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Title of meeting:	Cabinet Member for Planning Regeneration and Economic Development
Subject:	The Coastal Concordat
Date of meeting:	24 January 2014
Report by:	City Development Manager
Wards affected:	All Coastal wards

1. Requested by

- 1.1 This report has been requested by the Cabinet Member for Planning, Regeneration and Economic Development

2. Purpose

- 2.1 To inform the Cabinet Member of the new ways of working proposed through the Coastal Concordat

3. Information Requested

What is the Coastal Concordat?

- 3.1 The coastal concordat is an agreement between, amongst others, Government Departments, Natural England, the Environment Agency and Coastal Local Authorities. It aims to improve sustainable growth and marine protection by ensuring all aspects of planning and environmental legislation are identified quickly and at an early stage, making the consent process more efficient and simpler for applicants.
- 3.2 The concordat was launched on 11 November 2013. It is a voluntary agreement and the process can be used for individual process and schemes, as and when appropriate.

Why has it been introduced?

- 3.3 The regulatory landscape at the coastal zone is a complex one. There are at least three main regulators (the local planning authority, the Marine Management Organisation and the Environment Agency) with many other public bodies having regulatory powers in specific locations or circumstances (e.g. Coast Protection Authorities, Natural England, harbour authorities, Maritime and Coastguard Agency).

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- 3.4 As part of the government's 'Red Tape Challenge', businesses reported that they found it difficult to understand and deal with the overlaps between regulators. The main aim of the concordat is therefore to achieve more efficient, coordinated regulation between the different consenting regimes for coastal development.
- 3.5 Costs to the applicant are expected to decrease through better working; there should be less time needed for individual discussions with all the bodies concerned. Where an applicant parallel tracks applications, evidence may only need to be produced once, rather than many times.

What type of development does it apply to?

- 3.6 The concordat applies to applications for coastal development - i.e. projects which span the intertidal area in estuaries and on the coast and require multiple consents including both a marine licence and a planning permission from the local planning authority. The concordat relates only to the consenting phase of development. It does not apply to projects that are solely terrestrial.

Principles of the Concordat

- 3.7 The concordat is based on five high level principles:
1. **A single point of entry into the regulatory system:** An applicant should only need to contact one of the regulatory or advisory bodies, who would then signpost the applicant to other relevant signatories, and where appropriate, would themselves make contact with relevant consenting bodies.
 2. A **single lead authority** for coordinating the requirements of the Environmental Impact Assessment (EIA) Directive or Habitats Regulations Assessments (HRA).
 3. **Streamlining within the regulatory process:** Where opportunities for dispensing with or deferring regulatory responsibilities are legally possible and appropriate, they should be taken.
 4. **Certainty on evidence requirements:** Agencies will agree up front the likely environmental and habitats assessment evidence requirements for all stages of a project.
 5. Agencies will provide **coordinated advice**.

Implementing the Concordat

- 3.8 The city council is listed as one of the authorities that have expressed an interest in becoming early adopters of the concordat. Southampton City Council is also involved.

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- 3.9 It is unclear at the time of writing what body will be the lead authority and where the 'single point of entry' will sit. What is clear is that in order to deliver effectively upon this principle, all concordat signatories will need to be aware of each other's regulatory responsibilities and have established processes, which will ensure that the principle is implemented effectively.
- 4.0 Officers in City Development will take the implementation of the concordat forward. This will involve working with other bodies to agree the lead authority and putting systems in place to facilitate the coordination with other bodies. Officers will need to screen all applications and application enquiries that they receive direct from an applicant to determine whether the concordat principles should be applied, using a screening checklist to determine whether the concordat should be applied.

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Signed by (Head of Service)

Appendices: none

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Department for Environment, Food and Rural Affairs: 'A Coastal Concordat for England' - 11.11.2013	https://www.gov.uk/government/publications/a-coastal-concordat-for-england