



**QUEEN'S
UNIVERSITY
BELFAST**

Marine spatial planning: Cui bono?

Ellis, G., & Flannery, W. (2016). Marine spatial planning: Cui bono? *Planning Theory and Practice*, 17(1), 122-128. <https://doi.org/10.1080/14649357.2015.1131482>

Published in:
Planning Theory and Practice

Document Version:
Peer reviewed version

Queen's University Belfast - Research Portal:
[Link to publication record in Queen's University Belfast Research Portal](#)

Publisher rights

Copyright 2016 Taylor and Francis

This is an Accepted Manuscript of an article published by Taylor & Francis in *Planning Theory and Practice* on 04 March 2016, available online: <http://www.tandfonline.com/doi/full/10.1080/14649357.2015.1131482>

General rights

Copyright for the publications made accessible via the Queen's University Belfast Research Portal is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The Research Portal is Queen's institutional repository that provides access to Queen's research output. Every effort has been made to ensure that content in the Research Portal does not infringe any person's rights, or applicable UK laws. If you discover content in the Research Portal that you believe breaches copyright or violates any law, please contact openaccess@qub.ac.uk.

Open Access

This research has been made openly available by Queen's academics and its Open Research team. We would love to hear how access to this research benefits you. – Share your feedback with us: <http://go.qub.ac.uk/oa-feedback>

To be cited as: Flannery, W., Ellis, G., Ellis, G., Flannery, W., Nursey-Bray, M., Jan van Tatenhove, J.P.M., Kelly, C., Coffen-Smout, S., Fairgrieve, R., Knol, M., Jentoft, S., Bacon, D., and O'Hagan A.M. (2016) Exploring the winners and losers of marine environmental governance/Marine spatial planning: Cui bono?/ "More than fishy business": epistemology, integration and conflict in marine spatial planning/Marine spatial planning: power and scaping/Surely not all planning is evil?/Marine spatial planning: a Canadian perspective/Maritime spatial planning – "ad utilitatem omnium"/Marine spatial planning: "it is better to be on the train than being hit by it"/Reflections from the perspective of recreational anglers and boats for hire/Maritime spatial planning and marine renewable energy, *Planning Theory & Practice*, 17:1, 121-151,

Marine Spatial Planning: Cui Bono?

Geraint Ellis and Wesley Flannery

School of Planning, Architecture and Civil Engineering, Queen's University, Belfast

Introduction

Globalisation, weak governance and increasing industrialisation of the seas is having a substantial impact on the sustainability of many types of marine resource, giving rise to major challenges for conservation and governance. An evocative exemplar of this is provided by Berkes et al., (2006) who portray how distant water fishing fleets operate like 'roving bandits', fishing in areas of weak institutional arrangements, cumulatively contributing to overexploitation. Similarly, the potential consequences of terrestrial fossil fuel depletion and increased marine exploration has been highlighted in the Gulf of Mexico with the *Deepwater Horizon* oil spill (Williams et al., 2011). Indeed, there are many indicators that suggest we are failing to effectively regulate and conserve vital ocean-based resources, potentially leading to consequences that include ecosystem tipping points, or dramatic shifts in structure and function that are often hard to reverse (Selkoe et al., 2015).

The increasing exploitation of marine resources is perhaps an inevitable consequence of the logic of growth in a globalised economy (Smith, 2000), and the capitalist system itself. This could therefore be seen as another element of the wider socio-ecological crisis, whose management is entwined with social relations and the reproduction of economic power. From this perspective the EU's euphemism of 'Blue Growth' starts to look more crudely like a system of 'Blue *Production*', and a political economy approach would suggest where there is production, there is inevitably exploitation. Although we know a little about the exploitative outcomes of sectors like fishing and energy (Stringer et al., 2015; Kerr et al., 2015), we do not really have a clear understanding of social relations in this context, which will operate at a range of scales from geo-politics to the working conditions aboard a floating fish factory. In other words, we don't really have a comprehensive picture of the consequences of the spatial and distributive implications of the marine economy.

To many, this may seem like a concern that falls outside the realm of planning. However, this is where, as planners, we need to confront issues of power and exploitation as it is the system of Marine Spatial Planning (MSP) that, from the mid-2000s onwards, has been promoted as a way of managing the conflicts that inevitably arise.

MSP has been defined as the “rational organization of the use of marine space and the interactions between its uses, to balance demands for development with the need to protect the environment, and to achieve social and economic objectives in an open and planned way” (Douvere, 2008, p. 766). Advocates claim it enables sectoral integration, incorporates hierarchical policies from the supra-national to the local, and seeks to anticipate and address future resource demands in a sustainable manner (Claydon, 2006). It is suggested that MSP can replace the current piecemeal, sectoral approach to managing our seas and provide a mechanism for a strategic and integrated plan-based approach to managing “current and potential conflicting uses, the cumulative effects of human activities, and marine protection” (Douvere, 2008, p.766). MSP therefore seems to offer a clear, ordered, rational approach to managing the threat of overexploitation. However, such rationalism tends to be framed on specific, and often unarticulated, assumptions and values. Indeed, one could draw parallels with the ideas that dominated the heyday of modernist terrestrial planning whose application of technocratism and rationalism ended up privileging dominant interests and prioritising initiatives such as urban motorways and high-rise housing that ultimately inflicted long term damage to some of the most deprived social groups (Sandercock, 1997). While we acknowledge that we should not overplay simple extrapolations, it is clear that insufficient attention has been paid to the wide range of potential distributive impacts that are caused, and condoned, by an uncritical approach to MSP.

The need to critically reflect on such issues is urgent, given that the rationalist MSP paradigm is being implemented rapidly and extensively, and is now the most widely endorsed tool for the management of the marine environment (Jay et al., 2013). While there have been calls for the need to assess MSP systems (Day, 2008; Douvere and Elher, 2010), these have mainly focused on evaluating the performance of management and technical aspects, with social and distributive impacts rarely meriting a mention. We often look to the academic community to raise challenging questions, yet of the 1192 articles we identified on *Scopus*¹ only 250 were from the social sciences and of these, only a small handful can be considered as taking a remotely critical position². MSP studies exhibit a dominance of research on positivist traditions in natural resource management,

¹ <http://www-scopus-com> Searched on 30/6/15 using ‘Marine Spatial Planning’ as the search term.

² i.e. in the sense of raising questions about taken-for-granted ‘truths’ related to MSP.

technical assessment processes or descriptive case studies. We acknowledge that such studies do have a place in contributing to our emerging understanding of how best to 'do' MSP, but we decry that without a wider appreciation of the social and distributive impacts, we may end up adopting systems of MSP that are socially regressive and even possibly, 'evil', at least as used by Baum (2011) to indicate neglecting the needs of the vulnerable.

Calls for a critical turn in how we evaluate MSP, including a more explicit acknowledgment of the distributional outcomes of the process (Kidd and Ellis 2012), are not simply mischievous but should be central to how we understand MSP. In this short paper we therefore seek to stimulate a more critical debate and ask whether we have really considered who are the winners and losers in this new mode of governance, or: *'Marine Spatial Planning; Cui Bono?'*

Thinking about the distributional impacts of marine spatial planning

MSP, like any other form of public policy and regulation, makes claims to act in the public interest, offering an opportunity for a more strategic, integrated and forward-looking framework for all uses of the sea, based on a higher order protection of ecosystems (for example, Douvere 2008). It is argued that the pre-MSP arrangement of disjointed management of the environment in individual sectors (such as fishing, shipping, energy etc) is not conducive to the sustainable development of natural resources as it does not take account of the cumulative impacts of these activities, resulting in increased eutrophication, pollution and habitat loss. A sectoral management approach views impacts in isolation, and only in the context of the sector from which they emanate. Sectoral decision-making also has implications for the governance of our seas, as it tends to focus solely on the players within a given industry, creates conflicts between different economic sectors and seldom goes beyond paying lip service to a broader public interest. Clearly in a world of depleting resources, any approach that will improve how these ecosystems and resources are managed must be a good thing, but rarely is the question asked about the ultimate purpose or beneficiaries of this action. One can assume that this will ultimately be for the benefit of humanity rather than being entirely eco-centric, but as Swyngedouw (2007) has highlighted there is no one idea of 'Nature' around which a policy of sustainability can be constructed. Indeed, the fishing industry will have a very different idea of sustainability than the ecologist, while even the oil industry deploys a whole variety of greenwash techniques to appropriate the term. In this sense, ecosystem-based approaches to MSP are mobilised for a range of different interests, and while MSP does give space for debating differences in how we define 'sustainability', this is usually focussed on the different technological or managerial fixes that we should apply, rather than more basic questions over who should be given access to

marine resources and who should benefit from them. Because power (in its different guises) is not acknowledged in MSP, we can assume that the process will simply reflect existing power structures. So when we see the UK government acknowledging that MSP should '*Contribute to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues*' (HM Government, 2011, p.3) we must understand that the mechanisms, definition and type of societal benefits will be defined within the market-logic that dominates virtually all other realms of public policy and ultimately secondary to the first aim of MSP to '*Promote sustainable economic development*' (HM Government, 2011, p.3).

There are examples of how emerging MSP strategies have had little impact in addressing the complex, highly-fragmented institutional arrangements they were designed to address. The Eastern Scotian Shelf Integrated Management (ESSIM) initiative in Canada is often cited as a highly participatory marine planning process that could be emulated by MSP processes (Douvere, 2008; Schaefer and Barale, 2011). However, the initiative encountered difficulties when transitioning from plan development to implementation due to poor institutional design, the lack of political support (Flannery and Ó Cinnéide, 2012a) and under resourcing of some participating sectors (McCuaig and Herbert, 2013). Participants in this process argued that the lack of implementation suited dominant and powerful stakeholders, such as the fishing industry, who had failed to fully engage with the planning process and benefited from the *status quo* (Flannery, 2011). Likewise, the Great Barrier Reef Marine Park (GBRMP) zoning process is often highlighted as good practice MSP (Douvere et al., 2007; Agardy et al., 2012). A recent evaluation of the ecological conditions of the reef, however, indicates that up to 50% of the coral reef has been lost over the last two decades due to the failure of coastal and marine planning processes to improve water quality by addressing the impacts of major economic stakeholders in the region such as through coastal development and agriculture (De'ath et al., 2012). The lack of integration between MSP and other marine planning and licensing processes may have a negative impact on its capacity to deliver planning for the public good. In the UK, for example, MSP processes are out of step with offshore wind farm licensing processes, meaning that much of the large-scale development will be licensed before marine plans are implemented (Scarff et al., 2015). This disconnect is mirrored across much of Europe, where planning decisions about strategically important infrastructure developments are often made through a reactive consents-led process at a central state level rather than through MSP processes (Jones et al., *in press*). It therefore seems unlikely that MSP will transform into the plan-led approach for development that it was supposed to be.

MSP is also promoted as a way of overcoming the ‘inefficiencies’ that arise from fragmented governance that predominates in pre-MSP regimes, such as inter-agency conflict, multi-agency responsibilities and prolonged licencing procedures. The Dutch plan for the North Sea reportedly cut the cost of offshore wind permits by two-thirds, while the Massachusetts Ocean Plan is credited by developers with speeding up the sub-sea cable application process (Blau and Green, 2015). While there is nothing inherently progressive about inefficient administration, neither should we be under the illusion that the streamlining of policy and consenting procedures acts for the benefit of all. It is common to problematize regulatory processes as a way of avoiding more fundamental questions about the long term sustainability of different modes of economic growth, as witnessed in often-debated terrestrial planning (e.g. Gunder and Hillier, 2009). The accusation of bureaucratic inefficiency and ‘burden’ has been routinely used to justify a streamlining of planning processes in the interests of business, but denying, or displacing, the confrontation of deeper development conflicts (Inch, 2012).

MSP is often offered as a mechanism for increasing stakeholder participation in marine governance (Pomeroy and Douvere, 2008), and therefore promises to democratise the seas (Ritchie and Ellis, 2010). Conventionally, increased participation in marine governance, as in terrestrial planning, is seen as a benefit as it promises to: facilitate ‘better’ planning by allowing local and sectoral knowledge to feed into decision-making processes; address conflicts between different marine users; build trust in governance agencies, enhancing the legitimacy and acceptance of plans; and increase the likelihood of plan implementation (Pomeroy and Douvere, 2008). However, participation is, of course, highly contested and while there are examples of how public engagement has led to progressive outcomes, there are also many cases of ‘participatory’ process being executed in a perfunctory, top-down manner with little benefits accruing to less powerful stakeholders (Day, 1997). For example, the Massachusetts and Rhode Island marine plans are believed to have reduced conflict between fishers and wind energy developers, and the Massachusetts and Great Barrier Reef planning processes have allowed for traditional, Indigenous knowledge to be assimilated into marine plans (Blau and Green, 2015). On the other hand, the adoption of tokenistic participatory measures, disconnected from decision-making, is resulting in a damaging impression of MSP amongst stakeholders and the wider public (Jones et al., *in press*). A perception of a lack of influence is leading some stakeholders to question the utility of continuing to engage with MSP processes (Flannery and Ó Cinnéide, 2012b). The UK process has also had to deal with the inherent tension between centralisation of marine competencies and the adoption of participatory approaches, with some statutory consultees reporting inadequate levels of participation (Scarff et al., 2015).

We must also consider the more explicit political context for MSP and how this can influence its proposed 'rational' objectives. For example, Jay et al., (2012) have shown how the powerful German offshore wind sector successfully lobbied the planning ministry to have preferential changes included in German marine plans, even though these were originally resisted by the marine planning agency. Similarly, Flannery and Ó Cinnéide (2012c) detail the capacity of a powerful environmental NGO to go outside the collaborative planning process and to directly lobby marine planners to have their demands incorporated into a plan for the Channel Islands National Marine Sanctuary. In the US, MSP is characterised by some as an excessively top-down, bureaucratic process and has been resisted by state governments and some industries. This has led to Republican members of Congress habitually adding riders to various bills so as to prevent funding for MSP (Torres et al., 2015). We cannot, of course expect MSP to act independent of wider power structures and modes of governance, but we should at least seek some appreciation of how the definition of problems, projected outcomes and processes are shaped by the powerful interests that engage with MSP.

At its best, Marine Spatial Planning could offer us a progressive, evidence-based process for guiding a fair exploitation of marine resources, thus helping to safeguard the wealth of our oceans for future generations. At worst it could be seen as a legitimating process for the continued market-led exploitation of marine resources, which powerful interests can manipulate for their own ends, obfuscating the real politics of development and the environment (Swyngedouw, 2007). If we look again at the UK Marine Policy Statement (HM Government 2011), it does claim that MSP is a way of considering the 'benefits and adverse effects in marine planning' (p.14), but these are aggregated, with no indication that distribution is a relevant concern. This is also reflected in the first marine plans that are emerging in the UK, which have laudable public interest *objectives* aimed at offering local communities new jobs, improved health and well-being. However, we see little or no *actions* that will deliver such benefits and the accumulation of these appears to rely on the trickle-down effect from increased marine development, particularly offshore energy. If this is the process that MSP ultimately relies on to lever in these wider benefits, we would suggest that it can only be a matter of time before it faces major crises in credibility.

The need for a Radical Marine Spatial Planning?

We critically raise questions over the potential impacts of MSP, but do not really have any effective answers here for how a sound, pluralistic system of MSP could be designed and implemented. Indeed, the fact that there is such a dearth of progressive, normative models for MSP highlights how it has been conceptualised as being asocial and as such removed from the dirty world of power,

wealth and exploitation. Yet, as a regulatory regime, MSP clearly reflects the existing structures of those societies that sanction it, or more realistically, the dominant interests that may allow it to be sanctioned. Therefore, although we are indeed in desperate need for a process to ensure that we do not squander our marine resources, that they are used most effectively for the benefit of humanity and that the most sensitive ecosystems are protected in perpetuity, we suggest that this cannot be achieved through the unproblematic application of tools derived just from the rationalism of science or the allegories of economics. It is essential that MSP recognises that how it frames 'marine planning problems', and identifies appropriate objectives and methods, can be deeply problematic. All these issues will inevitably be contested, so an effective MSP process must find a way to accommodate plurality of perspectives and confront its conflicts. Indeed we would suggest that such approaches should be tempered by what we see as the utopian tradition of land use planning, which sees the essence of planning activity not just to 'manage' resources but to actively use development to secure a better world. To do so, we need to begin thinking about what spatial, environmental or social justice would look like in a marine context, and how the 'land' value derived from marine development could be captured and deployed for socially progressive purposes. In turn this leads to a range of other questions, including how we learn from the lessons that can be derived from terrestrial planning (Kidd and Shaw 2014) and whether initiatives such as advocacy planning or more grassroots participatory methods have a place in making MSP more 'equitable'. While the logic of resource management may have been the main motivation for MSP, we would like to include space for a 'radical' Marine Spatial Planning that invites alternatives, actively intervenes to secure a more democratic decision-making and promotes a fairer distribution of the benefits derived from our marine resources. Is that so unreasonable?