

The Marine Bill

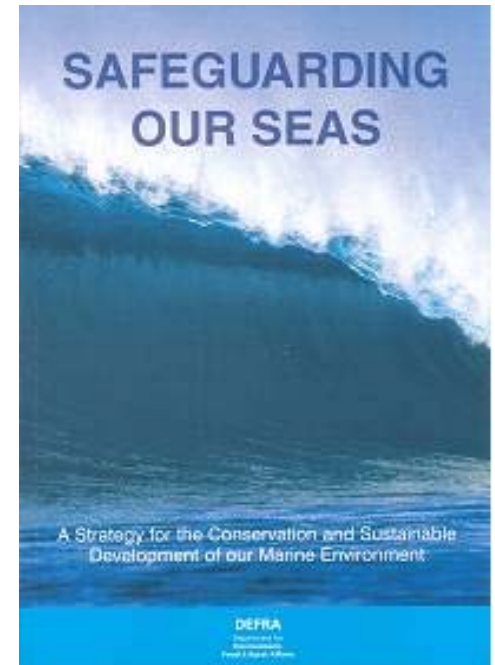
Dornford Rugg
Marine Legislation Division
Defra

29 September 2005



Where do we want to get to?

- Clean, healthy, safe, productive and biologically diverse oceans and seas.
- A framework within which those who regulate marine activities can ensure the sustainable use and protection of our marine resources and which will help us to apply the eco-system approach to the management of our marine resources



What are we trying to tackle?

- Managing the conflicting demands for development, recreation, aggregates, shipping, energy and fishing whilst ensuring that marine conservation objectives are achieved.
- Pressure from Parliament and stakeholders, and recommendations from a series of reviews, for new legislation to improve the framework within which we develop and protect the marine and coastal environment.

Commitments

- Government manifesto commitment to a Marine Bill to introduce a new framework for the seas based on marine spatial planning, that balances conservation, energy and resource needs, so as to obtain best value from different uses of our valuable marine resources by maintaining and protecting the ecosystems on which they depend.
- Commitment to publish a draft Marine Bill by November 2006.
- Marine Bill introduced later in this Parliament.

What could the Marine Bill do?

- Create a statutory system for marine spatial planning.
- Streamline some of the regulatory regimes for development consents.
- Provide for a new marine management organisation.
- Create a framework for protection of important marine areas, species and habitats including criteria for conserving marine ecosystems.
- Introduce revised inshore fisheries management measures.

How will the Bill balance commercial interests against conservation goals?

- Sustainable development will be the defining principle for the policy framework of the Marine Bill.
- Our aim is that the Bill should introduce a better system for managing marine resources, so that we can simplify the consents process, whilst ensuring that we manage potential conflicts between uses of the sea and deliver our objectives to ensure sustainability.

UK or England only?

- We want an integrated system but some marine functions are reserved for the UK Government whilst others are devolved to regional administrations.
- We are working with the National Assembly for Wales, the Scottish Executive, and the Northern Ireland Executive to consider what approaches may be suitable in each of their countries. Where they have responsibility for the management of their territorial waters it will be for the devolved administrations to determine the need to bring forward any new legislation.

Marine Spatial Planning

Developing the policy

- Pilot project in the Irish Sea to examine options for developing, implementing and managing a marine spatial plan
- Forthcoming discussion paper on how a marine spatial planning system might operate, drawing on the emerging conclusions of the Irish Sea pilot

Marine Development Controls

The current system

Activities in the marine environment are controlled;

- for different policy reasons
- in different ways
- by different legal regimes
- by different organisations, Government Departments and the Devolved Administrations

Marine development Controls

Issues to be addressed

- Current system is complex, costly and at times confusing
- There is a need for clear statutory provisions
- Applications require several different consents
- Duplications and gaps in the current system
- Can the system respond quickly to change, including new obligations from EU legislation? (E.g. Water Framework Directive, Strategic Environmental Assessment)

Marine Development Controls

What we are aiming for

- Streamlined, effective and modern system
- Ability to deliver objectives for the marine environment
- Better regulation – minimise the burden on business and regulators
- Improved speed, quality and accountability of decision-making
- Maximum benefit from the links with Marine Spatial Planning

Marine Management Organisation

Why create one?

- “A single marine management agency could provide....an opportunity to join up a variety of functions and ensure that they were considered in the round....a valuable focus for marine activity”
- “The Government should consider whether a co-ordinating agency should be established to ensure that the links are made between all the many activities that may affect the marine environment”
- “The....Government....should consider integrating fisheries management tasks inside a marine environment agency responsible for broader management tasks....”

Possible MMO roles

As a minimum:

- Marine consents for which Defra is responsible
- Fisheries management & enforcement

Potential wider roles in:

- Implementation of marine spatial planning?
- Environment management and enforcement?
- Broader consents?
- Data gathering / collation?
- Other functions?

MMO Relationship with other bodies

- Statutory advisors
- Operating in coastal environment
- Devolved Administrations
- International bodies

MMO Status

- Executive Agency?
- Non-departmental public body (NDPB)?
- Funding mechanism(s)?

Marine Nature Conservation

What do we want to achieve?

- Healthy, functioning and resilient marine ecosystems
- Halt the decline in marine biodiversity

Marine Nature Conservation

Possible issues to be covered

- Marine Ecosystem Objectives
- Marine Protected Areas
- Further species protection measures
- Rationalising and strengthening enforcement arrangements
- Consolidation of existing nature conservation legislation

Marine Fisheries

- New options for inshore fisheries management

Process and Timetable

- Development of policy proposals
- Consultation package on four elements issued in the next few months.
- Stakeholder events.
- Draft Bill probably published in October 2006 and subject to public consultation.
- Introduction later in this Parliament following pre-legislative scrutiny and subject to availability of Parliamentary time