



The Legal Regimes Governing Marine Renewable Energy In England and Wales

Victoria Hamlyn
Supervisor: Dr Jingjing Xu
The University of Plymouth



Research enquiries



- Climate change, energy, renewable energy and marine renewable energy policy and regulation.
- Characteristics and nature of the marine environment.
- Jurisdiction and proprietary ownership.
- Consents and licensing regime.
- Public and private interests including inter alia, environmental protection and maritime navigation, safety and security.

Preliminary observations



- A sectoral and fragmented legal regime: a reflection of the multitudinous uses of the 'coastal zone'?
- Generally an ad hoc approach to marine regulation.
- Much of the law serves more than one purpose and has not been not borne with offshore/marine renewable energy in mind.
- A complex patchwork of legal spheres and sources of law.

Research so far:

1) Political and legal contexts



- Climate change, energy and economic development.
 - United Nations Framework Convention on Climate Change.
 - The Kyoto Protocol.
 - Copenhagen.
 - The UK's Renewable Energy Strategy.
- Political will is present on all levels but does the law support the policy?

2) Consents and licensing regimes



- Complex and time consuming for developers.
- Development involves a number of regulated activities and permissions and is therefore caught by a variety of legislation.
- A standardised, inclusive consents route has not yet been defined for developers.

Why is the consents and licensing regime so complex?



Examples:

- Dual consents route.
- Disparities between different types of offshore renewable energy.
- Differentiations between the generating capacity of installations.
- Onshore and offshore elements.
- Distance from the baseline.
- The Marine and Coastal Access Act 2009...to what extent do the reforms affect marine renewable energy development?



Thankyou

victoria.j.hamlyn@plymouth.ac.uk

