

A Future for our Seas

Wildlife and Countryside Link (Link) is calling for comprehensive legislation to achieve better protection for marine wildlife and effective management of our seas.

Achieving these improvements will require coordinated action at UK level and by the devolved administrations. This paper has been developed in consultation with colleagues in sister Link organisations - Wales Environment Link, Scottish Environment LINK, and Northern Ireland Environment Link - who will be calling for specific changes to improve the devolved management of the marine environment.



Protecting our nationally important marine wildlife sites

Over 50 per cent of the UK's biodiversity is found in the marine environment. Whilst much has been damaged and degraded, there are still many areas where important habitats and species can be found. Making sensible decisions about the development and management of the marine environment depends on knowing what is important and where it is.



MARINE CONSERVATION SOCIETY



What is needed?

A statutory basis for the identification, protection and management of nationally important sites is essential for delivering the conservation of marine biodiversity.



Why is reforming the law important?

Most legislation for designating nationally important wildlife sites extends only to the mean low water mark. The only nationally important marine sites are Marine Nature Reserves (MNRs) but since 1981, only three have been designated (Lundy, Skomer and Strangford Lough). Even Government has concluded that MNRs are not working.



Whilst a network of European marine sites is being established under the Birds and Habitats Directives, these only identify and protect marine habitats and species that are of European importance. The European Commission accepts that these are very restricted in their scope. They will do little to protect the majority of nationally important marine wildlife areas.

The UK is committed to do more to identify and protect important marine wildlife areas through a number of international agreements including:



WDCS
Whale and Dolphin Conservation Society

- **The Bergen Declaration, 5th North Sea Conference (2002)** – Ministers agreed to the designation of relevant areas of the North Sea as part of a network of well-managed sites by 2010;
- **The OSPAR Commission (2003)** – Parties agreed to the establishment of an ecologically coherent network of well-managed marine protected areas throughout the OSPAR maritime area of the North East Atlantic by 2010;
- **The World Summit on Sustainable Development (2002)** – agreement was reached requiring the establishment of representative networks of marine protected areas by 2012.



In the interim report of its Review of Marine Nature Conservation (2001), the Government accepted that designated sites should be a fundamental component of the marine nature conservation legal and policy framework. Indeed, the Marine Wildlife Conservation Private Members' Bill, introduced in 2001, which allowed for the protection of marine areas in England and Wales, was endorsed in the Government's first Marine Stewardship Report, *Safeguarding our Seas* (2002), and received all party support. Unfortunately, the Bill ran out of time in the House of Lords.

The statutory basis for identification, protection and management of nationally important sites under future legislation must apply to the UK's continental shelf and waters to the 200 nautical mile limit and not simply to our inshore waters (out to 12 nautical miles). Offshore marine habitats and wildlife, such as deep water sponge fields, cold water corals and deep-sea fish, continue to be damaged by *ad hoc* and cumulative human impacts and demands as a result of lack of protection, conflicting competencies (eg EC management of fisheries), and inconsistencies in the implementation of national and international legislation and commitments.

How can the law help?

New legislation should provide a statutory basis for defining:

- Where sites should be designated;
- Who should be responsible for designation;
- How sites should be selected;
- What duties should arise as a consequence of site designation;
- What provisions for site management should be made;
- What new powers are needed; and
- What penalties and offences are appropriate.

Nature conservation in Scotland's territorial waters is the responsibility of the Scottish Executive. Scottish Environment LINK is calling for parallel reforms.

Case Studies

During the progress of the Marine Wildlife Conservation Bill, a number of areas which could benefit from legislation to protect nationally important marine wildlife sites were identified. Given our relatively limited knowledge in this field, it is likely that these represent only a fraction of what is out there and needs protection. Among the areas identified are Robin Hood's Bay in North Yorkshire, Dungeness in Kent, the Royal Sovereign Shoals and Worthing Lumps in Sussex, Lyme Bay in Dorset/Devon, and the Skerries in North Wales. Numerous potential nationally important sites also exist in Scotland and Northern Ireland.

For more information

To receive more information on important marine sites, or further copies of this or other Link marine briefings, please contact Annie Smith at Wildlife and Countryside Link: 020 7820 8600 / annie.smith@wcl.org.uk.

The following Link marine briefings are also available:

- *Act before it's too late;*
- *The right governance of our seas;*
- *What future do we want for our marine environment?;*
- *Better protection for marine wildlife;* and
- *A planning system for our seas.*

To receive information on Scottish Environment LINK's parallel campaign for marine reform, please contact Calum Duncan on 0131 2266360 / scotland@mcsuk.org.