



**WWF** *for a living planet*

**WWF-UK**  
Panda House, Weyside Park  
Godalming, Surrey, GU7 1XR  
tel: +44 (0)1483 426444  
fax: +44 (0)1483 426409  
info@wwf.org.uk  
wwf.org.uk

## Parliamentary briefing

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# Marine & Coastal Access Bill – Lords Second Reading

### SUMMARY

WWF welcomes the publication of the Marine and Coastal Access Bill and believes that it has the potential to be a leading piece of marine legislation for the UK. However, WWF believes that the Bill still needs considerable strengthening to deliver effective protection and better management of our seas now and into the future.

UK marine species and habitats are declining at an alarming rate and urgent action is required in order to protect them and ensure their recovery. Currently, less than 1% of our seabed is afforded high levels of protection from all human activities. The Marine and Coastal Access Bill must now be strong enough to deliver a new, effective system to govern and protect our seas. In particular, the Bill should:

- Ensure the Marine Management Organisation (MMO) leads the delivery of sustainable development, working with the equivalent bodies in Northern Ireland, Scotland and Wales
- Include a duty for marine plans to cover the whole of UK waters
- Include a duty for the Marine Policy Statement (MPS) to undergo Strategic Environmental Assessment (SEA)
- Ensure that the designation of Marine Conservation Zones (MCZs) is scientifically robust and there is a duty to produce management plans
- Ensure that all licensing decisions are made in accordance with the relevant marine plan, and all exempt activities recorded
- Include a stronger duty on Inshore Fisheries and Conservation Authorities (IFCAs) to further the conservation of marine wildlife and habitats
- Ensure that Welsh Ministers have the same duties as IFCAs so that they can deliver new powers effectively and manage fisheries in a sustainable way

### **The MMO must be a leading body for the delivery of sustainable development**

One of the main drivers for this Bill is to create an overall strategy for simplifying the management of our seas. This is important to enable sustainable planning and management of marine resources, and to improve our understanding of the cumulative impacts of marine activities. WWF believes that the MMO should be the licensing body for *all* reserved marine licensing functions. As currently drafted, limitations to the MMO's responsibilities such as licensing for oil and gas, carbon capture and storage, renewable energy stations above 100MW and other Nationally Significant Infrastructure Projects compromise its ability to lead the delivery of sustainable development. The Bill should at least define the MMO's general objective



President: HRH Princess Alexandra,  
the Hon Lady Ogilvy KG, GCVO  
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(Clause 2) as ‘furthering’ sustainable development<sup>1</sup>, based on an ecosystem approach<sup>2</sup> Given the number of different bodies tasked with implementing the Bill’s provisions, there is a strong case to be made for the MMO to have a strategic overview of all marine activities. This would avoid fragmentation and conflict between authorities.

### **Marine plans should be produced for the whole of UK waters**

WWF believes that in order to be truly effective, the marine planning authorities must be required to create marine plans that cover all UK seas – not just selected areas. As developments increase and expand further offshore, it is essential that the Bill provides for a coherent planning system across UK seas. Plans should also be based on ecosystems – not administrative boundaries – and integrated across borders. More detailed ‘nested’ plans can be drawn up where there is more intensive use in coastal and estuary areas. Marine plans must also be compatible with terrestrial plans, to ensure that potential impacts are taken into account.

### **The marine policy documents should have greater emphasis on sustainability**

As the marine policy documents (Marine Policy Statement and marine plans) will play a crucial role in guiding sustainable development in our seas, they should undergo thorough Strategic Environmental Assessment (SEA) and sustainability appraisal, to ensure that environmental considerations are properly taken into account at a strategic level. WWF believes that all decisions – including development consents for nationally significant infrastructure projects - should be made in accordance with the relevant marine policy documents (Clause 56).

### **MCZs should be scientifically robust and, once designated, effectively managed**

WWF welcomes the Government’s inclusion of a duty to create a network of conservation sites but seeks greater clarity on how European marine sites will contribute to the network (Clause 119). MCZs are a vital management tool to address the threats to marine biodiversity, and we must ensure that they are robust enough to deliver effective nature conservation. WWF believes that the designation of MCZs should be based on rigorous scientific criteria to maintain the integrity of an ecologically representative network - WWF therefore believes that Clause 114(7) should be removed. WWF do not believe that this clause is necessary, given that these factors can be considered in Clause 116 (Consultation before designation). WWF also believes that the appropriate authority must have a duty to specify specific conservation objectives and draw up management plans for all MCZs. Without these, MCZs may risk being little more than lines on a map or fail to make their specific contribution to the network.

### **Activities exempt from the licensing regime should be recorded**

WWF believes that all licensing decisions should be made in line with the relevant marine plan. It is essential that all activities are recorded, even if exempt, to take into account the effects of cumulative activities on the marine ecosystem. This is to avoid cumulative and indirect impacts of exempt activities undermining the marine plan and the sustainability of our seas.

### **IFCAs should have stronger duty towards conservation**

As currently drafted, there is no specific duty on IFCAs towards conservation of marine wildlife, or a reference to the ecosystem approach to fisheries management. WWF believes that the duties placed on IFCAs to manage fisheries sustainably must also be applied to Welsh Ministers so that their new powers for fisheries management can be delivered effectively. As fisheries have a considerable impact on the marine environment, it is crucial to ensure consistency across the UK.

<b>Name:</b>	Eva Groeneveld, <a href="mailto:egroeneveld@wwf.org.uk">egroeneveld@wwf.org.uk</a>
<b>Phone:</b>	Office: 01483 412374 / Mobile: 07766 150944

<sup>1</sup> The UK Sustainable Development Strategy defines this as ‘development which meets the needs of the present without compromising the ability of future generations to meet their own needs’.

<sup>2</sup> An ecosystem approach means managing all human activities at sea within one planning framework, within ecologically meaningful boundaries.