



The MARINET UK Marine Reserves Campaign

**Written Evidence from MARINET : Main Document.**

**24<sup>th</sup> May 2008.**

**For the attention of:**

Joint Committee on the Draft Marine Bill,  
Scrutiny Unit,

Room G10,

7 Millbank,

London SW1P 3JA

**Evidence from:**

MARINET,  
Marine Network of Friends of the Earth Local Groups and Affiliates,

Allington House,

Allington,

Chippenham

Wiltshire SN14 6LN

Tel. 01249 653972

Email. [Stephen.marinet@btinternet.com](mailto:Stephen.marinet@btinternet.com)

MARINET is the Marine Network of Friends of the Earth Local Groups and affiliated organisations and individuals. It is a properly constituted Local Groups Network within the national organisation (Friends of the Earth, England, Wales and Northern Ireland).

MARINET believes that the Marine Bill should place a duty upon the Secretary of State to establish an ecologically coherent network of Highly Protected Marine Reserves which cover at least 30% of UK seas out to 200 nautical miles. The current draft of the Marine Bill does not contain this provision.

We present written evidence here in support of this belief and proposal, and we request an opportunity to present oral evidence to the Joint Committee.

The term Highly Protected Marine Reserve means an area of the sea in which all human activity, including fishing, is prohibited. The purpose of the Highly Protected Marine Reserve is to protect the marine ecosystem as a whole within its area (all creatures, all physical habitats and all inter-relationships), and when these Highly Protected Marine Reserves are linked together as a network they will effectively serve as a primary management tool to protect and manage the whole ecosystem of UK seas.

The figure of 30% of UK seas to be set aside as Highly Protected Marine Reserves, serving the function of protecting and restoring the biodiversity of the whole UK marine ecosystem, is based on the scientific evidence which informed this same precise recommendation in the Royal Commission on Environmental Pollution 25<sup>th</sup> Report, *Turning the Tide*, published 2004. The Royal Commission's recommendation is based on 80 scientific studies, ref: <http://www.rcep.org.uk/fisheries/Chapter8.pdf>

A Highly Protected Marine Reserve (HPMR) is different from the conservation designations put forward in the draft Marine Bill. A HPMR is a "no-take" area where all human activity is prohibited. In the draft Marine Bill two different conservation designations are outlined.

One is a Marine Conservation Zone (MCZ) within UK territorial waters. A MCZ will have conservation objectives which protect specified species and habitats within an area but, generally speaking, will allow human activity within the area provided this activity does not conflict with these conservation objectives. In some specialised cases the draft Bill proposes that MCZs should also effectively act like Highly Protected Marine Reserves. However, the normal rule is that MCZs should not be Highly Protected Marine Reserves.

The other conservation designation is a Marine Protected Area (MPA) which will exist offshore in UK seas out to 200 nautical miles (i.e. in seas beyond the territorial limit of 12 nautical miles). MPAs will be based on species and habitats identified for protection under European and International legislation (e.g. EU Habitats Directive, OSPAR Convention). MPAs will be areas with clear boundaries, and will permit within those boundaries human activities which do not conflict with the conservation objectives underlying the MPA designation. They will not be Highly Protected Marine Reserves.

The difference between the network of Highly Protected Marine Reserves proposed by MARINET (with its related duty on the Secretary of State to establish a coherent network covering 30% of UK seas out to 200 nautical miles) and the Marine Conservation Zones and Marine Protected Areas proposed by the draft Marine Bill lies in their function. An ecologically coherent network of Highly Protected Marine Reserves seeks to protect the marine ecosystem *as a whole* and thus the *entire functioning of the marine ecosystem that embraces UK seas*, whereas Marine Conservation Zones and Marine Protected Areas seek to protect specific habitats and species in individual areas, and thus they do not embrace (other than incidentally) the concept and the need to protect the marine ecosystem as a whole. We regard this as a major deficiency in the draft Bill.

The need to think and act on this broader, ecosystem level is evidenced by the severe decline in marine biodiversity which now confronts UK seas.

This evidence of decline in terms of fish species who are, self-evidently, key animals in the marine ecosystem, is recorded by the Royal Commission on Environmental Pollution in their 25<sup>th</sup> Report, and by the International Council for the Exploration of the Sea (ICES) who provide scientific evidence to government on the current levels of fish

stocks. For example ICES report that cod, herring, mackerel, whiting, plaice and saithe are all over-exploited in the North Sea and that therefore these fisheries are operating unsustainably. The evidence in the decline of general marine biodiversity is recorded by, amongst others, English Nature, *State of Nature*, published 2002, and by Professor Callum Roberts, *The Unnatural History of the Sea*, published 2007.

With commercial fish stocks in UK seas at historically low levels and on the edge of a precipice in terms of sustainable exploitation, and with marine biodiversity experiencing ever increasing pressure, MARINET believes that the Marine Bill has to grasp the need for **fundamental change and reform in the management of UK seas**.

Whilst MARINET recognises and supports the tenor of change that the draft Marine Bill proposes – for example, marine spatial planning and a marine management agency (MMO) – we believe that the draft Marine Bill has neither understood the depth of the crisis that faces UK seas and the threat to the nation's economic asset which is dependent on healthy seas, nor has the draft Bill embraced the **one management tool** that can fundamentally turn this whole situation around, namely a widespread, ecologically coherent network of Highly Protected Marine Reserves whose function is to protect and restore health and biodiversity to the **marine ecosystem as a whole**. We would recommend the establishment of this network by 2015, in accord with the provisions on the European Marine Strategy Directive.

With this objective in mind, MARINET has met widely in the past two months with the government's marine conservation agencies (Natural England, Joint Nature Conservation Committee and the Centre for Environment, Fisheries and Aquaculture Science), with marine industrial stakeholders (British Wind Energy Association, British Marine Aggregate Producers Association) and other marine conservation organisations such as the Marine Conservation Society. Further meetings with other stakeholders reflecting this spectrum of interests are scheduled.

These meetings have had as their primary purpose the development of support, indeed an alliance, for a Marine Bill which does not just address sectoral interests and concerns (e.g. licensing, identification of conservation sites, planning methodology), but rather seeks to lift the Marine Bill onto a higher level of principle.

This higher level of principle is a duty in the Bill upon the Secretary of State to create a management framework based on Highly Protected Marine Reserves which, thereby, recognises that the UK government should have available to it a specific, tailor-made management tool which will enable us to restore health and biodiversity to the marine ecosystem as a whole.

We believe the needs of our marine ecosystem are urgent, and that this approach is essential.

We are therefore recommending that the Bill's provision for a Marine Policy Statement –

the guiding principles for marine management issued by her Majesty's Government – should be amended to require the Marine Policy Statement to be predicated upon an ecologically coherent network of Highly Protected Marine Reserves covering at least 30% of UK seas out to 200 nautical miles. This is the locus for the amendment of the Bill as we have proposed.

An additional key focus of our consultation with marine stakeholders has been to try to encourage the identification of those areas of the sea (out to 200 nautical miles) which are required by key marine industries (fishing, aggregate, energy, communications) so that these areas can be identified in order to avoid, wherever possible, conflict with these marine industries over the need to establish 30% of our seas as Highly Protected Marine Reserves where all human activity is excluded. MARINET itself does not have either the resources or the expertise to identify these areas. Nor does it not wish to interfere in the often difficult issues of competing usage that are best determined by professional expertise, particularly in the seas within the territorial limit of 12 nautical miles. However we believe that the sea is clearly large enough to accommodate all needs – both human and that of the marine ecosystem – and that the provision of 30% Highly Protected Marine Reserves can be identified and married with the needs of marine industries. The key is to marry dialogue and negotiation with the clear need to establish fundamental principles governing the sustainable management of the whole marine ecosystem.

Accordingly, we believe that the nation and Parliament now has a unique opportunity to embrace first class management of the nation's seas, and **a solution** to the severe problems that confront us. Our amendment is not just defining the problem. Our amendment provides the Secretary of State and Her Majesty's Government with a management tool (Highly Protected Marine Reserves), and by implication a process of dialogue, which will confront the problem and deliver the solution.

We are emboldened in this belief by the wide-ranging talks that we had with marine stakeholders, and we believe that the *Finding Sanctuary* marine programme being developed by Natural England in the South West of England is the model which can be developed, region by region, in order to deliver the management regime we are recommending.

Most importantly, the *Finding Sanctuary* regime embraces the need to enter into dialogue continuously and at all stages with all stakeholders, particularly fishermen, whilst at the same time recognising and holding firm to the ecological imperatives that no-take Marine Reserves (HPMRs) require.

We believe it is imperative to recognise the legitimate needs of marine stakeholders (e.g. fishermen who provide the nation with fish, aggregate producers who provide the nation with sand and gravel for construction, and so forth), whilst at the same time recognising that unless we manage our fisheries and marine industries sustainably there will be no long-term future for the UK fishing industry or for biodiversity in our seas. Therefore, the imperative before us is to develop a universal management framework throughout all of the UK seas, out to 200 nautical miles, which will deliver a management regime based on genuine sustainability and which will provide, where necessary, a new

economic framework e.g. fishermen receiving financial assistance from the state to pay off bank loans which compel them to continue to fish and, thereafter, being paid for their knowledge and for their supervision of Highly Protected Marine Reserves.

Importantly, the amended Marine Bill which we are proposing accords strongly with the EU Marine Strategy Framework Directive, published May 2008.

Article 13 of the EU Directive requires the UK to develop a programme of measures, including spatial protection measures, which will contribute to the establishment of a coherent and representative network of marine protected areas which, in their own turn, will adequately cover the diversity of marine ecosystems. Under Article 3, the UK will be required to ensure that our seas have a “good environmental status” which, when defined, means that biodiversity is maintained, all commercially exploited fish stocks are within safe biological limits both in terms of age and size, and that all elements of the marine food web are at normal abundance and diversity (ref. Annex I).

It is our belief, and we believe the conviction of other marine stakeholders, that this duty placed on us by the EU Marine Strategy Framework Directive can best be delivered by a UK management framework that views the marine ecosystem of UK seas as a whole.

It is our further belief that the key management tool which can deliver such a management framework is an ecologically coherent network of Highly Protected Marine Reserves covering at least 30% UK seas to 200 nautical miles.

**Consequently, it our recommendation to this Joint Committee of the Houses of Parliament that this foregoing principle should be embodied into the Marine Bill as a duty upon the Secretary of State.**

End.

Attachment: MARINET Briefing on Highly Protected Marine Reserves for Members of Parliament.

Attachment: MARINET Response to Questions identified by the Joint Committee :  
Supplementary Document.