

# TravelWatch- **ISLE OF MAN**



**Arrey Troait – Ellan Vannin**

Representing and promoting the interests of Isle of Man Passengers

19<sup>th</sup> October 2012

Department of Infrastructure  
Planning and Building Control Division  
Murray House  
Douglas IM1 2SF  
(by e-mail)

Dear Sirs

## **CONSULTATION ON THE ISLE OF MAN MARINE PLAN – CONSENTING PROCESS**

TravelWatch Isle of Man, in its role of representing IOM passenger interests, is pleased to offer the following response to the IOM Marine Plan Consenting process Consultation. It is only within our remit to comment on those parts of the Consultation Text which potentially have a bearing on shipping services serving the Isle of Man. It is our strong belief that no marine developments should be permitted which interfere with the established sea or air routes to and from the Island.

As requested our comments are made under the paragraph headings used in the Consultation Text and in order that they may be better understood when more widely published, we have included in italics relevant extracts from the Consultation text.

## **4. The Proposed Consenting Process (Development Procedure Order)**

### **4.1 Pre-application**

*The aim of pre-application discussions will be to identify and scope likely impacts, issues and constraints associated with the proposed development at the earliest opportunity and to ensure appropriate stakeholder engagement will be carried out.*

We welcome the intention to ensure that appropriate stakeholder engagement will be carried out but are concerned to ensure the proper identification of all relevant stakeholders takes place. Recent experience with the current Irish Sea Zone windfarm developments suggests that Developers may not have sufficient local knowledge to do this and that this had not been initially recognised by the Dept of Infrastructure.

### **4.3 Assessment**

*The Council of Ministers will be provided with the submitted application, all supporting documentation, and details of any correspondence received as a result of the public consultation.*

The definition of "any correspondence received" needs to be more explicit. Does it refer to correspondence received by the Developer and/or the Department? If only the latter, has the Developer any obligation to submit correspondence to the Department to be included in their dossier to the Council of Ministers?

## 5. Consultation

*Consultation with stakeholders, adjacent jurisdictions and the general public is a fundamental component of the marine consenting process as outlined in the definition of Marine Spatial Planning in Section 2.2. A duty to consult will be included in the regulations and will define which activities will be subject to pre-application consultation. Such pre-application consultation may be relevant for large marine projects which will allow communities with concerns to become fully engaged in the decision making process.*

### 5.1 Developer consultation

*As detailed at Paragraph 4.1 above, all applicants proposing development(s) within Manx territorial waters will be expected to formally engage with the Planning Authority in advance of any application being submitted. It is proposed that, where appropriate, stakeholder engagement will continue at all stages of the application process.*

On what basis is it proposed to determine "appropriate stakeholder engagement"?

*Recent stakeholder events in the Isle of Man by offshore developers, consulting on proposed large-scale wind farm developments in UK waters adjacent to Manx waters provide an example of the levels of stakeholder engagement that developers will have during the pre-application process. This "duty to consult" will be provided within the new Regulations*

We are concerned that the Agenda for Consultation is set by the Developer alone against their priorities - which may not cover ALL local concerns. The recent DONG consultation made no reference to ferry routes, nor the cumulative effect of other proposed windfarms. Whilst this was covered in discussion, it was not included in the response paperwork which attendees were asked to complete and post-event media statements from the developer suggest they are dismissive of such issues.

We would therefore suggest that the shortcomings of recent events organised by offshore developers need to be studied further before being regarded as examples of good practice.

### 5.2 Government Consultation

*Once submitted, the procedure for consultation will be similar to that of a terrestrial planning application as detailed in Article 5 of the Town and Country Planning (Development Procedure Order) 2005. Article 5 provides that the Department will give notice of the application and allow written representations to be made for a pre-defined period. Where appropriate, statutory consultees and Government Departments will be contacted and invited to make representations. Following best practice, a similar provision will be afforded to key stakeholders, Planning Authorities and Government bodies of adjacent jurisdictions.*

Recent developments in IOM planning practice appear to suggest a reduction in the number of parties being regarded as having rights of representation in planning matters. This seems to run contrary to the processes outlined earlier in this Consultation text - and some clarification of this would appear necessary.

Submitted on Behalf of TravelWatch ISLE OF MAN  
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