

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

# Marine Bill Parliamentary Bulletin

## A Future for Our Seas – Link’s response to the Marine Bill consultation

Date: September 2006

### Campaigning for a Marine Bill

Wildlife and Countryside Link (Link) has been campaigning for many years for comprehensive legislation to achieve better protection for marine wildlife and effective management of our seas. The UK’s seas are extraordinarily rich in wildlife, from seabirds, whales and dolphins to important fish stocks and coldwater corals. But this wildlife is poorly protected, and under increasing pressure as offshore activities proliferate and climate change disturbs marine ecosystems. New legislation must close the gap between protection of wildlife on land and at sea, and bring coherence to the planning and management of the many activities happening in the marine environment.

This is the third in Link’s series of bulletins for parliamentarians on the Marine Bill, and gives our views on the Government’s consultation on the Bill, to which we responded fully. The Government will publish a summary of responses to the consultation, which closed in late June, this month.

### The Consultation

Link welcomed the comprehensive nature of the Marine Bill consultation, and the commitment shown to bringing new legislation forward. The marine environment is not sustainably managed at present, and a new approach is urgently needed. While it is clear that this will be a “sustainable development bill”, strong nature conservation measures must be a key element – “balance” and trade-offs will not always be possible, or desirable. Nature conservation must be core to the Bill, not a secondary goal, and we believe this legislation will be a missed opportunity if it does not provide for a strong marine nature conservation framework.

The consultation covered five main areas, each of which is briefly discussed below.

#### 1. Managing marine fisheries

Disappointingly, the consultation made no proposals in relation to fisheries. Ministers justified this exclusion by referring to the number of specific fisheries consultations in recent years, but Link believes that fishery considerations need to be reviewed alongside the changes being proposed by the Marine Bill. We therefore called in our consultation response for the fisheries provisions of the forthcoming Marine Bill to be open to consultation, and we took the opportunity to make some preliminary points on fisheries in our response to this consultation. Defra has since confirmed that there will be

further consultation on proposals for inshore fisheries through the Marine Bill, as part of the ongoing consultation process on the Bill. We would like to see a new legislative framework for inshore fisheries, updating Acts that have been on the Statute Book for many years, and revising and clarifying the aims and objectives of the Sea Fisheries Committees, and of inshore fisheries management more generally, to ensure an ecosystem-based approach.

#### 2. Planning in the marine area

Marine spatial planning has been identified by the Government as the basis of the Marine Bill, and Link welcomes this. We hope that it will bring more transparency and accountability to the regulation of marine development. Our previous bulletin looked at marine spatial planning in more detail – we believe it will be crucial to realising an ecosystem-based approach to managing activities at sea, that ensures sustainable use of precious marine resources and protection of the marine environment. A new, holistic and integrated planning system also has the potential to reduce conflict between different sea users. It is vital, however, that the Government sees marine spatial planning in terms of delivering environmental benefits, as well as economic gains, and it must be statutory and binding if it is to have “teeth”.

#### 3. Licensing marine activities

Link welcomes the opportunity the Marine Bill provides to introduce a new, integrated licensing regime for marine industries in UK waters. We believe a new regime should rectify the shortcomings of current systems, improving transparency, clarity and consistency in the way industries are regulated, as well as securing protection of the marine environment. We consider it essential that the licensing system should operate within the context of marine spatial planning. But an integrated system cannot leave some sectors out, and we are concerned that the Government’s current proposal would exclude oil- and gas-related licensing. We understand the Government’s commitment to energy security, but we cannot see how the integration of oil and gas regulation into a new regime would jeopardise this. We therefore do not believe that the exclusion, which we fear could undermine the positive step towards integration that marine spatial planning should bring about, is justified.

#### 4. Improving nature conservation

This was in many ways the key part of the consultation for Link, and we were pleased that so many options for marine nature conservation were set out. We will explore

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conservation in more detail in a future bulletin, but we welcome the proposals to develop marine ecosystem objectives as part of a holistic approach to managing the marine environment. However, more targeted measures are also needed, and we support proposals for the designation and protection of Marine Protected Areas (MPAs). We are calling for a representative network of Nationally Important Marine Sites, which must include a suite of Highly Protected Marine Reserves. While some MPAs could be "multi-purpose sites", with other aims alongside nature conservation, their primary purpose must be to support the recovery and conservation of biodiversity and ecosystem processes. The Marine Bill also provides an opportunity, which must be taken, to improve and update measures for protecting marine species in the wider sea.

#### 5. The potential for a new Marine Management Organisation (MMO)

We believe that a new body (the MMO) will be required to deliver marine spatial planning and a new, integrated licensing regime. Any MMO would need to have enough power to facilitate cross-departmental working in government, and bring stakeholders to the table for the development of marine spatial plans. It would also need clear lines of responsibility to government.

#### The way ahead

The Marine Bill consultation has been an excellent opportunity for a range of organisations to respond to detailed questions on what might be in the Bill, and set out their priorities. But the end product will be what matters, and we hope that the Government will produce a Bill which is comprehensive, and truly delivers for nature conservation. While we recognise that further consultation will take place, we would also urge the Government to make rapid progress towards introducing a full Bill for consideration by Parliament at the earliest opportunity. In its report on the Marine Bill just before the summer recess, the Environmental Audit Committee called for a draft Bill before the end of the 2006-07 session, and for enactment of a full Bill as early as possible in the 2007-08 session. We wholeheartedly endorse these calls, and the many other excellent recommendations made by the Committee.

**For information on how you can help to support Link's Marine Bill campaign, please contact the Link office on 020 7820 8600 (or [enquiry@wcl.org.uk](mailto:enquiry@wcl.org.uk)). You can see our full response to the consultation at [www.wcl.org.uk/marine\\_campaign.htm](http://www.wcl.org.uk/marine_campaign.htm).**