



January 2009

Parliamentary Briefing

Marine and Coastal Access Bill Amendment

Removing exclusion of the Oil & Gas and CO₂ Storage licensing regime – should be licensed by the MMO (Clause 74)

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

Removing the exclusion for oil and gas and carbon dioxide storage licensing regimes

This amendment is proposing the removal of clause 74 '*Oil and gas activities and carbon dioxide storage*' because we do not agree that these activities should be exempted from this Part of the Marine & Coastal Access Bill. It is our view that all marine activities should be licensed by the MMO, including oil and gas, and carbon dioxide storage.

Currently, the licensing of oil and gas, and carbon dioxide storage will remain under the jurisdiction of the Petroleum Act 1998 and the Energy Act 2008, and be the responsibility of the Secretary of State for the Department of Energy and Climate Change (DECC). We believe that this is inappropriate in the light of the proposals for a marine planning system, a streamlined Marine & Coastal Access Act licensing regime and a specialised Marine Management Organisation (MMO) to simplify the plethora of regulatory regimes in the marine environment. Therefore, having some marine activities licensed outside this process and by a body other than the MMO runs counter to the Government's stated aim of generating a holistic and strategic overview and reducing complexity at sea through marine planning and reformed marine licensing. We believe that all marine licensing decisions should be transferred to the MMO under this Bill including those currently proposed for the IPC or to be retained by the Secretary of State.

The Government is giving out contradictory signals. On the one hand, the Government states that it is looking to create an approach to licensing at sea that is simpler and removes duplication and overlap to achieve "*a more streamlined and effective service for those being licensed and inspected*" (from Government's associated publication, *Managing our marine resources – licensing under the Marine Bill*). Yet in practice, as currently drafted, the Marine & Coastal Access Bill carves out large chunks of the

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.

marine licensing responsibilities that would logically go to the MMO as the marine licensing body. We believe that having licensing responsibilities shared amongst various Government departments and various bodies adds to regulatory confusion and complexity rather than reducing it.

It is not clear what advantages Government considers are being achieved by retaining the licensing of oil and gas and carbon dioxide storage projects within central Government and what disadvantages are envisaged should these activities be included in the Marine & Coastal Access Act regime and be licensed by the MMO. Government stated in its Command Paper, *Taking forward the Marine Bill*, that oil and gas licensing has been excluded from the Marine Licence because “*the industry is already highly regulated by a specialised regulatory framework that works and is compatible with the stringent international obligations on the industry*” (paragraph 3.3.15). But it is not clear why the same specialised framework could not be subsumed into the Marine & Coastal Access Bill and be administered by the MMO to continue to meet our international obligations.

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Annex – Amendments

Marine & Coastal Access Bill
House of Lords Committee Stage, January 2009

Clause	Clause 74 Oil and gas activities and carbon dioxide storage
Amendment	The above-named Lords give notice of their intention to oppose the Question that Clause 74 stand as part of the Bill