

THE MARINE BILL

SUMMARY OF PLA'S RESPONSE TO CONSULTATION BY DEFRA

The principal point made by the PLA in response to the DEFRA consultation on the Marine Bill is that the current licensing regime for dredging and river works on the tidal River Thames under the provisions of the Port of London Act 1968 should be retained. This regime is operated by the PLA in close conjunction with the statutory environmental bodies: The Environment Agency and English Nature, and is seen by users and stakeholders as an effective and efficient consenting regime for dredging and river works on the tidal River Thames. It is supported by an Information Exchange System on which relevant data on the river regime in the Thames is collated. This information is provided by members of the Dredging Liaison Group of the Thames Estuary Partnership. The Group is a key forum for the discussion of issues related to dredging on the tidal Thames and includes representatives of the dredging industry, Government, the environment and ports.

In terms of licensing in the Marine environment, the PLA believes that there is a good case for merging FEPA and CPA consents into one regime. This should not require any substantive changes to the consenting regime on the Thames. A more extensive rationalisation of the consenting regime would be very complicated to achieve in legislative terms and its benefit is likely to be limited. What is required, in order to improve the effectiveness of the consenting regime, is a clear policy framework to which each consenting



organisation is required to operate. This can be achieved through the Marine Spatial Plan (MSP) supplemented by powers vested in the Marine Management Organisation (MMO) to overrule a consenting body where it does not act in accordance with the spatial plan provisions, after due process.

It is vitally important that MSP's and the constitution of the MMO are firmly based on the principles of sustainable development and each element of sustainable development: economic, social and environment, are given equal weight in the development of MSP's and the working of the MMO. The MMO should be constituted to reflect the sustainability balance.

The PLA considers that MSP's should be policy based rather than delineating areas for specific activities. However, we support the designation of specific areas as Marine Protected Areas where a scientifically based case for protection is made. MSP's will need to be carefully integrated with terrestrial plans where there is an interface with the seaward limits of such plans. They will also need to ensure that they are consistent with River Basin Management Plans prepared under the Water Framework Directive.

The constitution of any MMO and the membership of its Board must reflect the balanced approach to sustainable development. The MMO should not be an environmental protection body if it is to be effective in securing the responsible use of the marine environment and its maintenance and enhancement for future generations.

The MMO's effectiveness would be enhanced if the marine responsibilities of the Environment Agency were transferred to it. This should also bring a measure of simplification to the regulations of activity in the marine environment.

The PLA firmly believes in the decentralisation of regulation within a consistent policy framework. It is, by virtue of the Port of London Act, a de facto 'unitary body' for the regulation of dredging and river works licensing on the tidal River Thames and generally the system works efficiently and effectively. The PLA is keen to ensure that these arrangements continue and is willing to take on a wider role within its area of responsibility, either directly or on a delegated basis under the new Marine legislation.

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