



Devon and Severn IFCA
Response to
MMO Consultation for MLA/2024/00010
Construction of a New Quay Wall
at Riverside Boatyard Teign Estuary

9th May 2024

Introduction and Scope of Response

The role of Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA) is to lead, champion and manage a sustainable marine environment and inshore fisheries within its District, which covers the area from baselines out to six nautical miles in English waters as shown in Figure 1. As the proposed development at Riverside Quay is within those boundaries, and the development may generate effects which interact with D&S IFCA's core role, it is appropriate that D&S IFCA comments on the proposed project.

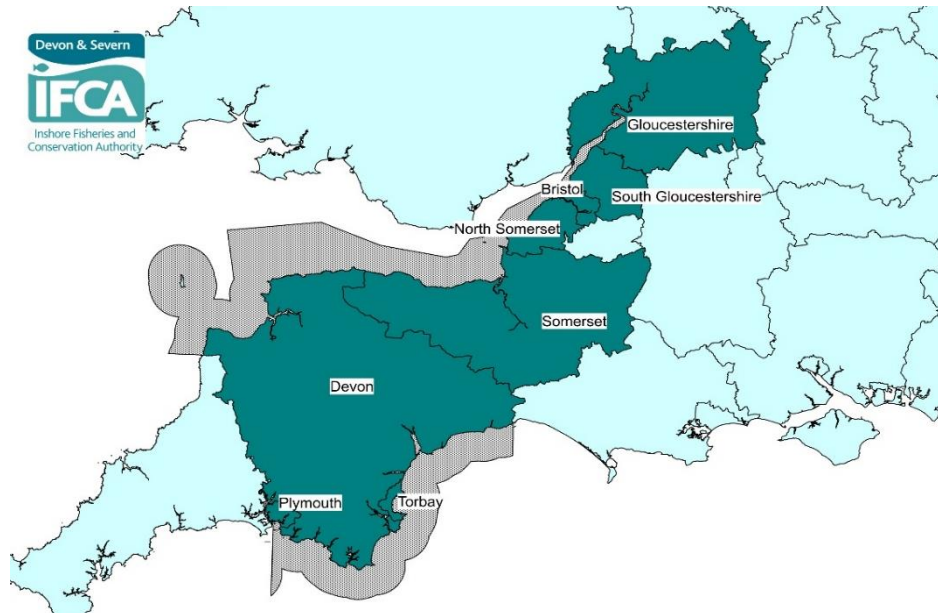


Figure 1. Map of Devon and Severn IFCA's District, showing in grey the sea area from baselines to 6nm (or the median line with Wales).

The ten regional IFCAs have a shared vision to: *“lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry.”*

The powers and duties of all IFCAs are provided by the Marine and Coastal Access Act (MaCAA, 2009), in which the main legal duties are described in sections 153 and 154; IFCAs must manage the exploitation of sea fisheries resources in their District, balancing the social and economic benefits of exploiting these resources with the need to protect the marine environment, or help it recover from exploitation. IFCAs must also seek to ensure the conservation objectives of any MCZs in the District are furthered. In all consultation responses, the Authority assesses proposals in light of these duties, while also considering the adherence of proposals with policies detailed in the relevant Marine Plan, as directed under section 58(1) of the Marine and Coastal Access Act 2009.

The Marine Plans relevant to D&S IFCA's District are the South and South West Marine Plans. D&S IFCA considers whether proposed developments will have a positive, negative or negligible effect on plan policies related to the IFCA vision to “manage a sustainable marine environment and inshore fisheries”. These considerations also enable D&S IFCA to provide advice in relation to the need to protect the environment, the need to protect human health and the need to prevent interference with other legitimate users of the sea.

Previously, D&S IFCA raised concerns to the Planning Application number: 20/00961/MAJ on 10th September 2020 in relation to the proposed Riverside Quay development (see attached

– D&S IFCA Response to Riverside Boatyard Planning Application.pdf)). D&S IFCA detailed concerns related to:

- the potential impact on the Teign Regulating Oder area and the shellfish beds adjacent to the development;
- the location of native oysters, *Ostrea edulis*, on the intertidal beds adjacent to the site and potential impacts to this species, which is subject to UK legislation, a UK Biodiversity Action Plan Priority species and included in the OSPAR list of threatened and/ or declining species and habitats;
- Potential increased access by members of the public onto commercial shellfish beds;
- Implementation of the recommendations in the Geo-Environment Report;
- Vehicular damage to the foreshore and intertidal habitats that support shellfish.

The developer responded to the concerns raised (see document attached – MLA_2020_00206-Consultation_Responses_mh-32) and D&SIFCA was content with the responses received. D&S IFCA notified Teignbridge District Council by letter, dated 22nd September 2022, and withdrew its objection to the proposal.

D&S IFCA remains satisfied with the response from the developer, which answered D&S IFCA's concerns raises in 2020. On reviewing the current MLA/202/00010, D&S IFCA would like to make the following points:

- On page 7 Question 10.2 of the 'The Screening Opinion Decision Letter', it states that a Site and Construction Management Plan and identified Biodiversity Mitigation Plan will be put in place to mitigate any impact on the intertidal habitats, their communities and species, in particular the native oyster. The MLA documentation includes the Quay Wall Construction Environment Management Plan (CEMP). The plan clearly demonstrates the proposed work and installation of the cofferdam isolating any reprofiling works from the tidal waters. D&S IFCA is reassured that the plan of proposed works was mitigated and reduced as much impact as possible to the intertidal areas and shellfisheries located there and nearby. D&S IFCA is also reassured that machinery will remain on the landward side of the Quay wall and not on the foreshore, which could potentially impact the intertidal habitats further down the foreshore closer to the shellfish beds.
- D&S IFCA was unable to locate the Biodiversity Mitigation Plan, within the MLA documents submitted. It would be useful to have sight of this. D&S IFCA notes that Section 5 of the CEMP relates to Environmental Mitigation and wonders whether this is intended to fulfil the role of the Biodiversity Mitigation Plan, although it does not specifically refer to the biodiversity within the Teign Estuary or nearby foreshore. D&S IFCA requests clarity on this.

To conclude, D&S IFCA has no objection to the proposal for a Marine Licence Application for the construction of a new Quay Wall at Riverside Boatyard Teignmouth, providing the mitigation proposals, outlined in the previous responses and those submitted in the supporting documentation attached to the application, are implemented.

Sarah Clark
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D&S IFCA