



WWF *for a living planet*

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PARLIAMENTARY BRIEFING

Marine and Coastal Access Bill - Commons Report Stage Briefing

SUMMARY OF AMENDMENTS

- Socio-economic factors should not undermine the integrity of an ecologically coherent network of Marine Conservation Zones (MCZs)
- There must be a requirement on the face of the bill to designate highly protected sites
- The defence for sea fishing vessels for causing damage to an MCZ must be removed

This briefing outlines three amendments that WWF would like to see be made to the Bill.

WWF's latest report in the 'Marine Health Check' series (2000, 2005, 2009) highlights a continuing decline in the health of many flagship species and habitats living in the seas around the UK. The reality is that our seas are not currently managed in a sustainable way and face increasing pressures from human activity and climate change. The Marine and Coastal Access Bill has already undergone improvement in Parliament, but there remain a number of outstanding issues that must be resolved in order to ensure the Act will be strong enough to sustain ecologically diverse oceans for generations to come.

A scientifically robust network of protected areas, including highly protected sites

An ecologically coherent network of protected areas is one of the most important tools to recover the health of our marine environment and ensure that biodiversity loss is halted. However, Defra's recent draft MPA Strategy is disappointing in its level of ambition. There is little detail on highly protected sites – an essential component of a successful network - and the frequent references to a network that takes account of socio-economic interests is worrying. Given the weakness of this draft strategy, it is vital that the primary legislation is strengthened. Conservation Zones must be identified for designation according to scientific assessment and must not be undermined by commercial interests. **WWF therefore believes that socio-economic consequences should only be considered when two or more sites make an equal contribution to the network and non-designation of one site will not compromise the integrity of an ecologically coherent network.** WWF recognises that stakeholders with interests that may be affected by the designation of MCZs must be consulted, and that socio-economic factors may be considered during the development of a management plan and in the future management of a site.

WWF asks you to support the following **two** amendments:

Clause	Amendment
117(7)	Page 79, line 9, at end of 117(7) insert 'only where - (a) a choice exists between two or more potential MCZs of equal ecological value; and (b) to do so does not hinder the achievement of the objective in section 123 to create a network.'



President: HRH Princess Alexandra,
 the Hon Lady Ogilvy KG, GCVO
 Chair: Ed Smith
 Chief Executive: David Nussbaum

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Clause	Amendment
123	Page 82, line 18, insert new subsection to 123(3) as follows: '(d) that the network includes highly protected sites'

Fish don't do politics – conservation zones shouldn't either

Commercial fishing activity has the potential to cause considerable impact on marine habitats and species, particularly through bycatch of non-target species and damage to fragile habitats by bottom gears. However, clause 141 contains a *blanket* defence for all sea fishing activities which cause harm to a Marine Conservation Zone. WWF acknowledges that the Government will not remove the defence altogether, because of the risk of breaching the principle of 'equal access' under the Common Fisheries Policy (CFP).

Rather than allowing a blanket defence for all sea fishing, this amendment proposes to confine this defence to only the areas where the principle of equal access applies (on the seaward side of the 0 - 12nm zone or seaward of 0 - 6nm in areas where foreign vessels have fishing rights).

In 2002, the revised CFP provided Member States with the power to manage their own inshore fisheries out to 12nm, including 'minimising the effect of fishing on the conservation of marine ecosystems' (Article 9). We believe that only in removing this defence for UK vessels fishing within 0 - 12nm will the UK Government be able to implement Article 9 appropriately and set an example for other EU Members to follow. Although the Government argues that despite the defence, MCZs can be protected through fisheries byelaws and through CFP reform, WWF believes that a loophole that effectively allows the inshore fleet to damage MCZs should not be allowed in primary legislation. Creating effective fisheries byelaws may take up to 12 months to process and it will not be until 2013 before we see CFP reform. In the meantime, considerable and avoidable damage may be caused to the network of MCZs that will be designated.

WWF believes that such a blanket defence for fishing activity could seriously undermine the integrity of the conservation provisions within this Bill. WWF believes that a Bill that gives certain vessels a defence to damage MCZs sets a dangerous precedent that threatens to undermine the importance of conservation and the role MCZs play in protecting our marine environment.

WWF asks you to support the following amendment:

Clause	Amendment
141 (4)	Page 96, line 10 insert new sub-clause: 'b) the act occurred on the seaward side of the 0-6 nautical mile fisheries zone in a location where foreign vessels have fishing rights, and' At end, insert: 'In this section - "foreign vessel" means any vessel other than a relevant British vessel, a Scottish fishing boat or a Northern Ireland fishing boat'

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