

Subject: Adoption of the Coastal Concordat

Report to: Policy and Resources Committee 22nd October 2020

Report by: Strategic Planning Manager

SUBJECT MATTER

Adoption of the Coastal Concordat

RECOMMENDATIONS

That Policy and Resources Committee:

- 1. Adopt the Coastal Concordat and commit the Council to apply the principles of the concordat in discharging its planning functions**
- 2. Gives delegated authority to the Director of Planning and Growth to write to the Defra Marine Planning and Licensing Team to inform the Government that the Council has adopted the Concordat.**

1 BACKGROUND

1.1 The Coastal Concordat is an agreement between the Department for Environment, Food and Rural Affairs (DEFRA), the Ministry of Housing, Communities and Local Government (MHCLG) the Department for Transport (DfT), the Marine Management Organisation (MMO), the Environment Agency, Natural England and the Local Government Association Coastal Special Interest Group.

1.2 The Concordat applies to the consenting of coastal developments (such as coastal defences) in England where several bodies have a regulatory function, such as the Council, the MMO and the Environment Agency. It applies to developments which span the intertidal zone. It does not apply to solely marine or solely terrestrial projects. Its aim is to reduce unnecessary duplication of work between the regulatory authorities, improve consistency of advice and provide a simpler and streamlined process for applicants.

1.3 The Government has recognised the importance of the Coastal Concordat in its 25 Year Environment Plan. The plan includes a commitment for all local authorities with a coastal interest in England to be signed-up to the coastal concordat by 2021

1.4 The Concordat is based on five principles as follows:

- Applicants for development consent should be provided with a first point of entry into the regulatory system which then guides them to the other organisations responsible for the other consents which they may need.
- Regulators should agree a single lead authority for coordinating

Environmental Impact Assessments and Habitat Regulations Assessments.

- Where opportunities for dispensing or deferring regulatory responsibilities are legally possible and appropriate, they should be taken.
- Where possible, at the pre-application stage, all regulatory authorities should agree all the likely environmental evidence needed.
- Where possible regulators should each provide coordinated advice to applicants from across their respective organisations.

1.5 Full details of the Coastal Concordat can be found at <https://www.gov.uk/government/publications/a-coastal-concordat-for-england/a-coastal-concordat-for-england-revised-december-2019>

2. FINANCIAL IMPLICATIONS

2.1 The Coastal Concordat could result in some efficiency savings for the Council through reducing duplication of work with other regulators. However, any savings will be small as there are very few developments which come forward in the intertidal zone. Advice provided under principle one in some cases will be covered by the Council's pre-application charging regime.

3. LEGAL AND RISK IMPLICATIONS

3.1 The Coastal Concordat is not legally binding. It has been in operation in neighbouring authorities for a number of years and the Council is not aware of any legal challenges with regard to its operation.

4. CONCLUSIONS

4.1 The Government is keen for all Council's with a coastal interest to sign up to the Coastal Concordat by 2021. The Concordat should enable applications for development within the intertidal zone to be processed more efficiently with less duplication of work between the various regulators. This will be of benefit to developments such as coastal defence/management schemes.

5. RECOMMENDATIONS

That Policy and Resources Committee:

- 1. Adopt the Coastal Concordat and commit the Council to apply the principles of the concordat in discharging its planning functions**
- 2. Gives delegated authority to the Director of Planning and Growth to write to the Defra Marine Planning and Licensing Team to inform the Government that the Council has adopted the Concordat.**

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated?

Area for consideration	Comment
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	N/A
Existing Council Policies:	Local Plan Core Strategy (2015)
Financial Implications:	Discussed in the report
Legal Implications (including human rights):	None directly
Risk Implications:	Discussed in the report
Equality Issues/EQIA assessment:	None
Crime & Disorder:	None
Every Child Matters:	None