



June 2009

Parliamentary Briefing

Marine and Coastal Access Bill Amendment

Marine Plans covering the whole of UK waters – retain Clause 51(2)

The organisations listed above have been closely engaged in the Marine & Coastal Access Bill process from the outset. We are also members of Wildlife and Countryside Link's Marine Task Force¹, which has been campaigning for several years for the legislative tools to deliver improvements in marine conservation and management.

Action

The Marine & Coastal Access Bill was amended during its passage through the House of Lords placing a requirement on marine plan authorities to seek to ensure that marine plans are prepared throughout the marine area where they have jurisdiction and a Marine Policy Statement is in place (Clause 51(2)). This amendment was agreed following a vote. We believe that this new clause should achieve the outcomes regarding plan coverage throughout UK waters that Link sought and therefore, **we urge MPs to support the retention of Clause 51(2) during the Bill's passage through the House of Commons.**

Background

The organisations listed above believe that where a Marine Policy Statement (MPS) governs marine planning, i.e. has been adopted and published by the relevant policy authority (the Secretary of State and the Devolved Ministers) marine plans should be brought into effect by the relevant marine plan authority throughout their marine plan region (e.g. to avoid a situation where only a small number of plans are produced in inshore waters, with few or no plans produced offshore). We believe that gaps in plan coverage could lead to plans not being produced where they are needed and an inequality of planning measures across the UK marine area.

In the House of Lords, the Minister committed the UK Government to full plan coverage in the English inshore region where he has responsibility and the MMO will be the marine plan authority (Hansard, Col.538; 5 June 2009) but did not go as far as suggesting the English offshore waters would receive this level of coverage. However, we want to see the ecosystem approach implemented through planning at the regional sea scale. To achieve

¹ Wildlife and Countryside Link is a coalition of the UK's major environmental organisations working together for the conservation and protection of wildlife, the countryside and the marine environment.

this, we believe that there should be comprehensive plan coverage for the whole of the UK marine area, including in offshore waters. The argument presented by the Government is that far offshore, there is less information and fewer activities and as a consequence, the process of producing a plan would outweigh the benefits. Our counter-argument is that plans should be produced everywhere, but that the scale and level of detail of individual plans should adopt a proportionate and flexible approach and reflect the amount, nature and complexity of marine activities, likely conflicts and the knowledge base for the area in question.

We understand that there may be political sensitivities around Westminster putting a full duty to ensure comprehensive coverage on a plan authority when it is a Devolved Administration, particularly where such an agreement has not been negotiated previously. We believe that the current clause requiring marine plan authorities to “seek to ensure” that there is full plan coverage is a compromise which is acceptable to all of the UK’s Administrations.

This briefing is supported by Link’s sister organisations in Scotland, Wales and Northern Ireland²:



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² **Scottish Environment Link Marine Task Force** includes the following member organisations: Hebridean Whale and Dolphin Trust, Marine Conservation Society, RSPB Scotland, Scottish Wildlife Trust, National Trust for Scotland, Whale and Dolphin Conservation Society and WWF-Scotland.

Wales Environment Link Marine Working Group includes the following member organisations: Marine Conservation Society, RSPB–Cymru, The National Trust, Wildlife Trusts Wales and WWF–Cymru.

Northern Ireland Marine Task Force includes the following member organisations: Friends of the Earth Northern Ireland, Northern Ireland Environment Link, RSPB, The National Trust, Ulster Wildlife Trust, Wildfowl and Wetlands Trust and WWF–Northern Ireland.