



EUROPEAN COMMISSION
Impact Assessment Board

Brussels,
D(2011)

Opinion

Title **DG ENV/MARE - Impact assessment on an EU initiative on Maritime Spatial Planning and Integrated Coastal Zone Management**

(draft version of 17 November 2011)

(A) Context

The purpose of this Impact Assessment is to assess EU action towards an integrated approach to the governance of our coasts, seas and oceans. This means moving away from a sectoral approach on how European waters are managed to a more integrated and coherent decision making process using the Maritime Spatial Planning (MSP) and Integrated Coastal Zone Management (ICZM) governance tools. As this concerns an integrated policy approach it is not about creating a new policy as such, but aims at better exploiting synergies and increasing resource efficiency among the existing policies affecting coasts, seas and oceans.

(B) Overall assessment

The report requires considerable further work on several important aspects. Firstly, the report should clearly demonstrate the concrete transnational market and regulatory failures to be addressed, including estimating their scope and size. It should also present the nature and practical benefits of MSP and ICZM in a much clearer and more concrete way using illustrative examples. Secondly, the report should demonstrate the need for and value added of EU level action compared to cross-border or regional co-operation by showing in concrete terms how the identified problems will be remedied by an EU initiative. Thirdly, the report should improve the presentation of the options by better linking them to the concrete problems to be addressed in order to establish a clear intervention logic. Fourthly, the report should strengthen the impact analysis, by including more objective data and robust evidence, by being more transparent on the underlying assumptions and methodologies used and by better presenting the different impacts and magnitudes of the options, including their costs to public administrations. Finally, it should more extensively explain the monitoring and evaluation arrangements, for instance by defining robust progress indicators.

Given the nature of these recommendations the IAB requests DG MARE and ENV to resubmit a revised version of the IA report, on which the IAB will issue a new opinion.

(C) Main recommendations for improvements

(1) Better present the nature and scope of the problems. The report should provide a considerably better substantiation of the underlying market and regulatory failures by clearly stating the nature, scope and size of the existing problems in more detail, by demonstrating the peculiarity of maritime planning as opposed to land planning, and by making clear who is affected by them in which ways. The report should clarify in this context why the existing instruments (and possible modifications thereof) are not sufficient to address the problems. On that basis the baseline scenario should be strengthened to allow a better comparison of options. Furthermore, the report should present the context of the initiative in a clearer and more detailed way giving a clear description of the nature and benefits of MSP and ICZM, using some concrete examples. This should cover the linkages and overlaps of the two instruments and a description of the expected practical benefits when applied in an integrated or cross-border situation.

(2) Better demonstrate the need for and value added of EU action. The report should clearly present the legal basis for the initiative and should much better demonstrate the need for and value added of EU action to remedy the identified problems. This should include a thorough discussion of the synergy effects of an integrated application of MSP and ICZM tools in an EU context compared to cross-border or regional co-operation.

(3) Design and present options that relate more clearly to the identified problems. The report should improve the design and the presentation of the options by being more neutral and less biased towards the preferred option and by better linking them to the concrete problems to be addressed (see above) with the aim of establishing a clear intervention logic. This should include giving a clearer definition of the concrete measures that the Member States will be expected to implement. The report should in this context improve and more fully describe the different sub-options and should clarify the content of option 2 concerning the recommendation

(4) Improve the assessment of impacts. The report should strengthen the impact analysis by using more objective and robust evidence and by being more transparent on the underlying assumptions and methodologies. It should be more precise on concrete economic, environmental and social impacts and should more clearly present the different impacts and their magnitude for the different options. Furthermore, the report should include a better quantification of the costs and benefits, particularly for the affected public authorities. The report should demonstrate that a higher administrative burden would be (over-)compensated by cost savings. The expected synergy effects from an integrated application of MSP and ICZM tools should be better explained and analysed, particularly as regards the preferred option.

(5) Better present the monitoring and evaluation arrangements. The report should further develop the monitoring and evaluation arrangements by including concrete progress indicators, clearly linked to the options and the defined objectives.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

The report should reference the different stakeholder views more thoroughly throughout the main text.

(E) IAB scrutiny process	
Reference number	2011/MARE/017 + 2011/ENV/013
External expertise used	No
Date of IAB meeting	14/12/2011