

# Local Management Agreements



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**The Crown Estate recognises that the good management of the marine environment is vital to coastal communities around the UK.**

Much of the activity around the coast is driven locally and we play an important role in helping communities deliver their aspirations by providing financial support through our Marine Stewardship Fund and advice from our dedicated Coastal Management Team, investing in long-term strategic sites and giving appropriate legal rights to organisations wishing to invest.





## Local Management Agreements – enhancing community value

To enhance our responsiveness to coastal communities we've updated the way in which we can do business with local organisations and communities for mutual benefit.

### What is a Local Management Agreement?

A Local Management Agreement (LMA) is a formal agreement between The Crown Estate and an individual or group of local organisations (referred to as the local partner), which enables them to manage part of The Crown Estate's coastal portfolio.

### LMAs give applicants:

- Certainty that they can obtain a right to occupy The Crown Estate land should they demonstrate that their proposal can become a reality
- Time to develop proposals
- Access to expertise and advice from The Crown Estate

Although an LMA in itself does not give 'occupational rights', these can follow if the local partner is able to satisfy us that what they are proposing can become a reality.

At that point the local partner will be able to enter into a formal agreement allowing occupation for the long-term. Only then does the rent/licence fee begin to apply.

### What should LMA business propositions be for?

They will need to be commercially viable, but also achieve one or more of the below:

- Bring benefit to local communities;
- Allow community groups to enjoy improved facilities;
- Aid economic development of the locality; or
- Protect the natural habitat and wildlife.

LMAs should be designed to assist in developing small scale activities such as improved harbour facilities, creating local amenities, improving local management of moorings, giving opportunities to create or expand local business interests or managing nature conservation areas. This is not an exhaustive list of categories, and we are open to suggestions.

LMAs are not for large scale commercial developments (such as commercial port expansion), offshore marine energy, commercial dredging or fish farming or other strategic investment sites, and should not be granted in order to sterilise areas from development or legitimate activity.





## Who are LMAs designed for?

Applicants should be not-for-profit organisations such as:

- a Local Authorities and Harbour Trusts
- b Local Community Councils
- c Local Community Development Trusts
- d Mooring Associations or groups wishing to start a Mooring Association
- e NGOs with a habitat management remit
- f Statutory nature conservation bodies e.g. Scottish Natural Heritage
- g Other appropriately constituted community bodies or Trusts

There may be occasions when two or more organisations work together to secure an LMA for a joint project.

## How can LMAs be obtained?

If you would like to apply for an LMA, we recommend that you contact us at [LMA@thecrownestate.co.uk](mailto:LMA@thecrownestate.co.uk) as early as possible to discuss proposals.

We and our managing agents have good local knowledge and experience of small scale projects, and will be able to discuss your proposals prior to you sending in your formal application. We will also be able to let you know if there are reasons, such as existing or potential developments, that may make an area unavailable for an LMA.

There will be occasions when we identify parties for whom we think a LMA is suitable, and approach them directly.

The situation may arise whereby two or more bodies indicate an interest in the same area but with competing ideas. In these circumstances, we will encourage the organisations involved to discuss with each other their respective priorities and responsibilities, with the aim of them agreeing a way forward.

We may ask for evidence that a local consultation process has taken place before entering into any LMA.

We will publicise applications for LMAs on The Crown Estate's website for a consultation period of eight weeks in order to allow comments from the wider community and offer the opportunity for other interested parties to become involved.

## How will we evaluate applications?

Among the factors we will consider are:

- Benefits to the local community;
- Benefits to the local environment;
- The extent of community engagement and support evidenced;
- The availability of funding to undertake proposals (including any grant funding applications);
- The skills and experience of the applicant organisation and its consultants.



## What information is required?

Once an organisation is in a position to formally apply for an LMA, an application form should be completed and returned to the Coastal Management Team at The Crown Estate.

A completed form should provide all the basic information needed to assess your proposal. Any supporting information you can provide will speed up the application process.

The type of project information will vary between proposals, and is detailed on the application form, but a typical list of requirements would be:

- a The development or management activities proposed, including location
- b Project aims and objectives
- c Details of ownership, or rights to occupy and use any relevant adjacent property
- d Any funding requirements which impact The Crown Estate operational arrangements (including any sub-leases to be granted)
- e Benefits to the community deriving from the proposals
- f The proposed duration of any LMA

## What is the charge for an LMA?

There is no charge for an LMA.

The Crown Estate, like any landowner, will charge for the use and/or occupancy of its land. The amount payable will depend on many factors and we are happy to discuss this with the local partner as the application proceeds.



## What would the final agreement be?

Any agreement with The Crown Estate will be a legally binding document and we recommend that legal advice be sought at an early stage.

The type of final agreement required will of course vary according to the use to be made of the foreshore or seabed.

The most common types are:

- a** Regulating Leases – these have appropriate restricted powers and rights and are generally for non-development and non-commercial purposes, e.g. nature conservancy or to enable local authorities to introduce by-laws.
- b** Mooring Agreements – these can be for individual private moorings, Mooring Associations or commercial moorings. Harbour Authorities can also take a mooring agreement for their area of jurisdiction, giving a high degree of autonomy.
- c** Commercial Leases – these are generally for commercial purposes and allow occupation of Crown land, the lease reflecting appropriate powers and duties.

## The Crown Estate's Seabed Sales Policy

The Crown Estate has a general predisposition against the sale of seabed in the interests of integrated and effective seabed management.

There may, however, be special circumstances that would lead us to sell an area of Crown land. The full Crown Estate seabed sales policy is on The Crown Estate website at

[www.thecrownestate.co.uk](http://www.thecrownestate.co.uk)

<http://www.thecrownestate.co.uk/sale-of-seabed-guidance-note>

### For further information:

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