

Consultation on revisions to marine licencing exemptions

Response from Wildlife & Countryside Link

December 2018

Wildlife and Countryside Link (Link) is the largest environment and wildlife coalition in England, bringing together 49 organisations to use their strong joint voice for the protection of nature. Our members campaign to conserve, enhance and access our landscapes, animals, plants, habitats, rivers and seas. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline.

This submission is supported by the following organisations:

- A Rocha UK
- British Canoeing
- Buglife
- Council for British Archaeology
- Institute of Fisheries Management
- Marine Conservation Society
- MARINELife
- RSPB
- RSPCA
- The Wildlife Trusts
- Whale and Dolphin Conservation

Our response addresses five of the 12 exemptions listed in the consultation document.

6. New exemption: recovery of marine litter and abandoned, discarded or lost fishing gear

Do you agree with the proposed new exemption?

Yes.

Do you have any further comments you wish to make on this proposed exemption?

We agree with this exemption. Divers see first-hand the damage done to the marine environment by abandoned and lost fishing gear and other marine litter and they are keen to preserve the natural beauty of the marine environment by helping with the removal of marine litter. This is clearly in the public interest and benefits the environment and the wildlife within.

The removal of the need for a license will incentivise divers to collect litter during their dives, rather than deter them from doing so.

The wording of the exemption needs to be such that the safeguarding of protected species and habitats and of items of archaeological historical interest is not jeopardised.

7. New exemption: use of vehicles and vessels to remove marine debris by a Harbour Authority

Do you agree with the proposed new exemption?

Yes.



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'Wildlife and Countryside Link is a unique coalition of voluntary organisations concerned with the conservation and protection of wildlife and the countryside.'

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Do you have any further comments you wish to make on this proposed exemption?

While we are reassured that the proposal states 'The exemption will be worded to ensure the protection of protected species and habitats and items of archaeological or historical interest', there is still the potential risk for disturbance of protected species. Therefore, we suggest that the exemption includes advice or restrictions (as applicable) to avoid negative impacts on high-tide roosts and to consider the implications of driving vehicles over protected areas.

8. New exemption: in-water cleaning of lightly fouled recreational vessels.**Do you agree with the proposed new exemption?**

No.

Do you have any further comments you wish to make on this proposed exemption?

We believe that the proposal sounds like a step away from biosecurity best practice. The recent House of Lords [inquiry](#) into biosecurity – including invasive non-native species (INNS) – highlights the importance of effective safeguards for native wildlife. It is our view that, as worded, the proposal does not follow the advice from the inquiry.

In-water hull cleaning may increase the risk of spreading both new and already established INNS to sensitive marine habitats. For example, species such as Carpet Sea-squirt, *Didemnum vexillum* (which is already a damaging and expensive problem in some parts of the [UK](#)); Leathery Sea-squirt, *Styela clava*; Japanese Skeleton Shrimp, *Caprella mutica*; *Dikergammarus* species; *Dreissena* species; and Bloody-red shrimp, *Hemimysis anomala* – all of which were proposed in 2016 for addition to Schedule 9 of the Wildlife and Countryside Act can be spread on the hulls of vessels.

We strongly support the principle, articulated in both the Convention on Biological Diversity and the GB Non-native Species Strategy, that prevention is better than cure when dealing with the threat of INNS. Once established, INNS can have a devastating impact on ecosystems and, especially with regard to marine organisms, are extremely hard to control, contain, or eradicate.

As acknowledged in the consultation text, boating has played a significant role in spreading marine INNS. Therefore, all boat users should play an active role in reducing this risk. The fact that some vessel owners are currently undertaking in-water hull cleaning, is a cause for significant concern and not a justification for easing licence restrictions.

Drawing a clear distinction between 'light' and 'heavy' fouling on vessels, and indeed between cleaning that will and will not put anti-fouling agents into the water, looks highly challenging in terms of practical enforcement. We do not agree that allowing in-water cleaning of light fouling will help achieve good biosecurity practice, even if heavily-fouled vessels are still required to be cleaned out of water.

We further maintain that the size of a vessel per se is not (apart from simple variation in the area of hull substrate) directly relevant to its potential to carry INNS.

For these reasons, we believe that the exemption proposal fails to align with either the Convention on Biological Diversity or the [GB Non-Native Species Strategy](#), which states:

The CBD Guiding Principles place a strong emphasis on prevention as the least environmentally damaging intervention, which maximises the reduction in adverse impacts and costs associated with tackling invasions. Prevention is particularly important in the marine environment where control and

eradication are technically challenging. Taking action on pathways of introduction (both intentional and unintentional) and horizon scanning are key elements of prevention.

9. Disapplication of current exemption: shellfish propagation and cultivation for new shellfish farms or extensions to areas of shellfish propagation and cultivation by existing shellfish farms (Article 13)

Do you agree with the Government's proposal to dis-apply this exemption?

Yes.

Do you have any further comments you wish to make on this proposed exemption?

We fully support and welcome this proposal.

13. Amendment to exemption: use of vehicles to remove litter, seaweed or dead animals (Article 21)

Do you agree with the proposed amendment to the exemption?

In some cases yes and in others no.

Do you have any further comments you wish to make on this proposed exemption?

We do not welcome the proposal to include the intertidal zone as part of the exemption regarding the removal of seaweed. Intertidal seaweed is an invaluable habitat for invertebrates, which, in turn, provides a rich foraging habitat for birds. We believe the removal of seaweed should still require a licence if it occurs within an estuary, and unquestionably require a licence if it is within a SSSI, MCZ or Natura 2000 Site. However we recognise that under an emergency situation as specified by the MMO, an exemption would be pragmatic.

We do support the removal of rubbish and dead animals to be carried out without a licence from intertidal zones as it would allow the Ministry of Defence (MoD) to remove bodies without having to apply for a license, covering both beaches and intertidal areas. In all instances, the assumption is that Local Authorities and MoD would notify the Cetacean Investigation and Strandings Programme (CSIP) team about any strandings, allowing them to recover any carcass for necropsy. What is not clear from the proposed amendment is whether CSIP would also be covered to allow them to directly remove or access strandings with a vehicle, without having to go down a licensing route.