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Dear David

Consultation on Our Seas – A Shared Resource

Introduction

This letter is in response to your consultation above. It is made on behalf of Seafish following discussions with its Marine Environmental Legislation Expert Group. This group consists of cross sector industry representation, as well as departments and agencies from the various administrations.

Seafish is a non-departmental public body that provides support to all sectors of the seafood industry. It has no official mandate for involvement in resource or environmental management but has an obvious interest in the outcomes of the management processes. Seafish has a publicly stated commitment to “the sustainable and efficient harvesting of those resources on which the UK seafood industry depends, the protection of marine ecosystems, and the development of marine aquaculture based on sustainable resource utilisation and best environmental practice”.

We welcome both the intent of this document to state clearly the high level objectives which will underpin the marine policy statements, and the commitment for them to be fair and inclusive.

We do have a number of concerns however and these are explained in more detail below.

1. The high level objectives are necessarily broad in their scope because of the nature of ‘high level policy’. Given the ways in which different agencies are currently interpreting their respective roles under existing policy

- guidance we would urge that lower level policy statements give more clarity in this respect. This document states that the objectives will “steer Administrations and the wider public sector” (page 2), but clear and unambiguous detail will be needed in order that the many different statutory bodies cannot interpret the objectives differently, and in line with their own priorities.
2. The objectives also seek to strike an equitable balance between economic needs, social considerations and environmental priorities. This balance is always difficult to achieve and it will be necessary to explain in some detail exactly how this will be done. Lack of clarity here will also lead to the risk of differing views prevailing over time and subsequent uncertainty in the long term.
 3. The consultation document consistently refers to the “marine environment” to mean the marine area or domain. Clearly, there is more than one use for the word environment, but we feel that to use it consistently here could lead to an assumption that it is looking to give undue prominence to environmental issues. We would prefer a more neutral term such as marine domain or area.
 4. There is reference to equitable access for all those who want it (page 4). This does not exist at present and it is difficult to see how it could be achieved in the future when so many planned activities will be mutually exclusive. Given the intention to introduce marine planning, marine conservation zones and more renewable energy areas it would appear that access will become more restricted and less equitable in the future – at least for some users.
 5. There is a section of objectives on page 5 which is headed “Using sound science responsibly”. It is essential that state institutions are adequately resourced in order to achieve this; if not the “science” may well be sponsored by those more powerful parties with the most resources.
 6. The section on living within environmental limits mentions healthy marine habitats. There is still an inadequate recognition of the influence that terrestrial activities may have on the status of marine features and their carrying capacity. In this respect the marine policy statement must be ‘joined up’ with watershed management, possibly to a greater extent than is possible under the Water Framework Directive.
 7. There are currently many legislative initiatives aimed at the marine area, and it is essential that these are integrated to form a logical, efficient and functional structure. Unfortunately, it does not appear that will necessarily be the case. For example, the Marine Bill will enable the creation of Marine Conservation Zones, and these are intended to be part of a network of protected areas across the seas, in line with the UK’s OSPAR obligations. There is however no mechanism to protect these zones from non-UK nationals. This protection cannot be afforded until the Marine Strategy Directive is developed, and this process is considerably behind that of the Marine Bill. Perhaps of greater long term concern though is that in the UK we are establishing our network in advance of our regional seas

partners and without necessarily consulting effectively with them. We believe that there should be more emphasis on integrating these various and diverse legislative initiatives.

8. Linked to the point above is the concern that the Scottish Government has withdrawn from the process of devising a consensus Marine Policy Statement. Many of the objectives contained within this document are predicated on a consistent approach between the administrations. There is a real danger that the objective of good governance could be compromised by a lack of consensus.

I hope the above is useful, and should you have any questions please do not hesitate to contact me.

Yours sincerely



P. MacMullen
Head of Environment