



Marine
Management
Organisation

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Weston Marsh to East Leicestershire Case Team
Planning Inspectorate
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(Email only)

Planning Inspectorate Reference: EN0210007

20 February 2026

Dear Sir/ Madam,

Formal scoping request under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 for the proposed Weston Marsh to East Leicestershire Project by National Grid Electricity Transmission plc (National Grid).

Thank you for your scoping opinion request of 16 December 2025 and for providing the Marine Management Organisation (MMO) with the opportunity to comment on the Weston Marsh to East Leicestershire Environmental Impact Assessment (EIA) scoping request.

The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence¹. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the 2008 Act enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences².

As a prescribed consultee under the 2008 Act, the MMO advises developers during preapplication on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery

¹ Under Part 4 of the 2009 Act
² Section 149A of the 2008 Act

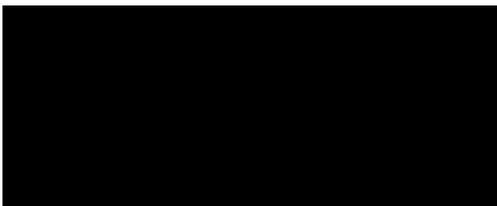


body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO’s website³. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note⁴.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours sincerely



Marine Licencing Case Manager

■ [Redacted]
■ [Redacted] [@marinemanagement.org.uk](mailto:[Redacted]@marinemanagement.org.uk)

³ <https://www.gov.uk/planning-development/marine-licences>

⁴ <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>

Marine Licensing, Wildlife Licences and other permissions

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

- local planning authority name,
- planning officer name and contact details,
- planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <https://www.legislation.gov.uk/ukxi/2017/571/contents/made> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://www.gov.uk/guidance/make-a-marine-licence-application>

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in

accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their details on our gov.uk page.

Fees

The MMO has powers under the Infrastructure Planning (Fees) Regulations 2010 (as amended) to charge for its services in relation to any advice, information or other assistance (including a response to a consultation) provided in connection with:

- an application or proposed application, for an order granting development consent, and
- an application/proposed application to make a change to, or revoke, such an order, and
- any other prescribed matter relating to NSIPs, including both statutory and non-statutory work.

For any statutory work undertaken by the MMO throughout the NSIP process, staff time will be charged at the current rate of £122 per hour.

From 1 May 2024 the MMO will begin charging for all statutory work done in the NSIP process, including responding to post application Section 56 consultations, attendance at examinations and providing written representations in examinations.

For non-statutory or discretionary work undertaken by the MMO during the NSIP process staff time will be charged at the current rate of £122 per hour plus VAT.

The MMO will also charge for any work done by any third-party technical advisors in relation to NSIP work. This is most often work done by Cefas at the current rate of £108.32 per hour.

Post consent monitoring, discharging of requirements under Deemed marine licences (DML) or variations to DMLs are chargeable by virtue of powers the MMO has under The Public Bodies (Marine Management Organisation) (Fees) Order 2014 and this work is currently charged at the rate of £94 per hour.

You will receive an estimate of the number of hours required for MMO and Cefas hours for all work needed on your NSIP project. Fee estimates may be broken down depending on the stage your project is at in the NSIP process. The estimated hours are multiplied by the appropriate hourly rate to give an estimated fee. You must accept the terms quoted before we can progress.

Final charges invoiced by MMO and Cefas are based upon actual hours worked, not the original estimate.

The staff time spent on your NSIP project is recorded in units of 15 minutes with a minimum of 15 minutes for each item of work.

MMO case managers monitor your NSIP project weekly to assess how many more case hours are needed. If the estimated final cost is likely to be significantly different from the actual final cost, you will be notified in good time. You will also receive an explanation of the circumstances and an updated estimate. You will also be informed when more than 90% of the estimated total number of hours has been used.

Please refer to our published guidance for a detailed summary of fees for marine licensing and associated work here:

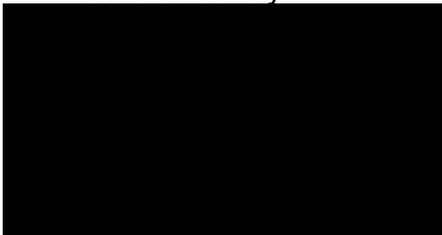
<https://www.gov.uk/government/publications/marine-licensing-fees/marine-licensing-fees>

Please also refer to additional government guidance regarding cost recovery by certain prescribed public authorities such as the MMO in relation to NSIPs [here](#):

[Planning Act 2008: Infrastructure Planning \(Fees\) Regulations 2010 - cost recovery by the Planning Inspectorate and public authorities - GOV.UK](#)

If you require further guidance on the Marine Licencing process, please follow the link <https://www.gov.uk/topic/planning-development/marine-licences>

Yours sincerely



Marine Licencing Case Manager

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