Wales).
- Asked whether there were any functions the Welsh Government could not take over, ~~the witness believed it was noted~~ that fisheries would be difficult, given the direct relationship with the EU, and that the issue was largely one of accountability, with similar processes in place in all parts of the United Kingdom, with the lines of accountability the only variation.
- In terms of future planning, the MMO worked with Natural England and the Welsh Government, as the marine planning authority, in identifying future areas where energy could be generated. Marine plans for the 11 planning zones the MMO were responsible for would be made in consultation with the relevant neighbouring authorities (eg, for the Irish Seas, the Republic of Ireland Government, Northern Ireland Executive and Welsh Government).