

Marine Policy Statement

Secretary of State for Environment,
Food and Rural Affairs' Statement in
Response to the Environment, Food
and Rural Affairs Committee's
Recommendations on the Marine
Policy Statement

March 2011

Secretary of State for Environment,
Food and Rural Affairs' Statement in
Response to the Environment, Food
and Rural Affairs Committee's
Recommendations on the Marine
Policy Statement

Presented to Parliament pursuant to paragraph 10 (5) of Schedule 5
to the Marine and Coastal Access Act 2009

© **Crown copyright 2011**

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk.

Any enquiries regarding this publication should be sent to us at DEFRA, 9 Millbank, c/o Nobel House, 17 Smith Square, London SW1P 3JR

This publication is also available on <http://www.official-documents.gov.uk/>

ISBN: 9780108510328

Printed in the UK by The Stationery Office Limited
on behalf of the Controller of Her Majesty's Stationery Office

ID 2416404 03/11 9381 19585

Printed on paper containing 75% recycled fibre content minimum.

Government response to Environment, Food and Rural Affairs report on the Marine Policy Statement

Introduction

The Environment, Food and Rural Affairs Committee published its report on the Marine Policy Statement (MPS) on 28 January 2011. This paper sets out the Government's response to the conclusions and recommendations of that report. The Committee took its terms of reference from questions posed in the public consultation on the draft MPS held between July and October 2010. Consequently the Committee did not invite written submissions, but considered the responses received by Defra in the course of its consultation. An oral evidence session was held on 24 November 2010 with Richard Benyon MP, Defra Parliamentary Under-Secretary of State for Natural Environment and Fisheries.

Background

The Government welcomes the Committee's report into the MPS and its recommendations. The Coalition Government is committed to taking forward the Marine and Coastal Access Act which provides for the introduction of marine planning. The current system for management of our seas is considered to be inconsistent and fails to fully consider the cumulative impact of decisions taken on the environment. It is also considered to be a burden to both regulators and industry and can act as a barrier to economic growth. The marine planning system is the means to rectify this and ensure sustainable development; the first step in implementation is the introduction of the MPS which the UK Government and Devolved Administrations intend to adopt in March 2011.

Response to Recommendations and Conclusions

Commentary

1 The Committee welcomes the production of the Marine Policy Statement as the first step in the implementation of marine planning in the UK. We were pleased that the Minister recognised during oral evidence that the Marine Management Organisation (MMO) must be properly funded to carry out its work in implementing the MPS and developing marine plans for English waters. We note the subsequently announced cuts to the MMO's budget with concern. (Paragraph 17)

2 We expect the Government in its response to this report to set out in detail the calculations and assumptions on which it bases its conclusion that the allocated funding will be sufficient. In particular we request that the Government make clear whether it expects any delay in the implementation of the MPS and development of marine plans as a result of the reduction in funding. (Paragraph 18)

The Government notes the Committee's concerns about the cuts to the MMO's budgets. The Government also welcomes the Committee's recognition in their report that the MMO must share the burden of reduced spending. The Government does not believe that the savings the MMO is being asked to make will delay the implementation of the MPS and the development of Marine Plans.

In determining the savings to be made, Defra sought to protect those activities and projects that are key to delivering the Government's key marine policy priorities set out in the Department's structural reform plan and business plan — to promote sustainable development of our seas and to protect and enhance the ecosystem services which they provide. This commitment to take forward the Marine and Coastal Access Act, including marine planning, is reflected in the allocation made to the MMO. We recognise the importance of marine planning in contributing to sustainable development and can confirm that the MMO is resourced effectively to implement the system. Marine Plans will help ensure that decisions made in the marine area are taken more strategically and their development will ensure the proactive management of our marine resources taking account of current and future demands for sea space and their environmental, social and economic implications.

As such the corporate planning process has fully considered the work needed to deliver the MPS and marine planning. **Annex A** to this report sets out the MMO's breakdown of costs for the development of each Marine Plan. The resources required for marine planning are acknowledged to be untested. However, the MMO has allocated the necessary budgets based on these figures and will continue to monitor and review the development of the first two plans to inform future resource planning. In recognition that the MMO is a new organisation and that it was expected to grow to full capacity during its first three years of operation, the bulk of its CSR savings will be required to be delivered in 2013/14 and 2014/15. Defra has committed to maintain a close dialogue with the MMO to ensure delivery in the challenging latter years of the spending review, including taking forward marine planning.

Review of the MPS

3. It is important that the MPS remains relevant and up-to-date if it is effectively to guide decision makers in the future and significant changes to the evidence on which it is based must be reflected in the contents of the MPS. At the same time, we would caution against unnecessary and costly reviews which would result in uncertainty for decision makers and industry. Defra must ensure that an appropriate balance is struck between these concerns so that public confidence in the marine planning system is not undermined. Defra should monitor the implementation of the MPS and marine planning, including consulting with local interested parties. (Paragraph 23)

The Government agrees that a balance must be maintained between avoiding unnecessary and burdensome consultations and reviews of the MPS, while also

ensuring that it is an up to date and effective guide. In December 2009 the Government issued, with the Devolved Administrations, a Statement of Public Participation to ensure there was transparency in the development of the MPS and that all interested parties were informed and appropriately engaged. We would like to express our thanks to all those who contributed to the development of the MPS, the first document of its kind and key landmark in the implementation of marine planning. We are committed to monitoring the implementation of the MPS and reviewing it when it is appropriate to do so and this process of engagement would be repeated.

Similarly before marine planning begins the Marine Management Organisation is required to produce a Statement of Public Participation setting out the timetable for Plan development and the means by which all those with an interest in Marine Plans can be involved. A Statement of Public Participation will be produced by the MMO for each Marine Plan tailored to meet the different consultative needs of each area. These Statements of Public Participation must be approved by the Secretary of State and as such will help ensure the oversight and monitoring of the consultation process involved in marine planning which the Committee recommends.

Scope of the MPS

4. We share the view of the Joint Committee that examined the draft Marine and Coastal Access Bill that it would be undesirable for more than one MPS to be operational in UK waters, and we commend Defra and the devolved Administrations for their efforts to agree a UK-wide document which will bring a more coherent approach to planning in the UK marine environment. We note that this approach has, though, brought its own attendant difficulties by limiting the amount of detailed policy and practical guidance that is provided in the draft MPS. (Paragraph 27)

The Government welcomes the Committee's support for a UK wide MPS to ensure a coherent approach to marine planning in our seas. The aim of the MPS is to ensure a consistent approach to policy goals in the marine environment and a consistent approach to marine planning at the UK level. In achieving this aim, it also reflects the devolved nature of many aspects of marine policy and the devolved nature of the institutions that will be delivering marine planning. The MPS therefore provides clarity, as it identifies activities to which a degree of priority is expected to be attached and general policy direction at a UK level. However, it does not say which activity should take priority over another, as this needs to be determined by each Administration when considering specific areas in the marine planning process including local considerations such as resource availability, geography, spatial restrictions and density of activities. The UK Administrations are committed to continuing the close co-operation demonstrated in the development of the MPS as Marine Plans develop throughout the UK.

Interaction with the terrestrial planning regime

5. We note the concerns raised by consultees regarding the level of detailed guidance on the interaction between terrestrial and marine planning. We welcome the progress that Defra has made on this issue through the parallel consultation on marine planning in England. Changes to the terrestrial planning landscape introduced by the Localism Bill must be properly taken into account before the guidance is finalised. (Paragraph 32)

The Government welcomes the Committee's recognition of the progress made through the parallel consultation on the marine planning system in England. The MMO will begin marine planning in the East of England inshore and offshore regions in April. At that time it will be using the description of the marine planning system that Defra has developed which will reflect the comments received during the consultation period. The description of the marine planning system will also reflect the close liaison between Defra officials and colleagues in the Department of Communities and Local Government to ensure it helps deliver one of the key principles of marine planning – integration with the terrestrial planning system. As the first Marine Plans are developed by the MMO and the system evolves, any guidance will be kept under review by the MMO with Defra. Updates will be provided, including to reflect changes in the terrestrial planning system as a full and accurate explanation of the Localism Bill implications will not be possible until it has completed the Parliamentary process.

Level of guidance

6. Defra's decision not to prioritise any one activity over any other in the MPS reflects both the devolved situation, and the Department's belief that decisions about priorities are best taken at a local level and informed by relevant local considerations and evidence. However, we were struck by the sustained criticism of this approach in the consultation responses, and it is clearly a matter of concern. Given the absence of detailed guidance about policy priorities in the draft MPS, it is essential that sufficient clarity is provided in individual marine plans. (Paragraph 38)

7. We recommend that Defra keeps this approach under review as marine plans are developed, and reconsiders whether a national plan for England would be appropriate once the first marine plans have been completed in the East inshore and East offshore regions. (Paragraph 39)

As noted above the Government believes that priorities can only be determined at the marine planning level when consideration of the characteristics of the area can be taken into account and integration and engagement with local priorities can fully take place. While we consider it inappropriate for priorities to be determined nationally through the MPS, we also recognise that the marine planning system is new and it is therefore important to keep all aspects of it under review. This includes whether a national plan is appropriate and Defra will continue to monitor the position in close liaison with the MMO and stakeholders.

European obligations

8. We note the concerns raised that the MPS could be at odds with the UK's obligations under relevant European Directives. The Minister has assured us that this is not the case. We recommend that Defra and the MMO consider carefully the interaction between the UK's existing obligations and the MPS and marine plans to ensure that they are consistent with the Directives. (Paragraph 42)

The Government welcomes this opportunity to reassure the Committee that the MPS has been reviewed as it has developed to ensure that it and the process by which it has been made, is compliant with relevant European Directives. The European Commission was also consulted on the draft as part of the consultation process. The Government has no intention to be in contravention of European Directives. Part of the review process for the MPS will include consideration of whether any changes in European Directives or other legislation need to be reflected. Furthermore, in the adoption of Marine Plans the Secretary of State will require assurance that the proposed plan is consistent with relevant legal obligations.

Fisheries

9. We welcome the Minister's assurance that the fishing industry will not be adversely affected by implementation of the MPS and we will look to see that this is borne out in the development of marine plans. We believe that sustainable and productive fisheries are key to UK interests and we are likely to return to this issue as proposals for reform of the Common Fisheries Policy are developed further in 2011. (Paragraph 44)

The Government is committed to a sustainable fisheries industry as reflected by our position on radical reform of the Common Fisheries Policy and inclusion of fisheries in the MPS for integration in consideration alongside other marine activities. The aim is to ensure that fisheries can co-exist sustainably with other sea uses, contributing to the desired outcome of clean, healthy and productive seas. In this context, we want to see fishers empowered with greater responsibility to manage their own fishing activity sustainably and profitably, under a management system that can take more account of regional differences.

Whilst negotiations to reform the Common Fisheries Policy are at a relatively early stage, we are keen to simplify and decentralise fisheries management as soon as possible and intend to consult on proposals for domestic reform in England in the spring. The Government welcomes the suggestion of further consideration of Common Fisheries Policy during 2011.

ANNEX A: MMO allocation for marine planning

Setting up and developing each Marine Plan¹ has been allocated £2.7m. Each Marine Plan will take two years to develop and two Marine Plans will be developed at a time. The breakdown of costs for each Marine Plan is as follows:

- **Sustainability Appraisal £0.24m.** This is an appraisal of the sustainability and impacts of the Plan and will include the requirements of the Strategic Environmental Assessment Directive.
- **Undertaking Project Plan and Statement of Public Participation (SPP) £40k.** Estimate based mainly on the requirements for staff time and public engagement.
- **Consulting on Marine Plans £75k.** Including staff time, specialist input and related costs.
- **Training the MMO team £20k.**
- **Preparation of Marine Plans £2.175m.** This is the core cost of preparing adopting and publishing the Marine Plans including the cost of the core planning team in the MMO and the cost of input from other staff across the organisation; the cost of data and all the other relevant costs. Cost estimates have been guided by information on creating Regional Spatial Strategies from regional organisations in England, as well as from the Marine Spatial Planning Pilot Project in the Irish Sea².
- **Costs not attributable to individual plans £150k.** These include developing the strategic scoping exercise, preparation and other work in Marine Plan areas outside the time their Plans are being developed and other general capacity building.

¹ The budget has been made available to the MMO to cover these activities in line with these estimates.

² <http://www.abpmer.net/mspp/>



information & publishing solutions

Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, Telephone, Fax & E-mail

TSO

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 600 5522

Order through the Parliamentary Hotline Lo-Call 0845 7 023474

Fax orders: 0870 600 5533

E-mail: customer.services@tso.co.uk

Textphone: 0870 240 3701

The Parliamentary Bookshop

12 Bridge Street, Parliament Square

London SW1A 2JX

Telephone orders/General enquiries: 020 7219 3890

Fax orders: 020 7219 3866

Email: bookshop@parliament.uk

Internet: <http://www.bookshop.parliament.uk>

TSO@Blackwell and other Accredited Agents

Customers can also order publications from:

TSO Ireland

16 Arthur Street, Belfast BT1 4GD

Tel 028 9023 8451 Fax 028 9023 5401

ISBN 978-0-10-851032-8



9 780108 510328