



January 2009

Parliamentary Briefing

Marine and Coastal Access Bill Amendment

Timetable for review of the Marine Policy Statement (MPS)

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. We have been closely engaged in the Marine & Coastal Access Bill process for a number of years.

Background

We welcome the addition of the new clause 44 to review the MPS, but there is still no timetable for the review. Whilst it is recognised that flexibility is desirable, we believe that as a minimum there should be a longstop date for review.

The Government's response, "*Taking forward the Marine Bill*", to the Joint Committee's Report on the Draft Marine Bill stated that the policy authorities would be required to "*periodically*" review the MPS to consider whether "*the policies it contains are contributing to the sustainable development of the UK marine area*" which would enable them to "*determine if changes are needed*". Therefore the proposed amendment to clause 44 puts a longstop date for review of the MPS, i.e. every 5 years, to determine whether it is meeting its objectives. The amendment then adds the same provisions for monitoring, review and update of the MPS as are included for marine plans in clause 58 (though the latter will be reviewed every 3 years).

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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.

Annex – Amendments

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

Timetable for review of the MPS

Clause	Clause 44 Review of statement
Amendment	<p>Page 22, line 26: leave out lines 26 and 27 and insert the following subsections –</p> <p>“(1) For so long as an MPS is in effect, the policy authority must keep under review each of the matters in subsection (2).</p> <p>(2) The matters are—</p> <ul style="list-style-type: none">(a) the effects of the policies in the MPS;(b) the effectiveness of those policies in securing that the objectives for which the MPS was prepared and adopted are met;(c) the progress being made towards securing those objectives; <p>(3) The policy authorities must from time to time prepare and publish a report on the matters kept under review pursuant to subsection (1).</p> <p>(4) After publishing a report under subsection (3), the policy authority must decide whether or not to amend or replace the marine plan.</p> <p>(5) The first report must be published before the expiration of 5 years beginning with the date on which the MPS was adopted.</p> <p>(6) After the publication of the first report, successive reports must be published at intervals of no more than 5 years following the date of publication of the previous report.</p> <p>(7) Any reference in this section to the replacement of an MPS is a reference to preparing and adopting, in accordance with the provisions of this Part, a fresh MPS which replaces an earlier MPS as determined by section 43(3).”</p>