



Marine
Management
Organisation

Marine and Coastal Access Act 2009

Marine Licence Decision Report

Project Description: Seaweed Farm in Port Quin Bay

Marine Management Application Reference: MLA/2023/00307

Decision Date: 04 April 2025



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1. Introduction

The purpose of this report is to record the Marine Management Organisation's ("MMO") evaluation and conclusions to inform its consent decision.

2. Proposal

2.1. Project Background

On 12 July 2023, Camel Fish Limited ("the Applicant") submitted an application for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 ("the Act") for the installation of a 50.4 hectare (Ha) sustainable seaweed farm, located within Port Quin Bay, Cornwall ("the proposed project").

The overall aim of the proposed project is to facilitate sustainable seaweed farming for native species. Seaweed will be grown and harvested using a farm model, including infrastructure which will occupy 5 Ha of the 50.4 Ha site. The remaining space is required for farm access and operation, as well as navigational safety.

The MMO has considered the proposed project under the Act. The project involves the following activities:

1. Deposit of main seaweed farm infrastructure

The application comprises of 144 x 160 metres (m) longlines that form the main farm infrastructure. Each longline includes a 40-millimetre (mm) polysteel rope that forms the headline and risers. The risers will attach the headline to the seabed, with the risers themselves attached to the seabed using a 10m diameter marine grade stainless steel screw anchor, oil rig anchor or eco-blocks measuring 1.8 cubic metres (m³) with a weight required at each anchor point of 29.5 Tonnes and total footprint of 6x4m (for a total of 5 RC2000 cubes). The headlines will be supported by grey buoys (300 litres) attached using 10mm polysteel rope ties. These ties will be deployed over a two-to-three-year period.

2. Deposit of seeded lines onto main seaweed farm infrastructure

The seeded lines will be seeded with seaweed 'seeds'. The lines comprise 4m long seeded droppers spaced 1m apart along the headline. The droppers will be made of 12-14mm polysteel rope and will be attached to the headline using 12-14mm polysteel rope. Depositing of the lines will occur annually in October and November, requiring 36 deployment days when the farm is at full longline capacity (144 longlines).

3. Removal of seeded lines (harvesting) from the main seaweed farm infrastructure

The removal of the lines would occur annually, requiring 36 removal days when the farm is at full longline capacity (144 longlines). Removal will occur in daylight hours during April and May annually, in line with the water temperature rise and biofouling



which indicates the end of the growing season. The harvested seaweed will then be landed on shore.

2.2. Project Location

The proposal is located within Port Quin Bay, Cornwall (see Figure 1 below).

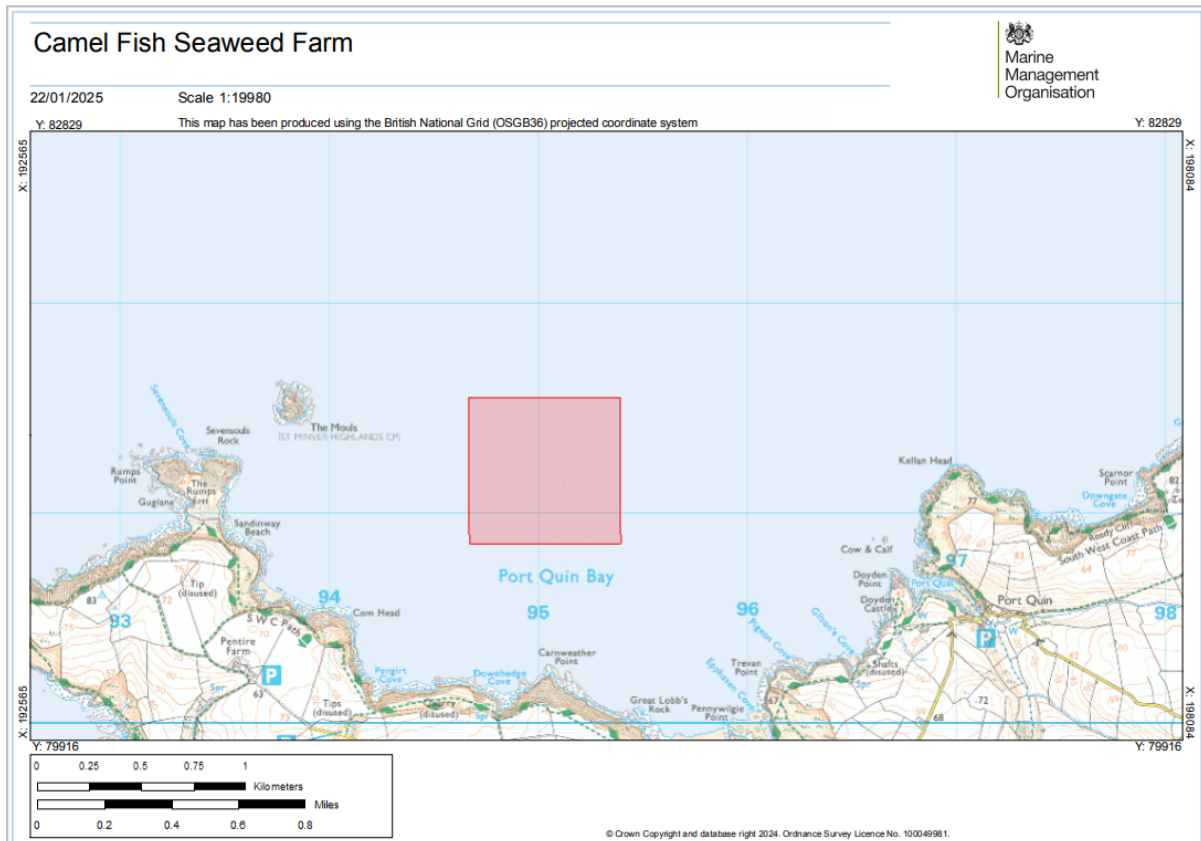


Figure 1: Site map showing the location of the proposed seaward farm within Port Quin Bay, Cornwall. The location of the proposed works is indicated by the red polygon.

3. Legislative and Policy Framework

Relative considerations under other legislation and / or policy are set out below:

3.1. Marine and Coastal Access Act 2009 Section 66, Part 4 (Chapter 1)

A marine licence is required, under Part 4 (Chapter 1) Section 66 of the Act, for the following elements of the Project:

- Deposit of main seaweed farm infrastructure
- Deposit of seeded lines onto main seaweed farm infrastructure
- Removal of seeded lines (harvesting) from the main seaweed farm infrastructure



In determining an application for a marine licence, the MMO is required under Section 69(1) of the Act:

“(1) In determining an application for a marine licence (including the terms on which it is to be granted and what conditions, if any, are to be attached to it), the appropriate licensing authority must have regard to—

- (a) the need to protect the environment,*
- (b) the need to protect human health,*
- (c) the need to prevent interference with legitimate uses of the sea, and such other matters as the authority thinks relevant.”*

3.2. The Conservation of Habitats and Species Regulations 2017

National Site Network (“NSN”) sites are those designated under The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) as Special Protection Areas (“SPAs”), Special Areas of Conservation (“SACs”) or Sites of National Importance (“SNIs”). As a matter of Government policy, potential SPAs (“pSPAs”), candidate SACs (“cSACs”) and Ramsar sites are also treated as NSN sites.

A 2km desk-based survey was carried out to identify SACs, cSACs, SPAs and pSPAs. Bristol Channel Approaches / Dynesfeydd Môr Hafren SAC was identified as overlapping the area of the proposed works. Following completion of a Habitats Regulations Assessment (“HRA”), it was concluded that this proposal, alone and in combination with other projects, is compliant with the Habitats Regulations.

3.3. Marine Conservation Zones

Section 116 of the Act provides powers to the Secretary of State to designate Marine Conservation Zones (“MCZs”) with the aim of contributing to the achievement of a network of ecologically coherent and well-managed marine protected areas. Achieving this aim will make a major contribution to achieving good environmental status in the UK's seas, as required by the Marine Strategy Regulations 2010.

Under Section 125 of the Act, public authorities must ensure they exercise their duties in a manner which best furthers the conservation objectives stated for an MCZ, or where it is not possible to exercise its functions in a manner which furthers those objectives, exercise them in the manner which the authority considers least hinders the achievement of those objectives. Under Section 126 of the Act, if the public authority considers that there is or may be a significant risk of the (licensable) activity hindering the achievement of the conservation objectives stated for the MCZ, the public authority must notify the appropriate statutory conservation body of that fact and wait 28 days for guidance on the matter. As a public authority, the MMO must have due regard to any advice or guidance provided by the appropriate statutory conservation body under Section 127 of the Act.

Section 126 (7) states:



“(7) The public authority must not grant authorisation unless the person seeking the authorisation satisfies the public authority that there is no significant risk of the act hindering the achievement of the conservation objectives stated for the MCZ. Unless the person seeking authorisation satisfies the public authority that:

- a) there is no other means of proceeding with the act which would create a substantially lower risk of hindering the achievement of those objectives,*
- b) the benefit to the public of proceeding with the act clearly outweighs the risk of damage to the environment that will be created by proceeding with it, and*
- c) the person seeking the authorisation will undertake, or make arrangements for the undertaking of, measures of equivalent environmental benefit to the damage which the act will or is likely to have in or on the MCZ.”*

The public authority must use its power to attach conditions to the authorisation to ensure that measures of equivalent environmental benefit to the damage which the activity will, or is likely to have in or on, the MCZ are undertaken.

A 2km desk-based survey was carried out to identify MCZs. Padstow Bay and Surrounds MCZ was identified as being over 1 kilometre (“km”) from the project area and the MMO concluded that there was no impact pathway between the project and the MCZ. Accordingly, no MCZ assessment was prepared.

3.4. Wildlife and Countryside Act 1981 (as amended)

Sites of special scientific interest (“SSSIs”) are protected by law to conserve their wildlife or geology. The Wildlife and Countryside Act 1981 (as amended) ensures that SSSIs are protected and managed effectively. Pentire Peninsular SSSI was identified in the vicinity of the proposed works.

3.5. Marine Policy Statement and South West Inshore Marine Plan

The UK Marine Policy Statement (“MPS”) is the framework for preparing marine plans and taking decisions affecting the marine environment. The MMO must make licensing decisions in accordance with the MPS and marine plans unless relevant considerations indicate otherwise (in which case the MMO must state its reasons).

The South West Inshore Marine Plan covers an area of approximately 2,000km from the Welsh Border to the River Dart and from Mean High Water Springs to 12 nautical miles. The plan guides the MMO to encourage sustainable development while considering the environment, economy and society. The MMO considers each of the marine plan policies that make up the overall marine plan during the course of determining a marine licence to ensure that the proposal is not in conflict with the overriding objectives of the plan.



4. Consultation Exercise

The MMO has considered the application and consulted widely upon it. The relevant responses have been summarised within this decision report and the relevant representations can be found on the MMO Public Register:

https://marinelicensing.marinemanagement.org.uk/mmofox5/fox/live/MMO_PUBLIC_REGISTER

This section summarises consultation undertaken by the MMO in relation to the Project.

4.1. Consultation Bodies

The MMO has a broad power under section 69 of the Act to consult with any public or private body or person it thinks fit, with relevant and/or particular expertise as to the general manner in which it proposes to exercise its powers, and on the specific considerations of any particular application.

As part of its consideration of the proposed project, the MMO consulted the bodies listed below in Table A. Consultation was opened on 13 October 2023 and ended 27 November 2023.

Table A. Consultation bodies for the initial consultation.

Organisation	Date Response received	Summary of Comments
South West MMO Office	01 November 2023	Hale/Newlyn is the local MMO office, but no issues identified.
Natural England (“NE”) (Statutory Nature Conservation Body)	13 November 2023	Further information on noise levels and timing for scaling up the farm required. Further information relating to harbour porpoise required and information on how marine mammals interact with applicant’s existing seaweed farms. Further consideration of in-combination impacts required due to the application by Camel Fish (MLA/2023/00308) for an identical seaweed farm immediately adjacent to this application.
Environment Agency (“EA”)	No response received.	The Environment Agency did not respond to the consultation and therefore the MMO considered that they have no objection to this proposal. However, the EA contacted the MMO on 6 March 2024 enquiring if they could submit comments. Comments received requested more information on migratory salmonids and information relating to the timing of works including materials and impacts this may have on migratory fish.



Historic England (“HE”)	09 November 2023	Required a Desk Based Assessment (“DBA”) be carried out.
Maritime and Coastguard Agency (“MCA”)	14 December 2023	Submitted after consultation had closed. Would not provide comments until the applicant had engaged with Trinity House and addressed their concerns.
Royal Yachting Association (“RYA”)	10 November 2023	No comments were provided
Trinity House (“TH”)	13 November 2023	No engagement from the applicant and comments attributed to TH in the application were only valid for the Tor Bay application and not the Port Quin application. Required cumulative Navigational Risk Assessment (“NRA”).
Padstow Harbour Authority	No response received.	The Harbour Authority did not respond to the consultation and therefore the MMO considered that they have no objection to this proposal.
Cornwall National Landscapes	22 November 2023	Required a landscape and seascape assessment and more information on the number of buoys and illuminated marks.
National Federation of Fishermen’s Organisations (“NFFO”)	No response received.	The NFFO did not respond to the consultation and therefore the MMO considered that they have no objection to this proposal.
Cornwall Inshore Fisheries and Conservation (“IFCA”)	17 November 2023	Further assessment on the impacts on Fisheries and Fishing activity required. Information on habitat type and entanglement of harbour porpoise required.
Cornwall County Council	No response received.	Cornwall Council did not respond to the consultation, however the MMO did receive an objection from St Endellion Parish Council through the public consultation process. St Endellion Parish Council had a range of concerns including but not limited to non-compliance with South West Marine Plans, visual impacts, tourism impacts, pollution impacts and wellbeing impacts. In addition, Padstow Town Council responded through the public consultation process and noted that any proposals for landings at Padstow (south Quay Dock) directly impacts Padstow Town Council as access is required across its Railway Car Park and permissions would be required.

Following the conclusion of the consultation period the MMO issued the comments received from the consultation to the applicant under Request for Information (“RFI”) 1 on 12 December 2023. This requested that the applicant review the responses and prepare their own responses to the comments raised. This was submitted to the MMO on 18 December 2023.

Following a review of this information, the MMO carried out a further round of consultations on 22 December 2023.

Table B. Consultation bodies for the second round consultation.

Organisation	Date Response received	Summary of Comments
HE	26 January 2024	Further information required on the DBA relating to mitigation
Trinity House	31 January 2024	Conditions requested relating to markings and concerns over liability should the project go into administration
Cornwall National Landscape	16 January 2024	Visual Impact Assessment is inadequate, and project is not compliant with the Cornwall Area of Outstanding Natural Beauty (“AONB”) management plan.
IFCA	26 January 2024	Further information required.

Following the conclusion of the second round of public consultation (see section 4.2) the MMO issued a further RFI (RFI 3) on 22 April 2024 requesting additional information regarding the impacts on Marine Mammals this was received by the MMO on 03 June 2024.

A third RFI (RFI 4) was issued on 02 May 2024 which requested outstanding information from the second consultation round and included copies of submissions received from the ‘Save Port Quin Bay’ (“SPQB) latterly ‘Save Our Bays Community Interest Company (“SOB”) and from the Seal Research Trust with points for the applicant to address. The MMO requested that the applicant submit the information *“within one response document and not separated through multiple documents, as this will aid in subsequent consultations.”* A response to this was received on 13 June 2024 and contained 25 individual documents and 12 redacted versions of those documents. The MMO issued a further RFI (RFI 4) confirming that due to the nature of the submission the MMO did not consider the request to be fulfilled under Section 67 of the Marine and Coastal Access Act 2009. The MMO also clarified that they should not include letters of support and that the report should be *‘properly organised, using appropriate chapter headings, and that the information within these sections should deal only with the subject under discussion., In addition, we request that the information within the document be clear and concise with any non-essential information removed’*. The MMO also advised that as it does not consider the initial request (RFI 3) fulfilled that the MMO’s ‘On Hold’ procedure is not applied to the application and that if the updated information was not provided within 14 days of the issue of the letter, then the MMO will move to reject the application following a further 7 day period. The information therefore was requested by 23 July 2024. A response to this request was received on 23 July 2024 and the MMO considered the request fulfilled.

Following the receipt of the information the MMO then updated the HRA which concluded that there would be a Likely Significant Effect (“LSE”) on the SAC due to habitat loss as the proposed farm now used eco-blocks and not screw anchors.

Following the updates to the MMO's Assessments a further round of consultations were undertaken on 29 October 2024 and concluded on 11 December 2024.

Table c. Consultation bodies for the third-round consultation.

Organisation	Date Response received	Summary of Comments
IFCA	27 November 2024	Further information required and concerns over the data sources used to inform the assessments
Padstow Harbour Authority	27 November 2024	Objecting due to incompatibility with the SW Marine Plan and concerns over the Harbour's ability to support the shore-side activities
NFFO	27 November 2024	Objects over impacts on fishing and data sources used to inform the assessment
Trinity House	26 November 2024	Further information required for NRA as sources used are outdated. Concerns over navigating in the site in the event of an emergency
South West MMO Office	No response received.	The local MMO office did not respond to the consultation and therefore the MMO considered that they have no comments beyond the initial consultation.
EA	11 December 2024	Concerns over the resilience of the infrastructure with the wave climate conditions of the area, consideration of sea trout required.
RYA	27 November 2024	Concerns over multiple applications, the use of data for the NRA, and impacts on boat users within the bay.
MCA	02 December 2024	Objecting over the impacts on navigation in the bay specifically related to the designated anchorage, and information in the NRA
NE	04 December 2024	Concerns over infrastructure and entanglement, seabed habitat, SSSI impacts and seascape/landscape impacts.
HE	25 November 2024	DBA requires minor changes and condition required.
MMO Marine Conservation Team ("MCT")	29 November 2024	No wildlife licence required but deferring to Statutory Nature Conservation Bodies (SNCB) for impacts on marine mammals.
Cornwall National Landscape	11 November 2024	Visual Impact Assessment is not sufficient, conflicts with Cornwall AONB Management plans.
Centre for Environment, Fisheries and Aquaculture Science ("CEFAS") Fish biology team	02 December 2024	Impacts on harvesting seaweed required.
CEFAS Benthic Ecology team	03 December 2024	The response indicated that the information provided is appropriate to assess the impacts. However on 10 February 2025 the MMO received further



		correspondence from CEFAS requesting the withdrawal of this advice and provided an updated response indicating that the information provided was not sufficient to assess the impacts particularly on pink sea fan due to smothering from discarded seaweed, the risk of INNS and lack of baseline benthic characterisation.
CEFAS Coastal Processes team	03 December 2024	Information on wave climate, currents and seabed required to enable assessment of impacts.

4.2. Responses from Consultation Bodies

The full responses obtained through consultation are available on the MMO public register by searching MLA/2023/00307:

https://marinelicensing.marinemanagement.org.uk/mmofox5/fox/live/MMO_PUBLIC_REGISTER

4.3. Public Consultation

The requirement for public consultation is set out in section 68 of the Act:

“Section 68

(1) Having received an application for a marine licence, the appropriate licensing authority must—

- (a) publish notice of the application, or*
- (b) require the applicant to publish notice of it.*

(2) Publication under subsection (1) must be in such manner as the authority thinks is best calculated to bring the application to the attention of any persons likely to be interested in it.”

The application was advertised in the local newspaper, The Cornish Post on 25 October 2023, as well as the local noticeboard at Padstow Harbour. At the time, the MMO considered that this complied with our publicise request. During this period no public representations were received.

The MMO received comments from the public in February 2024 which suggested that the application did not reach its intended audience. Following further representations, the MMO requested that the application be re-advertised with notices placed in Port Quin and Port Isaac.

During this second round of public consultation the MMO received 712 public representations.

Due to the high level of public interest in the application, during the third-round consultation with the consultation bodies, the submitted information from the



applicant was also uploaded to the public register with a subsequent request to the applicant to re-advertise the application. This gave the public an opportunity to comment on the newly available information and the changes to the design of the farm (from screw anchor to eco-block). Due to the HRA identifying an LSE, this caused the band to change from a Band 2b (capped) to a Band 3 (uncapped). As such Band 3 cases have further requirements for public advertisements. The MMO requested the adverts be placed in two local newspapers and Fishing News and that notices be placed in the same locations as the previous notices. This was issued to the applicant on 22 October 2024 with a response provided on 06 November 2024. The adverts were placed in the Fishing News on 31 October 2024 and the Cornish and Devon Post on 30 October 2024 and 6 November 2024. During this third round the MMO received 681 representations.

4.4 Summary of Public Responses

Several key issues were identified during the initial consultation these were:

- 1) Impacts to wildlife including entanglement of marine mammals and seabirds
- 2) Restricted use of Port Quin Bay due to the presence of the seaweed farm for recreation and for fishing
- 3) Suitability of the seaweed farm infrastructure considering the sea states in the area
- 4) Visual impact of the farm due to the infrastructure and the use of lighting on the marker buoys

Following the submission of the further information documents and the 3rd public consultation round, the MMO received numerous representations. The key issues were identified as:

- 1) Suitability of the updated infrastructure and risk of damage
- 2) Characterisation of the sediment at the seaweed farm site
- 3) Habitat loss and entanglement due to the use of eco-blocks
- 4) Impacts on the use of the bay as a safe anchorage

The full responses obtained through public consultation are available on the MMO public register by searching MLA/2023/00307. These responses are held in the public comment section with those received via email held in the documents titled: “MLA202300307 and 00308 Public Representation Log (Redacted)” for the second third round responses in “MLA202300307 and 00308 Public Representation Log second consultation (redacted)”. The MMO’s response to these publications can be found in Section 6 of this document.

5. South West Marine Plan Assessment

The licence area identified within the application falls within the South West Marine Plan Area and the MMO has undertaken a marine plan assessment to determine if



the proposed project is compliant with the plan policies. The MMO must make licensing decisions in accordance with the MPS and marine plans under Section 58 of the Act unless relevant considerations indicate otherwise (in which case the MMO must state its reasons).

Whilst the South Marine Plan has policies in support of Aquaculture (S-AQ-1 & S-AQ-2) and in support of proposals that develop skills related to marine activities (S-EMP-1), one or more policies do not have precedence or importance over other policies. Each case is reviewed on a case by case basis using all the information provided. For example, S-AQ-2 policy guidance links to policy S-DIST-1, S-UWN-2, S-AQ-1, S-FISH-2, S-FISH-3, S-INF-1, S-PS-3, S-CAB-1, and therefore in the policy assessment all policies need to be taken into account.

In addition to this the MMO works through the policy walkthrough: <https://www.gov.uk/guidance/marine-licensing-impact-assessments#marine-plan-policy-assessment>. The MMO must make licensing decisions in accordance with the MPS and marine plans unless relevant considerations indicate otherwise (in which case the MMO must state its reasons).

The assessment has shown that the proposed activities are not compliant with nine of the policies within the South Marine Plan. Areas of non-compliance include conflict with fisheries, environment, and impacts on tourism and recreation.

As set out above the MMO does not consider that sufficient information has been provided in relation to the Environmental policies (SW-BIO-1, SW-BIO-2, SW-BIO-3, SW-CC-2, SW-DIST-1, SW-ML-2, SW-MPA-1), Fishery policies (SW-FISH-1, SW-FISH-2, SW-FISH-3), Access, Tourism and Recreation policies (SW-ACC-1, SW-CE-1, SW-CO-1, SW-INF-1, SW-INF-2, SW-PS-1, SW-SCP-1, SW-TR-1) and Employment Policy SW-EMP-1 .

Despite receiving further information from the applicant, the MMO was not able to conclude that the proposed project is compliant with the South West Marine Plan. Further information can be found on the Marine Plan Assessment section on the public register.

6. Application Determination

The MMO, as the Licensing Authority, has now completed its consideration of the application submitted 12 July 2023 for a Marine Licence under Part 4 of the Act for the installation of a seaweed farm at Port Quin, Cornwall.

After careful consideration of all the evidence, the MMO determined to refuse the application.

The reasons for this decision are:

- Based on the existing information the proposed activities currently represent unacceptable risk to existing users of the sea.



- There is insufficient evidence that the project would not have a significant impact on the landscape and seascape including the protected characteristics of the Cornwall National Landscape.
- There is insufficient evidence that the project will not have a significant impact on the environment.
- The proposed activities are not compliant with the South West Marine Plan policies as set out in the South West Marine Plan.

6.2 Impacts to Navigation and Recreation

During the process of determining this marine licence application, the MMO sought direct advice from the following stakeholders regarding the impact of the proposal on the environment:

- a) Maritime Coastguard Agency
- b) Trinity House
- c) Royal Yachting Association

During the processing of the marine licence application the MMO also received a number of public representations expressing concerns relating to the impact on recreation and navigation.

During the initial consultation the MCA could not provide a response as the applicant had not engaged with Trinity House who had concerns over the proposal. Trinity House noted that there was no cumulative assessment of navigational impacts and requested that they (the applicant) engage with Trinity House. Following the submission of updated Navigational Risk Assessments, Trinity House confirmed the marking requirements for the site consisting of pillar-shaped special mark buoys with yellow St Andrews cross top mark, with 5 second flashing yellow lights, however they also remained concerned over decommissioning plans should the applicant fall into administration.

6.2.1 Anchorage within Port Quin

During the processing of this application the NRA has been revised with Trinity House and the MCA consulting on the document along with the application in general.

Despite these responses the Applicant has still not considered sufficiently the impacts of the project on navigation within Port Quin Bay. Following consultation with the MCA the MMO disagrees with the statement that 90% of the bay will remain open for other marine users. Port Quin bay is an important anchorage for vessels in the event of adverse conditions. The Applicant has only considered the anchorage as a fixed point and stated on p.476 of the RFI document submitted on 22 October 2024 that “the proposed farms will not prevent them from accessing the Bay for shelter or the safe anchorage point“. However, Nautical Publication - West Coast of England and Wales Pilot Books published by the Admiralty in Chapter 2, Section 2.62 lists the Port Quin Anchorage as “*between the promontory, of which Rumps Point (50°35’-64N 4°55’-48W) (2.56) is the W extremity, and Kellan Head (50°35’-72N 4°52’-20W) (2.58), 1 ¼ miles E, the E extremity*”. This is shown by the orange



line in the image below. The coordinates of the anchorage provided in the publication are also plotted in the image below as the red cross, which is within the proposed seaweed sites (shown by the green dots on figure 1).

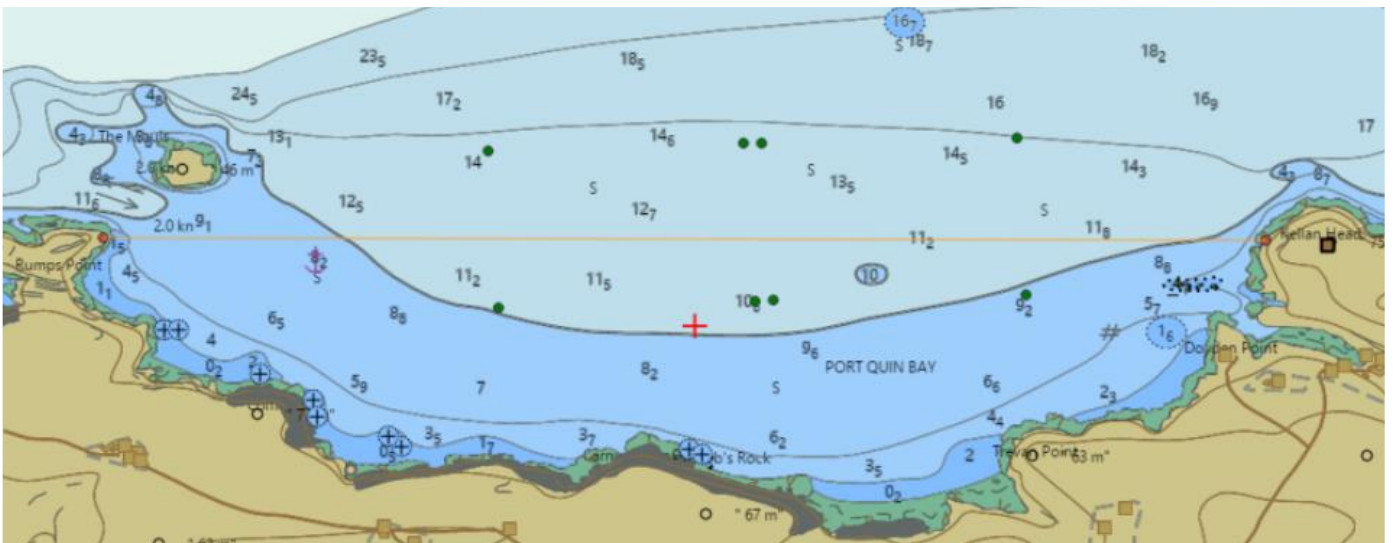


Figure 1: Chart showing the proposed seaweed farm and the orange line denoting the limit of the anchorage (Source: MCA consultation response 02 December 2024)

The proposed sites would therefore directly encroach on a recognised anchorage, both charted and noted in nautical publications.

Larger vessels with 4m plus draught would prefer to anchor in deeper water where the farms would be located, rather than anchor in the two channels east and west of the farms which are in shallower water. Although there are not as many cargo vessels entering the bay to anchor as smaller recreational vessels, the anchorage is a charted location for vessels of any size to take safe harbour. The proposed farm along with the similarly proposed seaweed farm by Biome Algae Ltd (MLA/2023/00308) will squeeze available sea space. While EMODnet suggest navigation around the sites is feasible, this needs to be considered in the context of poor weather and poor visibility.

6.2.3 Navigation Risk Assessment

The MMO is also concerned that the Safety Assessment and Risk Matrices are not satisfactory and are a duplicate copy of another marine licence application for a seaweed farm in Combe Martin, Devon (MLA/2023/00227). The MMO is therefore concerned as to whether the NRA is site specific with appropriate consideration given to local navigational features.

No definitions to the tolerability levels are provided, and the control measures are not hazard specific. There is a long list of control measures which do not necessarily apply, nor are focussed enough to distinguish between impacts. There are multiple errors and some place controls on third parties which will be unachievable.

The risk assessment does not suitably address vessels rerouting in poor weather and poor visibility. It appears that the applicant has copied the Risk Control Matrix 1 on page 461 from Marine Guidance Note 654 (MGN654) but this matrix has not been made relevant for this specific project, e.g. Section 10 Routeing and Routeing Management includes references to managing traffic through VTS.

The MMO also received representation from the NFFO stating that the 20m separation lanes were insufficient and that the “widely accepted” minimum safe distance is 50m. They further state that the tidal and environmental conditions in the region would inhibit safe transit through the site with only 20m clearance between the lines.

In addition to this, the MMO does not have sufficient information on the plans to upscale the site and the proposed dimensions at each phase. It is also unclear from the information provided whether the RNLI is content from an emergency response perspective and whether they believe there is sufficient clearance within the access channels as to not hinder any operations within the bay.

6.2.4 Information informing vessel usage within Port Quin Bay

The MMO has concerns over the data used to inform the Navigational Risk Assessment along with impacts on tourism and recreation within the bay.

The vessel tracking data used from EMODnet and Automatic Identification System (AIS) appears to be taken from 2017-2021. More recent vessel data should have been used in the NRA to assess the risks posed in the current operational environment. The data on cargo vessels is incomplete as the MMO are aware of other cargo vessels that have used the bay for anchorage from 2023 that are not included in the cargo vessel list on page 473 of the RFI document submitted by the applicant on 22 October 2024.

AIS (or EMODnet) data are not reliable indicators of use of an area by small craft, as the percentage carrying AIS transceivers is low. There is reference on page 343 to use of the RYA “seaTRK” [sic] and “Coast Atlas” [sic]. The RYA Coastal Atlas contains data from AIS and SafeTrx systems. While the Atlas shows low levels of recreational activity in Port Quin Bay, it is not compulsory for recreational boats to transmit AIS and SafeTrx is also a voluntary scheme. Therefore, the use of AIS in this area is not on its own an adequate indication of recreational activity. The Applicant notes that the proposed farm lies within the blind spots of National Coastwatch Institution observation stations so there is no visual data to support the applications, and reliance is made on conversations and anecdote.

References are made on several pages within the RFI to the “Pre-engagement log” to evidence the above consultations. The log indicates one individual from one sailing club offering “no objections” on the basis of a face-to-face conversation. The MMO does not consider this to be adequate consultation, or indeed evidence, as there is no indication as to the nature of the information provided, the actual date of the conversation or the circumstances of the meeting. The column “Letter of Support” does not indicate that any clubs offered their formal support to the project, so the above statement is unsupported by the evidence. Some comments in the



pre-engagement log suggest consultation with the “Port Quin Sailing Club”. Information from consultation with both the RYA and from representations from the public consultation suggest that this club does not exist. The MMO has found no evidence that such a club exists.

The MMO therefore concludes that based on the available evidence, the MMO cannot rule out that the construction and operation of a seaweed farm within Port Quin Bay would not pose a risk to navigation, other sea users, and the ability of the relevant authorities to respond to any emergency within the bay.

6.3 Impacts on the Cornwall National Landscape

The Project area is situated in the immediate waters of Port Quin Bay adjacent to, and within the setting of the Pentire point to Widemouth Bay of the Cornwall National Landscape (formerly Cornwall Area of Outstanding Natural Beauty). The protection afforded to the Cornwall National Landscape extends to any effects arising within its setting as would be the case with the proposed seaweed farm.

Following an initial round of consultation with the Cornwall National Landscape authority the applicant had provided a visual impact assessment of the seaweed farm and considered the policies outlined by the National Landscape Authority.

The RFI 7 document submitted on 22 October 2024 for the latest round of consultation included a section titled “*Visual impact assessment.*” However, it does not provide any methodology for undertaking the assessment. The impact assessment concluded that the visual impact would be “*low to moderate*” and “*would not distract from the rugged tranquillity of the seascape in Port Quin bay*”. The assessment also concluded that; the proposed visible infrastructure is compatible with its location in design, will not have a detrimental visual impact and will not erode the special qualities or features with the designated AONB. However, with the absence of any methodology the MMO does not consider this assessment to be sufficient. Renders of the site provided are too small to ascertain what the visual impact of the infrastructure would be.

Renders should be produced and provided in line with existing best practice as outlined in the Landscape institute technical guidance note 06/19¹. These therefore cannot be considered as evidence that the impact of the farm would be “*low to moderate*”.

Based on the information currently provided the Proposal fails to meet the following policies as set out in the Cornwall AONB Management Plan 2022-2027:

- *PD-P1 - All development within the AONB will be required to adopt a “landscape-led” approach*
- *PD-P2 - Development management decisions should specifically consider the cumulative effects of individual developments on the designated landscape.*

¹ Landscape Institute (2019), Technical guidance note 06/19 Visual Representation of Development Proposals. Available at: https://www.landscapeinstitute.org/wp-content/uploads/2019/09/LI_TGN-06-19_Visual_Representation-1.pdf



- *PD-P11 - Any development in, or within the setting of the AONB must be sustainable development that maintains local distinctiveness and contributes to the sense of place; it should respond to local historical, cultural and landscape context and enhance and feel part of the existing landscape.*
- *PPW-P3 specific to the location of the seaweed farms (my emphasis): "Seek conservation and enhancement of the undeveloped character of the coast: for example, Witches Cauldron to Port Quin Bay...such that they return to having a more undeveloped character."*

The MMO therefore conclude that based on the information it currently holds, insufficient evidence has been provided that the project will not have a detrimental impact on the Cornwall National Landscape.

6.4 Impacts on Fisheries

The applicant has considered the impacts on fish and fishing activities within the initial application and subsequent submissions. The MMO has consulted with the following relating to impacts on fish and fishing activities:

- a) National Federation of Fishermen's Organisations
- b) Devon and Cornwall Inshore Fisheries Conservation Agency
- c) CEFAS Fish biology team

The MMO also received a number of representations from anglers and fishers who use the bay.

The MMO has reviewed the Fisheries Assessment (Chapter 12) and Fisheries impact assessment (Chapter 13) in consultation with the above bodies and note the following.

There is no description of the methodology used to inform the Fisheries assessment. Data provided is not site specific and lacks any contemporary data sources. There is no assessment of impacts against receptors and does not adequately assess any impacts in a clear and replicable methodology.

Furthermore, the chapter does not assess either commercial fisheries or the fish and shellfish resources in a way to accurately assess the impacts of the site on any receptor group. There is a lack of data beyond that presented in Coull. (1998)² and Ellis et al. (2012)³. The Spawning and Nursery ground maps do not include species that have overlapping spawning or nursery grounds within the wider Port Quin area.

The Fishery impact assessment in Chapter 13 provided Vessel Monitoring System (VMS), Automatic Identification System (AIS) and European Marine Observation and Data Network (EMODnet) data to inform the impacts on commercial fisheries.

² Coull, K.A., Johnstone, R., and S.I. Rogers. (1998) *Fisheries Sensitivity Maps in British Waters*. Published and distributed by UKOOA Ltd

³ Ellis, J.R., Milligan, S.P., Ready, L. Taylor, N. and Brown, M.J. (2012) Spawning and nursery grounds of selected fish species in UK waters. *Sci. Ser. Tech. Rep., Cefas Lowestoft, 147: 56 pp*



However, EMODnet fishing intensity data only gives information on vessels over 12m. While the applicant has also used MMO landing data which covers fishing vessels of all sizes the time periods, the EMODnet data and landing data covers two separate time periods, 2022 and 2017-2020 annual average. In addition to this Figure 3 (page 241) includes fishing density data from 2020. The data suppresses the average totals due to the Covid-19 pandemic and should not be used. The interpretation of VMS does not account for the ping rate of VMS on vessels greater than 12m. Therefore, any conclusions drawn from VMS data is not reliable as the ping rate will not accurately capture fishing vessel density.

The assessment stated that fishing effort is relatively low and refers to the landing data to support this. However, landing data is not an indication of fishing effort and the MMO does not consider this sufficient to support the claim. The use of the landing data lacks any interpretation or discussion on what the information shows the MMO therefore is unable to understand the potential impacts.

The applicant quotes the Cornwall IFCA netting effort from 2017 to 2021 within International Council for the Exploration of the Sea (ICES) rectangle 30E5, as showing a decrease in effort of 0 to -1,000 Nh/km². The MMO note that the IFCA 2022 Summary Statistics are available. The 2018 to 2022 netting effort for ICES 30E5 belted statistical area (BSA) 3A, shows an increase in effort between 0 to +1,000 Nh/km². The MMO note that these statistics and the landing data shows the importance of pots and nets within the statistical area that Port Quin falls into.

For fishing vessel activity of vessels under 12m in length that typically work in inshore waters, the spatial information contained within MMO landings data is too coarse to accurately represent the highly complex and dynamic activity of these fishers and it does not provide reliable information on where the fish was caught, but rather where it was landed. In light of this data limitation the applicant has informed their assessment using survey data from a fisher interview of ~12 local fishers that use static gears in vessels under 12m in length. The applicant concluded from their survey that whilst potting and netting is active within the Port Quin Bay area, the proposed farm locations and activity of seaweed farming will not affect their current operations and as a result, all the interviewees support the seaweed farm applications. While the survey results do provide a degree of qualitative information in support of their conclusions, the survey only captures about half of the under 12m vessel fishers that use Padstow and Port Isaac ports when landing their catch. Without being supplemented by additional quantitative fisheries data, the MMO does not have confidence that the interview and survey data is sufficient to represent the full range of fishing activity for under 12m vessels operating in the Port Quin Area.

The applicant stated within the assessment that *“This data infers that activities such as trawling and dredging are not commonplace within the Bay area. This is further supported by our engagement with Pentire Fishing Limited, they discussed that they were the only fishers with a trawling vessel that was active within the bay, and they fully supported our proposed licensed site.”* The assessment also references the *“knowledge of Paul Blewett of Pentire Fishing Limited (Camel Fish) who has worked out of Port Quin for the past 20 years”* as an evidence base to support their conclusions in their impact assessment on demersal gear fisheries. However, as



Paul Blewett is the lead applicant, this evidence base alone cannot be deemed appropriate and requires further confirmation from external sources.

The MMO received public representations from a fisher working from Port Quin who was unaware of the project during the initial consultation, they have also highlighted that their views nor those of the other fishers within the bay were sought by the applicant and have also highlighted the insufficient information within the assessments. Furthermore, there are conclusions throughout the document that, although may be valid, have not been supported by any published literature or appropriate evidence base being referenced.

In the Static Gear Fishing impact assessment, on page 225, the section stated that *“During our communication with local fishers and potters (pre- engagement), they advised that whilst potting and netting is active within the Port Quin Bay area, the fishers have been able to adapt their static operations to take into account mariculture within the Bay.”* As there is currently no aquaculture infrastructure in the Port Quin Bay area, it is not possible for static gear operations to have been adapted to accommodate any infrastructure.

The MMO cannot agree with some of the applicant’s conclusions and based on the available evidence is not satisfied that the project will not have significant impacts on fishing activity within Port Quin Bay.

6.5 Integrity of the infrastructure and entanglement risk

During the consultation periods, questions and concerns around the integrity of the site have been received by the MMO. Within the RFI document submitted on 22 October 2024, the applicant provided a report from ArcMarine outlining the design of the site along with further information relating to the wave regime in the area.

The MMO consulted with the coastal processes team from CEFAS along with the MCA and Natural England, as the risk of a failure in the farm infrastructure could pose a risk to marine life and navigation.

The MMO note that there is an assessment of the hydrodynamics however this is considered relatively weak following consultation. Extreme wave events should also be considered due to the location of the site and a reason for using only data from between 2021 and 2023 is unclear. Information relating to the currents was also provided however information on where these figures were found was not included.

Information relating to the seabed composition at the site is also unclear. While information was used from EMODnet seabed habitat mapping and DEFRA MAGiC maps to identify the habitat type, the data is too broadscale in this area to accurately assess the conditions at the site. This can be demonstrated by noting the differences between the site of the farms and the mapping data within the Padstow Bay and Surrounds MCZ which has had surveys undertaken. The MMO has also received information during the public representation that the habitat is sandy gravel as identified by the British Geological Survey seabed habitat mapping. The sediment



composition is a key decision point on the overall integrity of the site and whether the eco-blocks would be sufficient as anchoring considering the sea conditions.

Due to the uncertainty regarding the integrity of the infrastructure the MMO does not agree with the applicant's conclusions that the farm would not pose a risk of entanglement with marine mammals or birds. The applicant has considered monitoring measures such as trackers, cameras and transponders on the main buoys. However, this does not reduce the risk of entanglement as it deals only with the recovery and not impacts on marine life between infrastructure failure and retrieval. While the applicant has presented information based on other seaweed farms globally, the MMO is concerned on reviewing the source documents that the applicant has been selective in interpreting the data and that the risk of entanglement has not been assessed fully.

Due to the lack of survey data on the habitat that is essential for ensuring eco-blocks will remain static over the lifetime of the farm, lack of information on the wave climate or consideration of future impacts due to climate change driving more storms into the South West and the site's exposed location and the lack of evidence based assessments on marine mammal entanglement the MMO based on the information it currently holds cannot rule out significant impacts on marine life due to the risk of infrastructure failure, nor the risk to navigation within the bay that lost lines or buoys could pose.

7. Conclusion

The MMO, as competent authority, has considered the impacts of the proposed project, along with further information provided by the Applicant and consultees. The MMO has ensured that it has applied its own expertise as well as that of its technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (CEFAS), and that of statutory consultees and all stakeholders. The MMO has carried out three rounds of consultation with our technical advisors, consultees and the public. Further to this the applicant has had four separate opportunities to provide further comments.

As stated under Part 4, Section 69 of the Act, in determining an application for a marine licence the MMO must have regard to:

- The need to protect the environment;
- The need to protect human health;
- The need to prevent interference with other legitimate uses of the sea; and
- other such matters that the MMO considers relevant.

The MMO is not satisfied that the application robustly demonstrates that the works as applied for will not significantly impact the environment, or any of the other matters stated above. The MMO deems that based on the best available evidence that this activity cannot be considered safe within the proposed site. Therefore, taking all of the matters outlined above into consideration, the MMO has concluded that a marine licence cannot be granted in this case. The MMO therefore refuses to grant the marine licence for this application.



If you would like to discuss any specific matter further or require additional clarity, please do not hesitate to contact me directly.

Yours sincerely



Gregg Smith
Marine Licencing Case Officer

D (+44)2087200453
E Gregg.Smith@Marinemanagement.org.uk

References

1. Landscape Institute (2019), *Technical guidance note 06/19 Visual Representation of Development Proposals*. Available at: https://www.landscapeinstitute.org/wp-content/uploads/2019/09/LI_TGN-06-19_Visual_Representation-1.pdf
2. Coull, K.A., Johnstone, R., and S.I. Rogers. (1998) *Fisheries Sensitivity Maps in British Waters*. Published and distributed by UKOOA Ltd.
3. Ellis, J.R., Milligan, S.P., Ready, L. Taylor, N. and Brown, M.J. (2012) *Spawning and nursery grounds of selected fish species in UK waters*. Sci. Ser. Tech. Rep., Cefas Lowestoft, 147: 56 pp.

