

PORTLAND HARBOUR AUTHORITY MARINE SPATIAL PLAN ADOPTED DECEMBER 2008

Background

Marine spatial planning is the application of land use policies to marine areas. The Government is committed to marine spatial planning and is currently promoting a Marine Bill in Parliament. When enacted this will enable the:

- creation of a Government Agency, to be called the Marine Management Organisation (MMO)
- creation of policies and plans for all the coastal waters of England and Wales
- determination of any development proposal in all coastal and off-shore waters, such as Harbour Revision Orders and Tidal Works Approvals to be based on these policies and plans.

Portland Harbour Authority has written a marine spatial plan in response to the imminent Marine Bill legislation. This is to ensure that the Harbour Authority is taking a proactive approach to the legislative changes that are underway. It is hoped that by being transparent in relation to the long term views of the Harbour Authority and management of its users it will assist the wider spatial planning at a Regional and National level. It is important to note that the Statutory licensing and consultation process remains in place.

The draft Portland Harbour Authority marine spatial plan was approved by the Board of Directors of Portland Harbour Authority Ltd and subsequently submitted to the Portland Harbour Consultative Committee on the 8th October 2008 for comment, with no comments being received at the committee's subsequent meeting on the 9th December 2008. The final version of the document was then adopted by the Board of Directors at the 10th December meeting.

Introduction

These policies apply within the limits of jurisdiction of Portland Harbour Authority, as defined in the Portland Harbour Revision Order 1997.

They will, at all times, allow the use of the Harbour waters in accordance with the principles and areas of activity as described within the Portland Harbour Management Plan; and as required by the Company and the Harbourmaster under the auspices of the Portland Harbour Revision Order 1997 from time to time.

Portland Harbour Authority has used the following guidelines when attempting to define the marine spatial plan policies:-

- Portland Harbour Authority has produced them to assist in the monitoring and review of their effectiveness and outputs over time.

- They indicate areas of the Harbour where certain marine use classes predominate over others, thus enabling that overlapping marine risks are minimised wherever possible between different marine uses of the Harbour waters.
- Consistency is achieved with other plans and policies for Portland Harbour and the use of Weymouth Bay.

The Marine Spatial Plan policies have been developed as a strategic plan to assist with the regulation, management and protection of the marine environment from the multiple, cumulative, and potentially conflicting uses of the Harbour waters.

The purpose of the Marine Spatial Plan is twofold:-

1. To secure sustainable and integrated development which balances and (where appropriate) advances economic, environmental and social objectives and
2. To allocate water space in the inshore waters in a rational manner that minimises conflicts of interest and maximises synergistic relationships.

Portland Harbour Authority will review its Marine Spatial Plan Policies and its Harbour Management Plan every five years, in order to adjust the water space usage in accordance with effective and potential demand from time to time.

The Marine Spatial Plan policies should be read in conjunction with Figure 1 – Marine Spatial Plan which geographically presents these policies where possible.

Policy 1 - Strategic Policy

The aim of Portland Harbour Authority's marine spatial plan policies is "to manage and regulate Portland Harbour effectively and efficiently in accordance with Portland Harbour Authority's obligations under the Portland Harbour Revision Order 1997 and to continue to develop the physical assets of the harbour while protecting the natural resources for the benefit of all stakeholders".

Portland Harbour Authority will support all marine plans, operations and policies consistent with Portland Harbour Authority's Marine Spatial Plan Policies.

Policy 2 - Marine Access

Portland Harbour Authority will look unfavourably upon, and oppose any limits, restrictions or zoning, placed on normal safe navigational access for any vessel entering and leaving the limits of the Harbour and transiting through Weymouth Bay.

Priority use of the Harbours entrances, and Inner and Outer Harbour anchorages, will be given to commercial and military shipping and operations.

Portland Harbour is an ideal port of refuge for marine casualties in the English Channel and Southwest Approaches. Portland Harbour Authority will encourage the Maritime and Coastguard Agency and the UK Government to continue to use Portland Port as a port of refuge.

Policy 3 - Economy and Employment

Portland Harbour Authority has practised a development policy *“to secure the long term viability of Portland Harbour by developing and operating in a manner which properly maintains safety of navigation for all harbour users, whilst encouraging a diverse range of activities.”* In achieving this policy the Authority has adopted the following marine spatial plan policies:-

1. Portland Harbour Authority will look favourably upon the development of employment sites concerned with commercial and military shipping and operations, within the limits of its jurisdiction, that will have a demonstrable socio-economic benefit for the area.
2. Licenses and operating permissions will only be granted for non-employment uses such as leisure and recreational developments if the applicant has firstly fully explored the possibility of developing the site for employment purposes such as commercial and military shipping; and that its resultant associated marine operations has proved to the satisfaction of the Harbour Authority that it would:-
 - Not create unacceptable risks to the safety of navigation. traffic, amenity pollution or environmental difficulties nor
 - Be not economically viable in employment use.
3. A band 100m wide on the inside of each breakwater is favoured and reserved for development and employment uses - for example for marine terminals, commercial and military shipping and its operations. This band is marked on Figure 1 – Marine Spatial Plan.
4. A band 500m wide from the inner breakwater to Grove Point is favoured and reserved for development and employment uses - for example for marine terminals, commercial and military shipping and its operations. This band is marked on Figure 1 – Marine Spatial Plan.
5. Portland Harbour Authority will encourage and support the reclamation of land from the sea for the purposes of development and employment uses, in a band 100m wide on the inside of each breakwater, a band 500m wide from the inner breakwater to Grove Point, and in the designated area for reclamation, on Figure 1 – Marine Spatial Plan.

6. Portland Harbour Authority will support the use of the seabed for the installation and operation of cables and pipelines, on or under the seabed, within the limits of Portland Harbour, providing this does not conflict with Policy 5 or Policy 8, below.

Policy 4 - Energy

Portland Harbour Authority will look favourably upon energy developments - for example non-fossil fuels, bio-fuels, wind power and tidal power, within the limits of Portland Harbour.

Licences and operating permissions will only be granted where proposals seek the highest practicable energy efficiency through location, orientation, layout, and design.

Policy 5 - Environment

The Harbour Authority's environment policy can be summarised as follows "*to secure the long term viability of Portland Harbour by developing and operating in a manner which safe guards the environment in accordance with all relevant legislation*".

Dredging will not be allowed in the area designated as a protected area for the Lagoon Sandworm, *Armandia cirrhosa*, and Eel-grass, *Zostera spp* .or in those areas where leisure and recreation activities are encouraged. This area is identified on Figure 1 – Marine Spatial Plan. Both species are protected under Schedule 5 of the Wildlife and Countryside Act, 1981.

Dredging will be allowed to support the marine spatial plan policies for the development of the Economy and Employment. This is specifically within a band 100m wide on the inside of each breakwater, a band 500m wide from the inner breakwater to Grove Point, and within the limits described in Policy 3(5).

Dredging will also be allowed in any access channels through the Harbour entrances or Inner and Outer Harbour areas necessary to safely navigate vessels to or from the marine terminals to the deeper waters in Weymouth Bay. Maintenance dredging will also be permitted within New Channel and its approaches.

Dredging would be undertaken using best available techniques to minimise environmental effects.

Policy 6 - Heritage

No public access will be permitted to any of the Portland Harbour breakwaters.

Portland Harbour Authority will look unfavourably upon any proposals to create any new wrecks, or any other obstructions upon the seabed, for leisure or recreational activities within the limits of Portland Harbour.

Policy 7 - Leisure and Recreation

Leisure and recreation development will be looked upon favourably in the northern and western side of the access fairway described in Policy 10, providing that it does not conflict with the area protected for the Lagoon Sandworm and Eel-grass in Policy 5 above, or the Economy and Employment Policy 3 above which supports commercial and military shipping and its operations.

Policy 8 - Nature Conservation

In recognition of the ecological interest of Portland Harbour, the Portland Harbour Revision Order 1997 includes specific reference to the harbours flora and fauna. Specifically, Article 5(1) of the Order requires the Harbour Authority to “...take all such steps, from time to time as they consider necessary for the conservation of the Harbours flora and fauna...”.

The Harbour Authority has therefore a statutory duty to ensure the Harbour’s flora and fauna is protected. The Order also includes provision for a Portland Harbour Consultative Committee. Members of the Committee include a representative of Natural England, and a representative to represent local conservation interests and the Harbour Authority’s own Environment Manager.

The Harbour and its nature is well protected by a number of Nature Conservation designations and by provisions within the Harbour Revision Order 1997. Further designation will be supported in full, where they do not conflict with the Economy and Employment Policy 3 priorities of the Harbour Authority above.

An area of seabed, identified on the attached Admiralty Chart is dedicated to protection of the Lagoon Sandworm, *Armandia cirrhosa*, and Eel-grass. *Zostera spp.* protected under Schedule 5 of the Wildlife and Countryside Act, 1981. A further area of the Harbour, specified under the Portland Harbour Authority General Direction No 3 of 2007 protects overwintering birds, by prohibiting vessels under power from this area. This is identified on Figure 1 – Marine Spatial Plan.

Policy 9 - Security

The Harbour Master of Portland Harbour Authority shall from time to time, under his powers of Special Direction and General Direction, establish marine security zones within the limits of Portland Harbour for the purposes of maintaining proper and adequate safety and security arrangements for commercial and military shipping and their operations.

Policy 10 - Transport

Berthing for public water-borne marine transport will only be permissible at approved berths near Portland Castle, and at Osprey Quay Marina, with the express written permission of the Harbour Master. All public water-borne transport vessels transiting the Inner Harbour will access these berths only by using the designated fairway in the Inner Harbour. They are identified on Figure 1 – Marine Spatial Plan.

Landing of commercial passengers from all vessels will only be permitted within the limits of the Portland Port berthing system and dock estate.

Portland Harbour Authority place no restriction on the type, size, colour and other physical characteristic of any vessel entering, leaving or remaining in the Harbour, or whilst transiting from the Harbour across Weymouth Bay.

Portland Harbour Authority additionally place no restriction on the type, size, colour and other physical characteristic of any cargo being carried, transhipped or lighted by any vessel entering, leaving or remaining in the Harbour, or whilst transiting from the Harbour across Weymouth Bay.

The take off and landing of sea planes and other aircraft on the Harbour waters is prohibited.

Policy 11 - Water Resources

Portland Harbour Authority has developed and maintained and up-to-date Oil Spill Contingency Plan for the waters under its jurisdiction. All activities within the Harbour waters must comply with the requirements of this plan.

Licenses and operating permissions will not be granted if they would cause unacceptable risk to water resources and their protection.

Policy 12 – The 2012 Olympic and Para-Olympic Games

Portland Harbour Authority will, in consultation with the London Organising Committee of the Games develop a specific marine spatial plan for the purposes of facilitating and staging the 2011 practice events and the 2012 Olympic and Para-Olympic Games.

This policy and the resulting specific plan will expire on the 1st November 2012.

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