

Making the Marine Acts Work: The path to effective implementation

The UK's marine environment is extraordinarily rich in wildlife, but it is poorly protected compared to our terrestrial wildlife. Our seas are under increasing pressure as we see marine activities proliferate, energy demands increasingly move offshore and climate change disturb the entire marine ecosystem. One of 2009's greatest milestones was the passing of the UK Marine and Coastal Access Act ("Marine Act") to realise the Government's vision of "clean, healthy, safe, productive and biologically diverse oceans and seas". Effective implementation of this legislation is now needed to restore and protect the health and resilience of our seas.

Who we are

Wildlife and Countryside Link (Link) is a coalition of the UK's major NGOs working together for the conservation and protection of wildlife, the countryside and the marine environment. For 10 years, we have been working together to bring about the introduction of comprehensive legislation that protects our seas.

Why was new marine legislation so necessary?

UK seas have long provided people with an important leisure resource, and source of food and livelihoods, but now face increasing pressure from over use. Scientific research has demonstrated that key UK marine species and habitats – such as the Atlantic salmon, harbour porpoise, and deep-water coral reefs – have been hit hard, and are still under threat. Out of 16 flagship UK species and habitats surveyed in 2005, 13 were found to be in decline¹. A follow-up investigation in 2009 into 6 of these flagship species concluded that still none were at healthy levels². Meanwhile, the UK is under increasing international pressure to improve the state of our seas. Under the OSPAR Convention and the World Summit on Sustainable Development, the UK has committed to designating a network of Marine Protected Areas (MPAs) by 2010 and 2012 respectively, and under the 2008 EU Marine Strategy Framework Directive, to achieving 'Good Environmental Status' throughout UK seas by 2020. Therefore, new legislation was urgently needed to meet these commitments, by providing the effective management tools necessary to turn around past declines and promote the recovery of a healthy marine environment.

Cross-party Parliamentary support has been crucial in bringing about this legislation

Without this, little progress would have been made towards restoring our seas. However, we still need our Parliamentary supporters to continue to fight for our seas to ensure the Act is fully implemented.

What does the UK Marine Act do?

The UK Act charges the Government with a statutory duty to protect our seas. It includes provision for the:

- Designation of a network of Marine Conservation Zones, including highly protected sites, in England, Wales and offshore;
- Development of a comprehensive marine planning system to guide decision makers and sea users towards more sustainable use of our seas;
- Establishment of a single agency – the Marine Management Organisation – to oversee marine activities in English waters, and offshore for non-devolved issues;
- Establishment of new Inshore Fisheries and Conservation Authorities (IFCAs) to help achieve an environmentally sustainable and profitable inshore fisheries sector in English waters.

A timeline:

- **Summer 2010** – Government publish draft UK-wide Marine Policy Statement for Parliamentary and public scrutiny.
- **Spring 2011** – Government publish and adopt its UK-wide Marine Policy Statement.
- **Spring 2011** – Inshore Fisheries and Conservation Authorities operational.
- **Winter 2012** – Government finalise and designate a network of Marine Conservation Zones, based on best available science.
- **2012** – Government publish an assessment of the state of UK seas under the EU Marine Strategy Framework Directive.
- **2020** – UK seas achieve 'Good Environmental Status'.

¹ WWF Marine Health Check 2005.
http://www.wwf.org.uk/filelibrary/pdf/marine_healthcheck05.pdf

² WWF Marine Health Check Update 2009.
http://assets.wwf.org.uk/downloads/marine_health_check09_1.pdf



What still needs to be done?

In this, its first year, there is much work to be done on implementing the Marine Act. The new coalition Government needs to ensure that adequate resources are dedicated to the development, implementation, evaluation and enforcement of this key piece of legislation. By realising the potential for conservation through legislation like the Marine Act, the UK now has an ideal opportunity to blaze a marine conservation and management trail for other countries to follow.

Link believes that the UK Government should take the following steps to ensure that the spirit and purpose of the UK Marine Act are effectively realised:

- Commit to dedicating sufficient resources to the implementation of the Marine Act;
- Ensure that designation of Marine Conservation Zones, including highly protected sites, is based on sound science, and that sites have well-defined, strong conservation objectives and are well managed and enforced. Sites must be designated as part of an ecologically coherent network of Marine Protected Areas;
- Publish a UK-wide Marine Policy Statement that gives clear guidance to all marine stakeholders and decision-makers;
- Set out a clear and realistic timetable for the development and implementation of an ecosystem-based approach to marine planning across all UK waters;
- Ensure the Marine Management Organisation has a strong remit towards the five principles of sustainable development.



Glossary:

Ecosystem-based approach – An ecosystem approach encourages a holistic approach to the management of our seas, managing them as biological systems, of which humans are a part, rather than focussing narrowly on individual species or habitats. This approach, which is key to achieving sustainable development, allows more effective protection of our seas, in turn increasing the resilience of the marine environment to increasing pressures from man's activities and from climate change.

Ecologically coherent network – Marine Protected Areas (including Marine Conservation Zones) cannot stand alone. They must be developed as a network that takes account of the biological requirements and life-cycles of marine species and habitats, as well as the relationships and interactions between them and with their environment. The network must also interact with and support the wider marine environment.

Sustainable development – The UK-wide 2005 Sustainable Development Strategy sets out five principles of sustainable development; living within environmental limits; achieving a just society; and doing so by means of sustainable economy, good governance, and sound science. For any policy to be sustainable, it must respect all five principles.

Devolved Action:

A number of areas covered by the UK Marine Act fall under devolved competencies, principally but not exclusively within the territorial waters (i.e. out to 12 nautical miles from the coast) of Scotland, Wales and Northern Ireland. While Welsh territorial waters are included in much of the UK Marine Act, Scotland and Northern Ireland are not. The Marine (Scotland) Act received Royal Assent in March 2010 and so provides similar provisions for those waters. However, we are still campaigning for a Northern Ireland Marine Bill to fill the legislative and protection gap for their inshore waters.

Contact:

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