



January 2009

## Parliamentary Briefing

# Marine and Coastal Access Bill Amendment

### Joint Planning across Borders and Boundaries

The organisations listed above are all members of Wildlife and Countryside Link's Marine Task Force<sup>1</sup>, 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 for a number of years.

#### Joint Planning

In its response, "*Taking forward the Marine Bill*", to the Joint Committee's report on the Draft Marine Bill, the Government stated that while there is no requirement for adjacent marine plan authorities to jointly plan in cross-border areas such as the Severn Estuary or in the Irish Sea, it does not prevent them from working together if they so wished (paragraph 3.2.27). However, we believe that it would be a sign of political commitment to a joined up marine planning process if the Marine & Coastal Access Bill included a statement to facilitate joint planning.

We believe that in order for marine management to encompass an Ecosystem-Based approach and ensure sustainable development in the marine area it must follow ecological rather than political or administrative boundaries, such as the biogeographical Regional Seas defined by Government's statutory conservation advisor, JNCC<sup>2</sup>. This would require administrations to work together across administrative boundaries and jurisdictions and also between territorial waters and the offshore area. We believe that users would benefit from joint planning – there are potential savings to be made from shared approaches to public participation and consultation and users would only need to consult one plan rather than two for a given area. We should avoid situations arising where more than one plan is produced for a regional sea or estuary. For example, at least four separate plans could potentially be produced for the UK part of the Irish Sea. Therefore, the purpose of this amendment is to provide powers in the Bill to enable, and to encourage the four UK Administrations to prepare joint plans.

Furthermore, to deliver Good Environmental Status (GES) under the Marine Strategy Framework Directive, Member States are required to produce Marine Strategies and programmes of measures to "*apply an ecosystem-based approach to the management*

<sup>1</sup> 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.

<sup>2</sup> Defra 2004. Review of Marine Nature Conservation Working Group Report to Government, July 2004.

*of human activities, ensuring that the collective pressure of such activities is kept within levels compatible with the achievement of Good Environmental Status...".* These programmes of measures, in combination with those from other Member States, must achieve GES of Marine Regions. We believe this will require UK Administrations to work together on a coherent approach to marine management. In particular, this amendment builds on the existing commitment in clause 43 to prepare a UK-wide MPS, involving all UK Administrations. It also supports a biogeographical regional seas approach (i.e. on the scale of the Irish Sea or the northern North Sea) to achieve an ecosystem-based approach to planning. Administrations would plan jointly in areas where there is shared responsibility to produce one plan at the regional sea scale.

For areas within the regional sea (e.g. cross-border estuaries) the proposed amendment below would also encourage and support cross-border collaboration between the MMO and devolved administrations.

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## Annex – Amendments

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

#### Joint planning across boundaries

Clause	Clause 49 Marine plans for marine plan areas
Amendment	Page 25, line 24: at end insert new sub-clause  “(10A) Nothing in this section prohibits the preparation of joint plans by marine plan authorities between marine planning regions.”