Summary of responses to the consultation on:

A Sea Change A Marine Bill White Paper

October 2007
1. Background

1.1 A Marine Bill White Paper and associated partial Regulatory Impact Assessment were published by Defra on 15 March 2007. The three-month consultation period ended on 8 June 2007.

1.2 The White Paper put forward proposals for legislative measures that will help deliver the Government’s vision of ‘clean, healthy, safe, productive and biologically diverse oceans and seas’. The White Paper sets out an integrated suite of proposals for a new approach to the management of activities in our marine area that will allow the UK Government and the devolved administrations to provide the tools to maximise benefits from the seas and coasts whilst preserving their integrity for the future – achieving a holistic approach that has never been achieved before.

1.3 The White Paper proposed to introduce:

- a new UK-wide system of marine planning;
- a streamlined, transparent and consistent system for licensing marine developments;
- a flexible mechanism to protect natural resources, including marine conservation zones with clear conservation objectives;
- improvements to the management of marine fisheries in relation to England, Wales and Northern Ireland and the ability to share the costs of management with commercial and recreational sectors;
- a new Marine Management Organisation (MMO) delivering UK reserved functions plus England functions.

1.4 The partial Regulatory Impact Assessment (RIA) gave an assessment of the impact of measures set out in the White Paper, and represented the next stage of development from the initial RIA that accompanied the 2006 consultation document. The main section of the partial RIA provided an overview of the costs and benefits of the White Paper proposals, while five separate annexes included more detailed cost-benefit analyses of each policy area. The costs and benefits of the status quo, or ‘doing nothing’ option, for each policy area were presented as a baseline with which to compare the impact of the proposals. Wherever possible costs and benefits were given in quantitative terms, but in many cases only qualitative descriptions could be included. Defra is currently gathering further information on costs and benefits, quantified where feasible, in order to develop this partial RIA into a full RIA.

1.5 Respondents were invited to comment in any level of detail on any aspect of the proposals in the White Paper and accompanying partial RIA.

Stakeholder engagement

1. Background

documents were made available via The Stationary Office and the Defra website. Defra also publicised the launch of the documents via a launch event held in London, the Marine Bill web pages, the Marine Bill newsletter and through television and the press.

1.7 Officials and ministers spoke at a number of events and conferences during the consultation period in order to make the White Paper and consultation process as visible, open and accessible as possible. Officials also responded to a number of written, electronic and telephone requests seeking further information or clarification on aspects of the consultation and associated documents.

Overview of responses

1.8 Defra would like to thank all of those who took the time to send a response to the consultation. All responses were acknowledged and logged in a database.

1.9 Where the text in this document states ‘respondent(s)’ or ‘response(s)’, this refers to non-standard responses received from organisations or individuals, unless otherwise stated.

1.10 Any percentages should be taken as approximate values due to rounding.

Overview of responses to Marine Bill White Paper

1.11 This document summarises the views expressed by respondents on the proposals set out in the Marine Bill White Paper and related issues. These responses have helped shape and finalise the policy proposals that are now being developed into a draft Marine Bill. They have also contributed to the Regulatory Impact Assessment of those proposals.

1.12 This document does not provide a detailed response on how the Government’s policies and proposals for marine legislation have developed since publication of the White Paper and in the light of the responses summarised here. Publication of the Marine Bill and the associated Regulatory Impact Assessment will provide the detailed explanation of the Government’s policy and legislative proposals.

1.13 On 11 July this year the Prime Minister made a statement setting out the Government’s draft Legislative Programme. The draft programme is available at www.cabinetoffice.gov.uk/publications/reports/governance/governance.pdf. The programme makes clear that Government will seek to ensure that as many Bills as possible are published for pre-legislative scrutiny and states that the Marine Bill is being considered for publication in draft. The Leader of the House of Commons will publish, in a Written Ministerial Statement, the Government’s proposals for draft Bills at the beginning of the next session. Publication of the Marine Bill in draft could be expected in early 2008.

1.14 Although publication in draft does not guarantee introduction in the next parliamentary session, this obviously will happen in many cases.

1.15 A total of 8519 responses were received on the Marine Bill White Paper. Environmental non-Governmental organisations ran a number of campaigns and a
number of standard responses were submitted by the recreational sea angling sector. As a result, Defra received 8085 “standard” letters or paragraphs, emails and postcards, expressing views or support for particular measures that the organisations or associations wanted to see included in the Bill. The consultation also attracted a large number (434) of “non-standard” responses from individuals and organisations representing a wide variety of interests. Table 1 below shows the number of “standard” and “non-standard” responses received from different sectors.

Table 1: Total number of responses received split by sector

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<thead>
<tr>
<th>Sector</th>
<th>Campaign responses</th>
<th>Non-campaign responses</th>
<th>Total number of responses</th>
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<tr>
<td>Total number of responses</td>
<td>8085</td>
<td>434</td>
<td>8519</td>
</tr>
</tbody>
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1.16 Annex B lists the descriptions for each of the main sectors. A percentage breakdown of the non-standard responses by sector is set out in Figure 1 below. Annex A lists all the organisations and individuals who sent in a response to the consultation.
1. Background

1.17 A breakdown of the standard responses from supporters of environmental organisations is set out in Figure 2 below.

![Figure 2: Breakdown of non-standard responses by environmental NGO](image)

Overview of responses to the partial RIA

1.18 Over twenty responses to the consultation referred directly to the partial RIA or raised more general cost and benefit issues relating to the White Paper proposals. A breakdown of which sections respondents commented on is set out in figure 3 below.

![Figure 3: Breakdown of how many respondents commented on each section](image)

1.19 All of these responses referring to the likely costs and benefits of the Marine Bill were submitted by organisations rather than individuals, including associations representing the aggregates, offshore energy, fishing and recreational industries, environmental organisations, public bodies and an academic research organisation. A percentage breakdown of the responses by sector is set out in figure 4 below.
1.20 While the environmental organisations expressed some similar points of view, the rest of the responses represented a wide variety of opinion. Some respondents to the partial RIA expressed opinions on the proposed costs and benefits of the Marine Bill without providing evidence to back up their points. However, a few respondents did mention existing research or case studies, suggested alternative ways of calculating costs and benefits, or offered their assistance with primary research to help Defra improve the impact assessment.
2. General Issues raised by respondents to the White Paper

2.1 The Executive Summary and Introduction sections of the White Paper set out the background, purpose and underlying principles for a Marine Bill and the scope of the proposals. Below is a summary of the main points made by respondents who commented on these sections.

Support for a Marine Bill

2.2 82% of all non-standard and standard responses were supportive of the Bill. All standard responses supported the Bill.

2.3 A small number of respondents who expressed their support for the Bill highlighted that their support was conditional on implementation of all the proposals. A few respondents stressed the need for further clarification on the detail of the proposals.

Timetable

2.4 Many respondents, including a large number of standard responses, expressed a desire for the Bill to be included in the Queen’s speech later this year and for the Bill to be laid before Parliament during the next (2007-2008) Parliamentary session.

2.5 A few respondents emphasised the need for a transitional period during implementation as plans are adopted and the reformed licensing regime is implemented, to ensure ongoing and new activities in the marine environment are not adversely affected.

2.6 Many respondents expressed concerns over the proposed timetable for development of Marine Conservation Zones (MCZs). More details are provided in paragraphs 8.13 onwards.

2.7 A small number of respondents expressed a wish for further consultation on all secondary legislation.

Sustainable development

2.8 All respondents that expressed a view stated their support for sustainable development underpinning the Bill proposals. Many respondents however asked for clarification of the term ‘sustainable development’.

2.9 Respondents from the industrial sector expressed concerns that some proposals were unduly weighted towards environmental protection. Many respondents from other sectors, particularly environmental organisations (and their supporters via standard responses), expressed the opposing concern that disproportionate attention was given to socio-economic interests compared with nature conservation.

2.10 Several respondents expressed concerns about the frequent references in the White Paper to ‘balancing of objectives’. Some respondents suggested that objectives should be integrated not balanced.
Climate change
2.11 Many respondents emphasised the importance of ensuring consideration of the effects climate change in proposals.

Scope
2.12 A small number of respondents expressed support for the proposed scope of the Bill as set out in the five main themes of the White Paper. A few responses mentioned the Government’s commitment to improving recreational access to the English coast and a small number of these respondents suggested these provisions should delivered by the Marine Bill.

Geographic scope
2.13 Many respondents commented on the geographic scope of the Bill and devolution. All of these respondents emphasised the need for a consistent and joined up approach across all the devolved administrations.

2.14 Many standard responses from supporters of environmental organisations highlighted that if the proposals created differences either side of political or administrative boundaries then this would cause unnecessary complications or would hinder effective management of the marine environment. They stressed the need for consistency across regional as well as national boundaries. A few respondents from other sectors emphasised the importance of ensuring that UK industry does not find itself at a competitive disadvantage as a result of differences in implementation of the Bill across the UK or the Marine Bill introducing provisions which are more stringent than those in other Member States.

2.15 A number of respondents stated that they were looking forward to further clarification on the proposals that the devolved administrations are developing.

European, international and other obligation and initiatives.
2.16 Many respondents commented on the Bill in the context of EU and international obligations. Respondents highlighted numerous important EU legislative developments and the need for alignment between them and the Marine Bill. Many respondents expressed a desire for clarification on the links between EU legislation and the Bill.

2.17 A few respondents expressed support for the UK government leading the way in Europe with the Marine Bill and providing a model for other member states.
3. General issues raised by respondents to the partial RIA

Benefits of the Marine Bill Proposals

3.1 Respondents expressed their views on the potential benefits that could be delivered through a Marine Bill throughout their responses to the proposals in the White Paper, and these are referred to in other sections of this document. Responses specifically to the Regulatory Impact Assessment therefore tended to focus on the proposed costs rather than the benefits, although there was strong support expressed by some for many of the benefit estimates.

3.2 Environmental organisations welcomed the benefits cited in the partial RIA for the nature conservation proposals. They want these arguments to penetrate the rationale for the Bill as a whole, rather than just the Impact Assessment. They also emphasised the benefits of taking a precautionary approach to protecting the marine environment, since the costs incurred now will be far less than the future costs of rectifying any damage. One environmental organisation highlighted that the proposed costs should be considered in the context of the high contribution of marine activities to UK economy, which could be lost if the marine environment is not managed sustainably and properly protected.

3.3 A number of respondents believed that some of the benefits of protecting the marine environment, such as advantages for climate change mitigation, compliance with international commitments, health, tourism, recreational and commercial fish stocks, research and education, had been omitted or required more emphasis in the impact assessment.

3.4 Marine developers and public bodies agreed that many aspects of the proposed marine licensing reforms would help simplify the system and reduce costs but asked for clarification on some details.

Costs of the Marine Bill Proposals

3.5 As mentioned, most respondents to the partial RIA commented on the costs and funding aspects of the Marine Bill. Several stakeholders disagreed with the estimated costs and suggested these be reassessed, although many were unable to provide evidence or alternative costs with their response. One respondent expressed concern as to whether Government as a whole has fully understood the costs of the Bill.

3.6 There was some disagreement over the proposed planning costs, which one respondent considered to be underestimates and another believed to be overestimates. Regarding marine licensing reforms, there was a request for consideration of the costs of withdrawing licences and the impact of SEA costs. While there was general support for SFC reforms, there was concern from several respondents over the level of additional funding and the adequacy of the proposed funding arrangements to support the modernisation process. A number of bodies representing anglers requested legislative measures to guarantee that the revenue from a charging scheme is reinvested back into the sport. Several respondents commented on the need to staff and resource the MMO adequately in order for the organisation to fulfil its duties effectively, in particular monitoring and enforcement.
Several respondents from across the sectors felt that greater attention should be paid to the costs of data requirements needed to implement planning, MCZ designation and other areas of the Bill, and were concerned that inadequate resourcing of data management, in particular new data collection, would undermine the aims of the Bill.
4. Integration between land and sea

4.1 Several respondents supported the proposals in the various sections of the White Paper which intend to ensure integration between planning mechanisms on land and those at sea. However, many felt that the proposals did not go far enough. A number of respondents were pleased with the proposal that an integrated approach would be embedded within Marine Bill proposals. Some felt strongly that integrated coastal zone management (ICZM) was not sufficiently prominent throughout the White Paper and that the paper had failed to recognise the complexity of environment, social and economic interests in the land, sea and coastal zone. There were further suggestions that the principles for ICZM should be developed alongside the Bill, not separate from it.

4.2 Some respondents were pleased by the recognition in the White Paper of the complex relationships at the coast and the need to manage them effectively. It was generally felt that a new system of marine planning was the most appropriate vehicle to emphasise the need for effective coordination between different authorities in the coastal area.

4.3 A large number of respondents expressed their concern about how the proposed marine plans would ‘join-up’ and coordinate with existing arrangements; including terrestrial plans, river basin management plans, the of range of consents and licences needed for projects in coastal areas. Many questioned which plan would take preference and who the leading decision-maker would be. A few respondents also felt that in order to achieve coherence between planning systems, guidance would be required on formal integration between the various planning and licensing regimes. Respondents felt that further details should be provided about how the land sea interface would be managed as many felt that this had not been addressed sufficiently, and that no identifiable proposals were put forward by the White Paper to indicate how ICZM would be achieved. Respondents also felt that this issue required particular attention as many considered that coordination between the terrestrial and marine planning and decision-making systems through ICZM, was essential to the success of the Marine Bill.

4.4 There were also some concerns about how the proposed marine planning steering groups would work with existing stakeholder groups, e.g. estuary and coastal groups, to avoid duplication and make best use of the available resources. Respondents also felt that the steering groups should be fully inclusive and put forward a number of suggestions for core representatives, including coastal partnerships and local authorities. A few respondents commented on the need to draw in local expertise with views from the full cross section of interested sectors, that this in turn would facilitate integration and suggested that the steering groups were clearly one way of achieving this.

4.5 A number of views suggested that coastal integration was only possible and achievable if it became a statutory process, as voluntary agreements or encouraging the various bodies with coastal interests to work together was not enough to achieve coastal integration. There was also a suggestion that incorporating ICZM objectives into the UK Marine Policy Statement would not
sufficiently address the problems associated with coastal integration. A large number of respondents favoured some form of legislative underpinning for ICZM and made suggestions about the form the duty should take and to whom it should apply. A few respondents favoured the approach suggested in the White Paper i.e. that integration would be embedded into existing Marine Bill proposals.

4.6 Many responses suggested coastal partnerships could be well placed to facilitate ICZM if funding was made available from central sources. There was some disappointment that no direct reference had been made to these organisations in the White Paper regarding the role they played in facilitating ICZM and marine planning. A few respondents also felt that these bodies also needed the support of legislation and long term funding to ensure effective delivery of ICZM.

4.7 A number of respondents commented on the Marine Management Organisation’s (MMO) role in ICZM, suggesting that it may not be the appropriate body to ‘deliver’ or ‘lead’ ICZM. It was felt that this was essentially a function for local authorities. Many of these respondents suggested that the MMO’s role should be to produce guidance and champion ICZM, and for measures to be taken to make sure it is adequately resourced to do so.
5. **Environmental data and information**

5.1 The White Paper recognised that data availability, access and use is essential to underpin the delivery of different elements of the Marine Bill. There were a number of responses received that commented specifically on the environmental data and information section of the White Paper, as well as responses on other sections of the White Paper that referred to this issue. Many respondents supported the general approach as set out in the White Paper.

5.2 Many respondents referred to the requirements for comprehensive data and information to meet policy needs, facilitate marine planning with the creation of marine maps and evidence-based decision-making. However, many respondents stressed that a potential lack of some data should not delay decision-making or the development of marine planning. Some respondents, particularly environmental groups, saw this as a pre-requisite for fast implementation of the proposals in the White Paper.

5.3 Many respondents stressed the need for sound data management, which included setting agreed standards for data and information collection, collation and storage to create a more reliable framework based on common standards. However, respondents did not take the view that new legislation was needed to provide this.

5.4 Many respondents highlighted the need for the Marine Management Organisation (MMO) to create a sound Information Strategy that includes adoption of common standards and protocols across its organisation and its network of bodies, with whom it will share information. In this context, many respondents supported the proposed close working relationship and cooperation between the MMO, the Marine Data Information Partnership (MDIP) and the Marine Environmental Data Action Group (MEDAG) to develop and set consistent standards and protocols for other data providers and users to follow.

5.5 One respondent warned against over-reliance on MDIP to support the MMO’s data needs on the grounds that MDIP is currently a small, non-permanent organisation that is reliant on the goodwill of its partners. Some respondents supported keeping MDIP separate from the MMO and for the role of MDIP to be more clearly defined.

5.6 A small number of respondents highlighted the need for the roles of all bodies involved in marine data information gathering and use (e.g. Defra, the MMO, the Joint Nature Conservation Committee, and the UK Hydrographic Office) to be made more explicit, with the MMO needing to take steps to ensure that data is made more widely available to marine users.

5.7 One environmental organisation expressed the need for the MMO and statutory nature conservation agencies to establish data collection methods in order to enable meaningful impact assessments for each Marine Conservation Zone. This is in light of current limited data availability for assessing costs and benefits of existing and future nature protection. Another respondent wanted data collected specifically to reduce dependence on the precautionary principle as they felt that current policy erred too much on the side of caution in protecting the environment due to the absence of adequate data to underpin policy-making.
5. Environmental data and information

5.8 Many responses on the subject of environmental data and information, including some who had specifically responded to the partial Regulatory Impact Assessment (RIA), commented on the costs of data collection and management. The majority of respondents took the view that data and information should be made more widely available to stakeholders. Several respondents were concerned that the MMO could face high costs for obtaining and using data. A few respondents highlighted the need for adequate funds for the Government to acquire data and information.

5.9 There was strong support from respondents for the “collect once, use many times” approach to data stewardship. Three respondents expressed a desire for data held by the MMO to be freely available. One environmental organisation suggested that the proposed “free flow of information around the MMO” would lead to a reduction in costs to developers, allowing resources previously expended on repeat data collection to be diverted to gathering new information.

5.10 Two respondents who commented on the partial RIA felt that the costs of data collection for marine planning were underestimates and would benefit from further refinement. They also suggested that, despite some good ideas for the proposed marine ‘map’, the detail, scale and costs of its creation needed to be investigated further.

5.11 Another queried the “reasonable charge” proposal for access to data and information, since much of this data had been previously gathered using public funds. Another respondent also raised this point and took the view that the White Paper paid insufficient attention to the impact of SEA costs on marine developers, who would in effect be funding data collection that the respondent believed should be funded by the Government.

5.12 All respondents who commented on the UK Marine Monitoring and Assessment Strategy (UKMMAS) supported its work in bringing together relevant data organisations to minimise barriers to accessing data and, through monitoring, identifying the amount of data and information needed to assess effectively.

5.13 Some respondents stressed that the success of the Marine Bill will largely depend on the level of resource given to carry on the work of MDIP, MEDAG and UKMMAS. A small number of respondents suggested that a duty should be placed on the Secretary of State to publish and periodically update the UKMMAS.
6. Marine Planning

6.1 There were 348 non-standard responses to the marine planning proposals in the White Paper. Not all of these responses provided comments on every aspect of the marine planning proposals.

6.2 In addition, there were 266 standard, 'campaign', responses from supporters of environmental organisations on aspects of the marine planning proposals.

6.3 Comments on specific aspects of the proposals are summarised under the topic headings throughout this section.

6.4 Four respondents commented specifically on the planning section of the partial RIA. These responses are summarised in paragraphs 6.53-6.57.

6.5 Responses that mention data management issues, in relation to both planning and other areas of the Bill, are collated in a separate section (section 5) for ease of reference.

Aim

6.6 48% of all responses received (standard and non-standard) explicitly supported the overall aim of the marine planning proposals to create a strategic marine planning system that will clarify marine objectives and priorities for the future and direct decision makers and users towards more efficient, sustainable use and protection of marine resources. Many respondents also viewed planning as a means of balancing conflicting demands and ensuring sustainability of the marine environment.

Geographic scope

6.7 Almost all respondents stated the importance of consistency in the planning approach taken throughout UK waters with a few respondents requesting more detail on how devolved functions will be addressed.

Setting a policy statement

6.8 All respondents supported the creation of a UK marine policy statement, jointly prepared and agreed by the UK Government and devolved administrations. Respondents agreed it was important for the policy statement to have a statutory basis and strongly urged all four UK administrations to work together to achieve this.

6.9 Respondents agreed the importance of the policy statement as the first stage of development for a marine planning system. Several respondents suggested the policy statement, as a high-level statement, could be supported by more local level statements when required.
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Marine objectives

6.10 Many respondents supported the proposals for the development of marine objectives in taking forward effective marine management. There was general support for having broad ranging marine objectives set over a longer time period.

6.11 A few responses noted the absence of marine ecosystem objectives from proposals in the White Paper. Some considered that this could cause environmental objectives to be overlooked during the development of marine objectives. There was also concern that the objectives of a particular policy or sectors might be given priority over others, especially if the objectives were Government led. A number of responses highlighted the importance of integrating socio-economic objectives with environmental objectives.

Preparation and review

6.12 The majority of responses in relation to the preparation of the policy statement highlighted the importance of stakeholder involvement in that process, with some suggesting that the proposals outlined in the White Paper lacked sufficient detail to show how stakeholder engagement in the preparation of the statement would be utilised. On the whole, respondents were keen to be consulted throughout the detailed discussion and preparation of the statement, and to be able to see and perhaps comment on timely drafts before its final completion.

6.13 A small number of respondents commented specifically on the timescales for preparing the policy statement. Of those that did, some supported the proposed two-year timeframe, whilst others believed the statement should be prepared within one year.

6.14 Respondents who commented on the review process for the policy statement emphasised the importance of setting regular reviews and suggested five years as an appropriate timescale for this.

6.15 Some responses received from environmental organisation considered it vital that the policy statement also underwent a thorough Strategic Environmental Assessment (SEA).

Translating policy into plans

Nature of plans

6.16 Several respondents expressed their support for the plans having an evolutionary nature, with the ability to remain flexible enough to adapt to future demands and changing circumstances.

6.17 A small number of respondents suggested hierarchical or tiered plans, where plans could be scaled so that a first tier addresses the UK seas as a whole, a second tier for areas of sea (e.g. Scottish territorial waters), and a third tier for local areas. Respondents from environmental organisations proposed the idea of having nested plans; i.e. placing more detailed smaller plans within larger-scale, more strategic and less detailed plans.
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Scope of plans

Coverage

6.18 About 33% of respondents supported plans covering the whole of UK waters. Nearly all respondents referring to the inland extent of plans supported plans extending to Mean High Water Springs. However, there was a concern that the overlap between marine planning and the terrestrial planning system (which has a limit of Mean Low Water Mark) may cause confusion. A few respondents considered that the MMO should have an advisory role between these limits. Respondents also identified potential problems in Scotland with the Scottish terrestrial planning system having some offshore powers. In order to overcome this, respondents suggested plan makers should avoid setting a hard and fast boundary in Scotland.

6.19 Respondents who commented on the geographic area to be covered by the plans supported planning on a regional seas scale. In particular, environmental organisations (including respondents sending in ‘standard’ responses) suggested the use of biogeographic boundaries through a Regional Seas approach should be adopted.

6.20 Many responses, particularly from environmental organisations and users of the seabed, suggested that zoning within marine plans would deliver benefits and that more thought should be given to this in the planning process. Some respondents however had concerns that zones within plans for specific purposes may exclude other activities.

6.21 Several respondents supported the idea that some marine areas, typically areas with major ports or estuaries, may need more detailed plans than others.

Timing

6.22 Most respondents supported a phased approach to the development of marine plans as set out in the White Paper. The only concerns raised were that a phased approach may lengthen the completion time for a full set of plans and may cause management difficulties at plan boundaries where plans are completed a number of years apart.

6.23 A few responses suggested that it would be sensible to develop more than one plan at the same time, particularly in areas where a high level of detail may be required, for example in estuaries.

6.24 The majority of respondents supported marine plans covering a period of 20-25 years. Respondents from local government and environmental organisations also expected there to be a very long-term, forward looking element, suggesting 50 and 100 years into the future where possible, for example, in relation to climate change impacts. A very small number of respondents expressed concerns that the timescale of 20-25 years for marine plans might be too long, given that there may be difficulties planning so far ahead in the marine environment in the context of rapid growth in energy developments or the likelihood of sea level rise. These
respondents suggested an alternative period of 10 years for marine plans, subject to review every 5 years.

Subject matter
6.25 All respondents supported plans that would consider all relevant activities and anticipate changing economic, commercial and social trends, in particular the importance of the impacts of climate change. There was some concern that zones within plans for specific purposes may exclude other activities.

Proportionality
6.26 Nearly all respondents supported adoption of a flexible and proportionate approach to the level of plan detail. Most respondents also stated support for addressing temporal changes. Several respondents highlighted the importance of addressing temporal changes in human activity as well as in nature.

Preparing plans
6.27 All respondents commenting on engagement supported early and wide public engagement in the planning process. A few respondents expressed concerns about ensuring the commercial fishing sector engages in consultation, as historically it has been a challenge to secure their involvement.

6.28 Many respondents considered that plans should be subject to Strategic Environmental Assessment. However, the limited knowledge about the marine environment was identified as a potential problem for these types of assessments.

6.29 There was also support for draft plans being subject to independent examination by appropriately qualified persons or via Examination in Public.

6.30 The role of ministers in the process of developing marine plans was supported in that relevant ministers or departments would have final sign-off of plans once they were satisfied that the plan implemented the policy statement and addressed relevant concerns.

6.31 Several respondents highlighted the importance of ensuring a smooth transition from the current situation to the introduction of a new marine planning system. Many respondents expressed concerns over the potential the cost, delay and uncertainty for current marine users while plans are being prepared.

6.32 All respondents commenting on reviewing plans supported the proposal for regular review of plans as a way of ensuring they are kept up-to-date and relevant. The majority of these respondents supported a review of plans every 6 years. However, some questioned why a 6-year period was chosen. For more detail on this subject see paragraph 6.57.

6.33 Respondents were keen to stress that the review of plans should not just take place when it is convenient to one particular sector. There were concerns that delays may occur in licensing and consenting developments during the review of plans or while awaiting a new plan to be signed off. A small number of respondents...
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highlighted the importance of all plans not being reviewed at the same time for these same reasons.

Integration with other plans

6.34 The majority of responses commenting on integration highlighted the importance of ensuring integration of marine plans with all other plans and planning processes. Several responses highlighted areas where integration would be vital, such as in estuaries, and the issue of conflicts between differing plans in the coastal zone.

6.35 Several respondents supported the need for a clear process to be detailed to achieve consistency and cooperation between plans and planning bodies, particularly with respect to plans covering UK waters adjoining one or more administrations. A few respondents suggested development of plans at the same time to avoid problems in areas adjacent to other administrations or in areas of conflict. Coordination with adjacent EU member states was also highlighted as important.

6.36 All respondents supported integration between marine and land planning. Many respondents viewed Integrated Coastal Zone Management (ICZM) as a means to ensure integration. More detail on comments relating to integration between land and sea is supplied in section 4.

6.37 Respondents supported an explicit duty on all planning bodies to consider and incorporate other plans to help ensure consistency.

6.38 Overall most respondents requested further information and detail on how integration would be developed and implemented.

Influencing decisions

6.39 Respondents expressing opinions on how marine planning should influence decisions supported the proposal for all decisions to be made in accordance with the policy statement and the marine plan. A small number of respondents highlighted that the benefits of planning would only be achieved if there was a strong and direct link to decisions. Many also agreed that there should be flexibility in decision making so that an alternative course of action can be taken if it is more appropriate. However it would be vital that an alternative course is only taken when there are good, strong reasons to do so.

6.40 Concerns were expressed by the shipping sector that this could constrain the statutory functions of some bodies. Examples were given of specific activities that should not be unnecessarily restricted by this proposal: for example if there was a need to mark a navigable channel to increase the safety of navigation in an area and this was not necessarily in keeping with a particular marine plan; also the marking and dealing with wrecks posing a danger to navigation.

6.41 A few responses stated concerns that policy formulation and development decisions should not be bound by marine plans. Some stressed the need to ensure that terrestrial planning policy would be capable of not only influencing marine plans but also be influenced by them. A few responses mentioned the need for
monitoring and reviewing the compliance of decisions with marine plans and wanted details on how this would be ensured.

6.43 All responses referring to activities that are not regulated by public bodies supported the proposal that marine planning should take note of these. Several respondents suggested that plans should consider voluntary measures and management schemes to manage these activities, which have potential cumulative effects on the marine environment.

**Delivering plans**

6.44 Nearly all respondents commenting on delivery of planning supported the proposal for the MMO to be the planning body that delivers marine planning. Of those respondents, about 50% explicitly stated support for delivery of planning by the MMO. However, there was some concern that since responsibility for policies on some key matters such as energy would sit outside the control of the MMO, it would be difficult for the MMO to plan for these matters and resolve concerns from a range of different organisations.

6.45 Many of the respondents highlighted the need for local input into the delivery of planning, and agreed that Marine Planning Steering (or Advisory) Groups should be the mechanism to achieve this input. Some respondents commented that the inclusion of Local Authorities and local stakeholders on the steering groups would add democratic accountability to the planning process.

6.46 Several respondents put forward their own organisations to be represented on the steering groups in addition to those already considered. Responses from local authorities also suggested that they could host steering groups or provide the secretariat. Responses, including a few from other sectors, supported local authorities having a key role and a seat on the groups. Responses from some coastal partnerships proposed that they could provide the forum for steering groups. A small number of responses from other sectors suggested the inclusion of coastal partnerships on the steering groups, commenting that this would assist local stakeholder engagement but a few offered the caveat that only if they were fit for purpose. It was however emphasised that partnerships would need to be sufficiently funded to undertake the task.

6.47 A few respondents believed that steering groups should not be so heavily populated that they become impractical to manage and therefore incapable of assisting the MMO in the delivery of the plan. In this case there were a few suggestions for additional groups to be set up which could feed into the main steering group. They felt that the importance of these steering groups would be to harness appropriate local expertise and ensure balanced representation.

**Northern Ireland**

6.48 There were very few responses related to the delivery of planning in Northern Ireland. Of those respondents that did comment on this topic, some supported delivery by a Northern Ireland MMO and some supported delivery by a regional office of the UK MMO.
6. Marine Planning

Wales

6.49 Only a small number of responses explicitly mentioned the delivery of planning in Wales. There was support for delivery either by the MMO on behalf of the Welsh Assembly Government (WAG) or a cross departmental group within WAG.

Scotland

6.50 All of the responses referring to how planning would be delivered in Scotland supported a separate MMO for Scotland. However, it was considered that a Marine Bill for Scotland would be needed and until this was in place inconsistency in the approach in Scotland and the UK MMO would be likely.

Offshore area adjacent to Scotland

6.51 Most respondents considered proposals for the offshore area adjacent to Scotland to be unclear. A few respondents stated their expectation that the UK MMO, in consultation with the relevant devolved administration, would deliver planning within the area not devolved.

6.52 In most responses the importance of consistency between delivery in the UK and devolved administrations was highlighted.

Responses to planning section of partial RIA

6.53 Respondents agreed broadly with the benefits, as stated in the White Paper and partial RIA, that a marine planning system can offer to all users of the marine environment. Of these, four respondents offered comments on the planning section of the partial RIA. Responses that mention costs and benefits associated with data management issues, both in relation to planning and other areas of the Bill, are collated in section 5 for ease of reference.

6.54 The estimated costs of planning prompted more responses than the qualitatively cited benefits. An environmental organisation expressed strong support for many of the predicted benefits of planning but was disappointed at the lack of any explicit reference to marine ecosystem objectives. They recommended setting precautionary environmental limits and reference points, as well as the strategic marine objectives, in order to minimise the risk of surpassing ecosystem limits. This respondent also argued that plans should be assessed by SEA alone rather than Sustainability Assessment (SA), which they believe can lead to only superficial consideration of environmental issues.

6.55 On the costs side, a public body felt strongly that many of the stated costs had been overestimated and required more qualification, such as for SEA, Examination in Public (EiP), steering groups and plan reviews, and that these overestimates are then compounded when scaled up across all plans and over the 20 year timeframe. This respondent felt that the East of England example used was unusually expensive and not representative, and recommended considering the costs of more typical examples of EiP. They also recommended that the figures must be qualified by highlighting any potential savings and costs that would have occurred anyway.
6. Marine Planning

6.56 In contrast with the view expressed above, a respondent from the academic sector supported the fact that the estimated costs of planning had been increased from those quoted in the initial RIA but was concerned that the revised costs could still be underestimates. The respondent provided examples showing that monitoring and data collection costs can be much higher even for terrestrial planning, which is much more straightforward than in the marine area. More detail on responses to the costs for data management can be found in section 5.

6.57 On the subject of plan review, two respondents doubted the assumption that all elements of review would cost the same as initial plan preparation, but did not offer any alternative figures or assumptions. A respondent from the renewable energy sector, while supporting the need for timely reviews, questioned the basis on which six years had been proposed for reviewing plans, and suggested that this needed further thought considering the large cost of a review. They also believe greater clarity is needed on how to measure when a ‘degree of change’ would merit a review.
7. Licensing Activities in the Marine Area

7.1 There were 187 non-standard responses to the proposals for licensing activities in the marine area in the White Paper. Not all of these responses provided comments on every aspect of the marine licensing proposals.

7.2 In addition, there were 404 standard, ‘campaign’, responses from supporters of environmental organisations on aspects of the licensing proposals.

7.3 Comments on specific aspects of the proposals are summarised under the topic headings throughout this section.

7.4 Seven respondents commented specifically on the licensing section of the partial RIA. These responses are summarised in paragraphs 7.41-7.41.

Aim

7.5 59% of all responses received (standard and non-standard) supported of the aims of the marine licensing proposals. Most respondents commented on the benefits to be gained from streamlining and simplifying the licensing regime.

Geographic scope

7.6 Few respondents commented on the geographic scope of the marine licensing proposals. Those who did were supportive of the need for a joined up approach between the UK government and devolved administrations to ensure consistency in delivering licensing. All these respondents wished the licensing proposals to be as identical as possible across the UK, while accepting that variation in some aspects would be necessary.

7.7 A small number of respondents identified that further devolution of functions was needed to aid delivery in the devolved administrations. They wanted further clarification on whether this would occur and which duties would be involved. For example, a small number of respondents expressed concern over the delivery of renewable energy licensing proposals in Wales, as Section 36 of the Electricity Act 1989 is not currently devolved to Wales.

Creating a modern, streamlined and simplified marine licensing regime

A holistic approach

7.8 All of the respondents referring to a holistic approach agreed that sustainable development was of paramount importance in reforming the licensing system.

Regulating better

7.9 All of the respondents commenting on this theme supported reducing the regulatory burden. A few respondents stated that the actual implementation of better regulation would be critical to its success.
7. Licensing Activities in the Marine Area

Customer focus

7.10 A small number of respondents expressed support for the customer focus aspect of licensing proposals.

One project: one licence

7.11 The majority of respondents mentioning the aim of submitting one application per project to one authority, which will deliver one decision and issue one licence (the one project: one licence concept) supported the proposal. A small number of respondents supported this aim with the provision that environmental considerations are not jeopardised as a result. Several respondents commented on the potential difficulty in achieving one project: one licence due to the extensive rationalisation and simplification required, and the difficulties of enforcement.

Making fair and well-informed decisions

7.12 Many respondents supported the provision of guidance, to both decision makers and licence applicants, as a means of ensuring consistency.

7.13 All respondents referring to public hearings or enquiries supported these when necessary, particularly for high profile decisions. A few of these respondents supported a single inquiry as it would reduce the burden on developers. Several respondents believed that public hearings would ensure greater transparency in decision-making. Many respondents supported the publication of applications as a way of securing further transparency.

7.14 Many respondents highlighted the importance of, and the need to ensure provision of adequate time for, consultation. A few respondents highlighted the difficulties in consulting some sectors which, although not local to the proposed development, may still be affected or which have been traditionally difficult to involve. Several respondents highlighted the need for local accountability and input in decision-making.

Making timely decisions

7.15 All respondents referring to the proposals to ensure timely decision-making supported such an approach. Those that mentioned the setting of timetables were also supportive. A small number of respondents suggested that the MMO should enforce these timetables. Some respondents supported shortening the process providing there is adequate time for consultation.

Proportionate and targeted regulation

7.16 The majority of respondents supported the exemption from regulation of activities that are deemed to be of insignificant impact. There was particular support for exempting tourism and recreational activities. Several respondents expressed concerns about the proposals to exempt activities from a licensing regime. For example, there was concern that the need for robust detail to grant exemptions would be difficult to implement in practice, and that exemptions would prevent full implementation of the EU Habitats Directive.
7. Licensing Activities in the Marine Area

7.17 A large number of responses expressed support for a proportionate approach towards licensing. Some of these respondents additionally highlighted that licensing should be proportionate to the size of the development and the environmental impact. A few respondents suggested that regulation should be risk based.

7.18 Many respondents expressed concerns about the proposal to grant general permissions or provide general rules for specific types or classes of activity. They felt that this approach would neglect future cumulative effects of a number of general permissions, and the potential emphasis on the developer to decide if their activity qualifies for a general permission may lead to abuse of the system. Overall most respondents were concerned by the risk of over-generalisation.

7.19 All respondents referring to phased activities supported a single licence for these activities.

7.20 A few respondents highlighted the need for consideration of enforcement of licence conditions for phased activities and general permissions.

Enforcing licensing

7.21 All respondents commenting on the proposals for administrative sanctions rather than court proceedings offered their support; although a few highlighted that court convictions should still be possible.

7.22 All respondents referring to the “polluter pays” principle were supportive.

7.23 A few respondents opposed the proposal to amend retrospectively the conditions of existing licences. A small number suggested that compensation should be provided on withdrawal of a licence.

Changing the scope of marine licensing

7.24 Many respondents supported the inclusion of all licensed marine activities within the reformed marine licensing regime. A few respondents questioned how the reformed regime would address land-based activities that affect the marine area. There was some concern that the proposals may not achieve the desired simplification.

Consolidating general marine licensing controls

7.25 The majority of respondents supported merging the relevant parts of the Food and Environment Protection Act 1985 (FEPA) and the Coast Protection Act 1949 (CPA) into one modernised system. Respondents from the submarine cables industry had concerns about applying this reform to submarine cable developments, as they believe the current licensing regime works well for these developments with a FEPA licence often not being required.

Incorporation of dredging

7.26 The majority of respondents commenting on incorporation of all forms of dredging in the reformed licensing regime supported the proposal. A small number of
respondents stated the importance of providing flexibility in dredging licences due to the different environments that can be impacted. There was some concern that including maintenance dredging in the new regime, rather than setting controls on the activity, would lead to licences being refused.

**Carbon Capture and Storage (CCS)**

7.27 The majority of respondents supported inclusion of CCS regulation in the reformed regime. A very small number of respondents opposed this proposal, because either they did not agree with the principles of CCS or else they believed it should be addressed within the waste legislation framework.

7.28 Very few respondents commented specifically on their preferred option for legislation of CCS. Most respondents highlighted the need for any legislation to be flexible as CCS is an emerging technology.

**Oil and gas**

7.29 A small number of respondents agreed with the exclusion of oil and gas regulation from the reformed licensing regime, and believed it should remain with the Department for Business, Enterprise and Regulatory Reform (DBERR, formally the Department of Trade and Industry, DTI). Some respondents suggested that DBERR should take on the FEPA and CPA requirements of oil and gas regulation.

7.30 The majority of respondents, as in the 2006 Marine Bill Consultation, still did not agree with the exclusion of oil and gas from the licensing regime for the same reasons as before, i.e. all activities should be included in the reformed regime to ensure holistic marine management.

**Constructing renewable energy installations at sea**

7.31 The majority of respondents supported the proposed reforms for the licensing of renewable energy installations at sea to create a single licensing system for these constructions. Many respondents, including many supporters of environmental organisations, considered it essential that the reformed regime should include large-scale developments, rather than the Independent Planning Commission (IPC) dealing with these developments.

7.32 There was some concern over the level of influence that local government have on decisions to grant licences for marine renewable energy developments, which are also associated with land-based activity.

7.33 A few respondents highlighted the need to maintain environmental safeguards. Respondents from the renewable energy sector suggested that procedures should be in place to avoid the need to re-submit the whole application after making changes to only part of the application.

**Harbours legislation**

7.34 Many respondents commenting on the proposals related to harbours legislation supported harbour authorities retaining their powers where they have the competence. Those respondents who opposed this were concerned that harbour
authorities may not have the capacity to implement the associated environmental responsibilities. It was suggested that the MMO could assess whether harbour authorities have the relevant knowledge, expertise and capacity to assess the environmental impacts. A few respondents highlighted the potential need for external scrutiny of decisions made by harbour authorities.

7.35 Respondents from the shipping, ports and harbours sectors suggested that responsibility for processing Harbour Revision Orders (HROs) and Harbour Extension Orders (HEOs) should pass to the MMO. However, they suggested that HROs and HEOs that deal with constitutional matters should remain with the Department for Transport.

Transport and Works Act


Small-scale telecommunications developments in the sea

7.37 A few respondents commented on the proposals related to small-scale telecommunications developments. The majority of these respondents supported the proposals to repeal provisions of the Telecommunications Act 1984. Some of those respondents who opposed the proposals did so as they felt the current provisions work well. A few respondents suggested that the proposals should also apply to large-scale developments.

Delivery of a new regime

7.38 Many responses, including many from supporters of environmental organisations, expressed support for the proposed functions of the MMO in relation to licensing of marine activities.

7.39 A few respondents felt that delivery by the MMO would be critical in achieving the reformed licensing regime and that success would hinge on the availability of resources. Respondents from local government highlighted the need for local accountability and suggested that local streamlined consents groups should be formally included in the consenting process to maximise linkages between national coordination (by the MMO) and local delivery.

7.40 More detail is provided in the Marine Management Organisation section of this document, paragraphs 10.22-10.27.

Summary of comments on partial RIA licensing section

7.41 Seven respondents commented on issues relating to the costs and benefits of the Marine Bill licensing reform proposals. On the benefits side, most respondents agreed that amalgamating FEPA and CPA, and generally streamlining the marine licensing system, would reduce complexity, cost and project risk for developers, and there was backing from the renewable energy sector for a similar one project: one licence approach to be applied to carbon capture and storage. An advisory organisation supported merging FEPA and CPA by including a case study of a marine development that incurred extra costs of about 20% due to delays after the
MCEU failed to manage FEPA and CPA licence applications in tandem. A public body agreed that improved guidance for applicants would save administrative costs, including those related to the volume of paper generated, filing and storage. However, environmental organisations cautioned that the quality of licensing decisions and efficiency in achieving marine objectives should be as, if not more, important than the speed of decisions.

7.42 On the costs side, a public body requested that the Impact Assessment consider the costs of withdrawing licences at a late stage because of emerging environmental impacts, raising issues such as levels of compensation payable, to whom this cost will fall, and whether conservation advisors will have to prove the need for revocation. The respondent felt this process could be expensive but could not offer details on actual costs apart from a possible comparison of revocations of consents for the peat industry. They stressed that if regulators are expected to intervene and remove licences then they will need extra resources and powers. They also warned of an increased burden on regulators and advisors from monitoring compliance with general permissions and ‘insignificant’/’routine’ operations as these rely on increased levels of trust, which would rapidly outweigh any administrative gains of streamlining licensing. There was an objection to responsibility for FEPA disposal licences being given to Harbour Authorities, since their lack of expertise in this area would increase costs to the applicant.

7.43 There was also concern from a respondent in the academic sector that insufficient attention had been paid to the impact of SEA costs on licensing, which would affect the cost of any marine development. On this subject, the same respondent also requested clarification as to whether or not past SEA collection would comply with new regulation and felt that SEAs needed reviewing, together with a review of all available data.
8. Marine Nature Conservation

8.1 There were 290 non-standard responses to the marine nature conservation proposals in the White Paper. Not all of these responses provided comments on every aspect of the marine nature conservation proposals.

8.2 In addition, there were 8079 standard, ‘campaign’, responses from supporters of environmental organisations on aspects of the marine nature conservation proposals.

8.3 Comments on specific aspects of the proposals are summarised under the topic headings throughout this section.

8.4 Seven respondents commented specifically on the nature conservation section of the partial RIA. These responses are summarised in paragraphs 8.69-8.75.

Aim

8.5 63% of the all the responses received (standard and non-standard) supported the aim for marine nature conservation as set out in the White Paper and welcomed the introduction of new tools for the conservation of marine wildlife.

8.6 Environmental organisations expressed concerns that the package of conservation measures, as currently described, is too weak to achieve the stated aim.

Marine Objectives

8.7 Respondents from environmental organisations supported a precautionary approach to using the marine environment and its resources.

8.8 Those respondents referring to climate change mentioned its importance and the need for a flexible approach to conservation in order to respond to a changing environment.

Geographic scope

8.9 All respondents supported the need for close liaison between the UK Government and the devolved administrations in development and implementation of the new tools for conservation of marine wildlife.

8.10 Respondents from Northern Irish organisations stated the need for clarity on how the mechanisms would apply in Northern Ireland.

8.11 Most respondents supported the geographic scope proposed for the new measures. A number of respondents highlighted the need for consistency in the geographic scope of proposals round the British coast.

Marine Conservation Zones

8.12 50% of all responses supported the proposal to introduce a new mechanism to designate and manage Marine Conservation Zones (MCZs) for the purpose of
8. Marine Nature Conservation

protecting species and habitats of national importance that cannot be protected under the European Habitats and Birds Directives.

8.13 The majority of responses commenting on our vision for MCZs had the opinion that the 2020 deadline for completing the designation of a UK MCZ network is too late to effectively conserve marine biodiversity. Standard responses from supporters of environmental organisations also highlighted this point.

8.14 Respondents from environmental agencies and organisations wished to see a clearer commitment to designating a network of MCZs by 2012 and more detail on milestones in reaching the final target.

8.15 Respondents, including many supporters of environmental organisations in their standard responses, expressed concerned that the term ‘as small an area as necessary’ might reflect a minimalist approach that could limit the effectiveness of a site in meeting its objectives. In addition, a few respondents were concerned that a limit should not be set on the maximum number of MCZs at this stage in the process.

Purposes of MCZs

8.16 A third of all respondents supported the proposed purposes of MCZs as set out in the White Paper. Further purposes were suggested by some stakeholders, including regeneration of damaged sites, particularly those areas that have already been subjected to severe human pressures; protection of land and seascape features and the historic environment; and conservation of sites which play a key role in marine processes e.g. for sediment recharge.

Site selection

8.17 Respondents across the industrial sector strongly supported the approach set out for balancing ecological, social and economic considerations in site selection. Responses from environmental agencies and organisations, and from their supporters in their standard responses, expressed disagreement with the inclusion of socio-economic criteria at the initial site selection stage (and in some cases at the designation stage), and urged site selection to be based purely on scientific factors.

8.18 Several respondents supported bringing MCZs into the MSP process so that site selection is within the context of marine plans. Several respondents were content for designation of MCZs to proceed in the absence of marine plans, so as not to delay extending protection to nature conservation features of national importance.

8.19 A few respondents sought clarification on the roles of different bodies in the site selection process.

Site objectives

8.20 Most respondents supported statutory nature conservation agencies drafting objectives for each MCZ.
8. Marine Nature Conservation

8.21 Many respondents across all sectors supported a flexible system that would allow delivery of objectives specific to which features that need protection; for example it was suggested that all damaging or potentially damaging activities should be excluded within sites that need to recover. Environmental organisations, and their supporters via standard responses, favoured the creation of highly protected sites, i.e. 'Highly protected marine reserves'.

Stakeholder engagement and the site selection process

8.22 The majority of respondents supported the approach to consultation outlined in the White Paper.

8.23 A small number of respondents suggested that a mechanism could be put in place to enable local communities and other interested parties to propose an MCZ to the relevant authority.

8.24 Respondents across the industrial sector supported sharing information at the earliest possible opportunity on proposed MCZs.

Designation

8.25 Mixed opinions were expressed concerning who should confirm or 'sign-off' the designation of MCZs. Many respondents, particularly from across the industrial sector (including the aggregates, ports, shipping, energy and renewables industry), supported sign-off by Ministers and suggested that Ministers should issue guidance on how environmental, social and economic considerations will be taken into account and their relative weight. A few respondents expressed concerns that Ministerial sign-off could lead to an overly political, and slow, designation process. A small number of respondents expressed concerns that the whole process could be delayed should each individual MCZ be designated by way of a statutory instrument.

8.26 A small number of respondents suggested the designation process for protected terrestrial areas as a model for designation of MCZs.

8.27 Most respondents supported the provision of socio-economic advice by the MMO, and the provision of environmental advice by the statutory nature conservation agencies. A few respondents, particularly environmental organisations, suggested that statutory nature conservation agencies should be given control of the MCZ designation process, from initial selection of sites, through the consultation process, to confirmation of designated sites. Respondents from the industry strongly opposed conservation agencies designating sites.

8.28 A few respondents thought that while a MCZ is under consideration for designation it should be treated as if it were designated.

Management

8.29 Most respondents highlighted the need for a strong system of site management in order to help deliver site objectives.
Duties to deliver site objectives

8.30 Many respondents supported placing a duty on all Ministers, Government departments and other public bodies, to contribute to the delivery of site objectives.

Licensed activities

8.31 Many respondents welcomed proposals to ensure proper assessment of the impacts of licensed activities on MCZs.

8.32 Respondents, particularly from the industry sector, supported the potential for shared benefits in co-locating MCZs with sites of industrial activity. Supporters of environmental organisations wished to see a presumption against licensed activities in MCZs unless it can be unequivocally shown that there will be no damage or disturbance to the site.

8.33 A small number of respondents supported placing a duty on applicants to establish compensatory measures for activities which are allowed to proceed on public interest grounds despite potential adverse impact(s) on an MCZ.

8.34 Most respondents supported a review of existing licences in light of MCZ designations. A few respondents supported revocation of an existing licence as the last possible option, and in this case potentially with some form of compensation to licensees for lost assets.

Unregulated activities

8.35 Respondents commenting on the regulation of currently unregulated activities supported the proposal to give the MMO by-law making powers.

Adaptive management

8.36 Many respondents supported the designation of MCZs in order to achieve benefits over long timescales. Several respondents supported flexibility in site management so as to respond to changing environmental conditions. A few respondents agreed that statutory nature conservation agencies should suggest management changes. A small number of the respondents highlighted the need for full consultation on any management changes due to changing environmental conditions. A few respondents supported variable levels of control depending on what is being protected. Zoning was suggested as a means of managing sites.

8.37 Environmental organisations expressed concerns at what they consider a piecemeal approach in using a range of management mechanisms that may not achieve high protection for highly protected marine areas. They also suggested that a duty should be imposed on the Government to report regularly (e.g. every 3 years) on progress towards various targets, including how many sites are under consultation, how many have been designated, and overall progress towards the network’s aim and objectives.

Overlapping sites

8.38 Most respondents supported managing overlapping sites in an integrated manner. There was some concern expressed over the proposal that the objectives for
European sites would take precedence over those for an MCZ, as new MCZs would provide the potential to compensate for inadequacies in existing designations.

Management schemes

8.39 Many respondents supported joint management schemes for sites where a lot of activity managed by a number of different bodies takes place. A few respondents highlighted the need for clear definition of the responsibilities and roles of different bodies.

Repeal of MNRs

8.40 Many respondents supported repealing existing Marine Nature Reserves (MNRs). Most respondents considered that the current MNR provisions are not fit-for-purpose. Several respondents highlighted the importance of automatic classification of MNRs as MCZs once MNR provisions are repealed.

8.41 Seaward Limit of Sites of Special Scientific Interest (SSSIs) and Areas of Special Scientific Interest (ASSIs)

8.42 Many respondents supported the proposal for a standard limit to the lower edge of SSSIs in the intertidal area. A few respondents suggested that clarification of this limit should accommodate adaptation to sea level change. A small number of respondents suggested that where a SSSI has been established for marine biodiversity reasons then the area should become an MCZ and take priority over SSSI designation.

Offences

8.43 Many respondents supported the proposals to create offences relating to the damage done to a site. Several respondents suggested further offences, including failure to consult the relevant statutory nature conservation agency, and disturbance of habitats and species.

8.44 A small number of respondents stated that mitigation and compensation measures should be acceptable to replace ‘lost’ areas of MCZs.

8.45 Many respondents supported the proposal that unintentional damage can be classed as an offence.

Species protection

Vision for marine species protection

8.46 34% of all respondent supported the species protection measures. Many respondents commenting on the species protection proposals supported the aim of reaching viable populations in all UK regional seas of the “most important marine species” and the introduction of effective measures to halt the rate of decline in “nationally important marine species”.

8.47 Many respondents wished for clarification with regard to the terms “the most important marine species and plants” and “viable populations”.
8.48 Many respondents suggested that alien species and migration of species as a result of climate change will add to the main pressures on species at risk.

Site based protection

8.49 As stated in the Marine Conservation Zones section above (paragraphs 8.12-8.45), the majority of respondents supported the MCZ proposals. A small number of respondents expressed concerns that site-based protection methods would not be sufficient for species threatened or declining because of direct fishing or incidental capture/killing.

8.50 Many respondents expressed concern that site-based conservation through MCZs would not be sufficient for mobile vulnerable species.

Using sectoral tools

8.51 There was support for the use of sectoral tools in ensuring species protection. Respondents from the fishing industry supported the decision not to criminalise legitimate fishing activity.

8.52 A small number of respondents considered the proposals insufficient to achieve the aims of halting decline by 2010 and reaching viable populations by 2020.

8.53 Respondents welcomed the proposals to work with the European Commission to ensure that fisheries management provides appropriate protection of species.

Using existing conservation tools

8.54 Most respondents commenting on existing conservation tools stated that they were insufficient, particularly for conservation of mobile species.

Reviewing current protection

8.55 Few respondents mentioned the review of current protection, all of whom stated the need for an up-to-date list of nationally importance marine species.

Using by-laws

8.56 All respondents referring to by-laws supported their introduction. Supporters of environmental organisations expressed support in their standard responses for new by-law making powers to be introduced for conservation purposes, that would regulate currently unregulated activities and therefore give species further protection (through targeted and proportionate measures). Further details can be found in the following section on control of unregulated activities (paragraphs 8.57-8.63).

Control of unregulated activities

8.57 35% of all respondents supported the proposals for the introduction of new powers, including by-laws and interim measures, to control unlicensed activities that have the potential to negatively impact on and cause damage to marine biodiversity.
8. Marine Nature Conservation

By-law making powers
8.58 There was support for giving the MMO by-law making powers that would control the impact of unregulated activities. Respondents supported using by-laws as an effective regulatory mechanism, provided there is clarity and certainty on what is, or is not, to be controlled in specific areas and at specific times. Many respondents were concerned about the lack of local input and considered that by-law making powers should also be held at local level.

8.59 Several respondents supported the need for statutory nature conservation agencies to identify measures to control unlicensed activities. Respondents also regarded the MMO as the appropriate decision-making body to apply the type of measures and ensure their enforcement. Several respondents highlighted the importance of enforcing by-laws.

8.60 There was support (particularly from environmental organisations) for by-laws also to apply outside of MCZ boundaries, and to control activities that have a potentially damaging impact on marine biodiversity.

Role of voluntary measures
8.61 Many respondents supported the use of voluntary measures where practicable to protect marine biodiversity. However, a few respondents stated that the introduction of by-laws should not be dependent on evidence that previous voluntary measures have failed.

Consultation
8.62 Generally, respondents approved of the consultation process for by-laws as set out in the White Paper. Various respondents highlighted the need for their own organisations to be consulted. It was suggested that coastal partnerships could play a role in ensuring that local communities are adequately engaged in the consultation process.

Interim measures
8.63 Many respondents supported giving the MMO the power to introduce interim measures to control unregulated activities at short notice. Interim measures were considered important to prevent damage to marine biodiversity in the time taken to consult on and enact a by-law.

Enforcement
8.64 The majority of respondents commenting on enforcement welcomed the proposed role for the MMO in enforcing nature conservation provisions.

Police liaison
8.65 The few respondents who mentioned the role of the Police supported a clear working relationship with the Police. It was suggested that police powers of arrest, and other powers under the Police and Criminal Evidence Act 1984, should be extended to 200 nautical miles to ensure that, if necessary, when called upon to assist the MMO they are able to operate effectively beyond the 12 nm.
Co-operative working

8.66 Many respondents supported the proposals to allow the MMO to enter into agreements with other bodies in relation to enforcement. For example, in specified locations and for specified purposes another body might be better placed to carry out enforcement due to local presence, capability, or expertise.

Powers and functions

8.67 Many respondents supported the proposal to equip enforcement officers within the MMO with a suitable suite of powers for the enforcement of marine nature conservation legislation. A few respondents specifically mentioned the powers of British Sea Fisheries Officers and all of these respondents supported giving MMO officers similar powers. As mentioned in paragraph 9.27 of the ‘Modernising Marine Fisheries Management’ section of this document respondents also supported giving SFC officers the same powers.

Enforcement toolkit

8.68 Most respondents commenting on the sanctions within the enforcement toolkit supported them. A few respondents highlighted the difficulties of enforcement and the differences between enforcement in the terrestrial environment and the marine environment.

Summary of Responses to Nature Conservation section of partial RIA

8.69 Seven respondents commented on the costs and benefits cited in the nature conservation section of the partial RIA. Responses that mention data management issues, both in relation to MCZs (see paragraph 5.7) and other areas of the Bill, are collated in section 5 for ease of reference. There was strong backing from environmental organisations for the evidence and arguments put forward for preserving ecosystems. In particular they supported the emphasis placed on the risks and consequences of continued degradation to the marine environment and wished to stress that the costs of rectifying damage would far outweigh the costs of preventing environmental damage i.e. prevention is cheaper and better than a cure. There was support from the environmental organisations for such rationale to penetrate the Government’s overall arguments for the entire Marine Bill, in particular the nature conservation elements, and not just the RIA.

8.70 One environmental organisation was especially pleased to see recognition of the role of resilient marine ecosystems in mitigating climate change. Another respondent observed that the RIA included potential economic benefits to the leisure industry arising from the nature conservation proposals that should have been mentioned in the White Paper.

8.71 Despite this support, however, some respondents expressed concerns with some aspects of the costs and benefits cited for the nature conservation proposals. Some respondents felt that Defra had omitted or undervalued the benefits, and so gave their own examples and evidence of economic, social and environmental benefits. A public body suggested some examples of existing conservation zones that could help Defra value the benefits of setting up MCZs, including increased tourism, evidence of long-term ‘spill over’ benefits to the fishing industry, education
8. Marine Nature Conservation

benefits and research opportunities for benchmarking the carrying capacity of UK coastal waters for various species. However, they still felt there was a need for further primary research into valuing the various components of Total Economic Value (direct use, indirect use and non-use values) of MCZs for the impact assessment. They also pointed out that the RIA did not include any beneficial value for complying with international commitments.

8.72 Some respondents expressed concern about aspects of the cited costs for setting up MCZs. A public body, while understanding the need to cost the proposals on some kind of basis, was concerned that the arbitrary figure of 92 MCZs may be seen as a limit. Meanwhile one environmental organisation stressed that the costs of setting up MCZs need to be considered in the context of the high total turnover of marine industries. There was also concern from this respondent over the mention of environmental costs of displacement effects in areas surrounding MCZs, which they felt should not be used as an argument for preventing MCZ designation, since a) not all MCZs will prohibit activities; b) any such costs would be minimal in comparison with the benefits; and c) areas surrounding MCZs must be appropriately managed to ensure serious displacement impacts do not occur.

8.73 A public body was concerned that the statutory nature conservation agencies, while able to provide advice to developers on the potential impact of their activities, would incur significant and inappropriate costs if expected to collect marine data for developers. While supporting the proposals to repeal Marine Nature Reserve provisions, the same respondent felt that the cost implications (such as reviewing conservation objectives, re-making by-laws, and updating guidance) of the transition process need to be considered. They also commented that the RIA should also assess the potential costs of by-laws to users, such as the fishing industry.

8.74 The MCZ designation process prompted responses to the RIA from five stakeholders. There was concern from environmental organisations that socio-economic factors could override environmental and scientific considerations in site designation, and unease that double counting would occur if socio-economic factors are taken into account both in actual site designation and in the Impact Assessment. In response to the ‘public interest test’, the same respondent felt that it should be necessary to prove ‘overriding’ public interest.

8.75 In contrast to the concerns about environmental factors being overshadowed by socio-economic considerations in the MCZ designation process, one respondent warned that developers may avoid MCZs completely, as had happened with European marine sites in the past, thus jeopardizing sustainable development. Meanwhile a response from the aggregates industry expressed concern that, while funds are identified for site investigation in the partial RIA, broad scale environmental context would be insufficient to allow the overall significance of individual sites to be defined. Related to this, they expressed concern that the socio-economic objectives and/or policies may not be well developed enough to allow an integrated and balanced consideration of all the potential issues involved before making site designation decisions.
9. Modernising Marine Fisheries Management

9.1 There were 216 non-standard responses that commented on the proposals for modernising marine fisheries management in the White Paper. Not all of these responses provided comments on every aspect of the marine fisheries proposals.

9.2 There were also 55 responses from recreational sea anglers on the proposals related to recreational sea angling, including a petition signed by over 600 sea anglers.

9.3 In addition, there were 267 standard, ‘campaign’, responses from supporters of environmental organisations on aspects of the fisheries proposals.

9.4 Comments on each fisheries management proposal are summarised under the topic headings throughout this section.

9.5 Thirteen respondents commented specifically on the fisheries management section of the partial RIA. These responses are summarised in paragraphs 9.76-9.82.

Aim

9.6 39% of all responses received (standard and non-standard) explicitly stated support for the aim of the marine fisheries proposals to conserve marine ecosystems and help achieve a sustainable and profitable fisheries sector. Many respondents highlighted the importance of sustainable management of fisheries and others additionally commented that they felt there was an absence of proposals for recovery of fish stocks.

Sea Fisheries Committees in England

9.7 Almost half of all respondents supported the modernisation of Sea Fisheries Committees (SFCs).

Geographic scope

9.8 All respondents were supportive of Defra, Welsh Assembly Government and other interested parties working together to ensure that new arrangements for inshore fisheries management in relation to both England and Wales were developed alongside each other.

Purpose and duties

9.9 Most respondents were supportive of a clearly defined purpose and duties for SFCs, noting that sustainable management of fish stocks in the marine environment should be at the core of their purpose.

Constitution and governance

9.10 Many respondents mentioning the constitution of SFCs, particularly environmental organisations, supported changes to the membership of SFCs. However, some respondents expressed concern over various proposals in this section.
9. Modernising Marine Fisheries Management

9.11 Most respondents agreed that the permissive nature of local authority engagement should be removed by requiring all upper and single tier authorities with a sea or estuary coastline to participate in and contribute to the running of the local SFC(s). One respondent noted that all local authorities should contribute to the running of SFCs, as management of fisheries is a responsibility for all.

9.12 The majority of respondents agreed that changing the balance of the membership on SFCs will improve their operation and supported proposals for Natural England and the MMO to have a voting seat.

9.13 There were, however, concerns over the reduction in membership numbers of SFCs, particularly the proposed reduction in local authority representation. Several respondents suggested that 21 members would be a more appropriate number. This would include two more places allocated to local authorities with a further four more seats for fisheries, angling and other relevant interests.

9.14 Several respondents felt that representation of commercial fishing interests should be increased on SFCs, whereas others felt that recreational fishing interests should be increased. Many responses from environmental organisations expressed a desire to see greater environmental interests represented on SFCs, with several respondents noting that SFC enforcement officers should be granted voting rights on SFCs.

9.15 A few respondents stated that a change in membership numbers would not provide the required shift in SFC culture.

9.16 Several respondents commented on proposals to transfer the appointment of SFC members from the Secretary of State (SoS) to the MMO. All those who commented on this proposal were supportive with one respondent noting that the SoS should additionally be granted the power to remove members where Committee standards are not upheld.

9.17 All respondents supported the proposal to enhance the role currently performed by the Association of Sea Fisheries Committees (ASFC) with several respondents noting that the ASFC could also assist in improving communication links between SFCs and central government departments.

By-laws

Making by-laws

9.18 All respondents who referred to proposals on enhancing the by-law making process were in support. Many respondents stated the importance of consultation with stakeholders and supported the proposal for SFCs to be required to consult fully on proposed by-laws, accompanied by a draft Regulatory Impact Assessment. A few respondents highlighted the potential difficulties in engaging with some sectors, particularly the recreational sea angling sector, as such, users may not always be local to the area. Some respondents expressed concern that requiring SFCs to carry out a full consultation would require new knowledge and expertise and that if SFCs are to be effective in carrying out this activity then they should receive adequate funding to address this burden.
9. Modernising Marine Fisheries Management

9.19 A few respondents suggested the need for consistency in the application of by-laws across the SFCs.

9.20 The majority of respondents supported SFCs being able to introduce interim measures. However, several respondents were concerned that such measures would not be subject to scrutiny at an appropriate level, such as the Secretary of State. Some respondents supported time limits on interim measures while others expressed concern that limiting interim measures to 6 months could jeopardise a potentially important by-law where an unavoidable delay is experienced. In this situation, the SoS could be granted discretionary powers to extend the period, for example from 6 months to 1 year.

9.21 All respondents who commented on this proposal agreed that SFCs should review their by-laws and interim measures regularly and amend or revoke if they were no longer needed or considered ineffective.

By-law scope

9.22 All respondents referring to the proposal to clarify the power for SFCs to require the marking of fishing gear supported this proposal.

9.23 All respondents referring to the introduction of permit schemes by SFCs supported this proposal.

9.24 Several respondents referred to the proposal to extend SFC competence to cover living aquatic resources. Of those who responded, all agreed that SFCs should be equipped with the powers to regulate certain high impact activities such as bait digging for ragworms and lugworms, or seaweed gathering. Several respondents cautioned the use of the term 'living aquatic resources'. There was concern over how this might impact on the remit of other nature conservation organisations as well as on certain shipping operations.

9.25 Many environmental organisations were disappointed that there was no mention of Strategic Environmental Assessments (SEAs) or Environmental Impact Assessments (EIAs) in the fisheries section of the White Paper. Several respondents noted that if SFCs are to properly assess and mitigate environmental impacts from fishing activity, then routine collection of catch and effort data from all commercial and recreational fisheries should be carried out. Therefore, it was suggested that this should be a requirement and included in the general purpose and duties of SFCs.

9.26 All respondents supported the proposal to extend the inland jurisdiction of SFCs throughout the area of any council liable to pay, or contribute to the payment of, the expenses of the Committee.

9.27 One respondent noted that in addition to reforming the by-law making system, SFCs should be required to produce an annual work plan, linked to the UK marine policy statement. This plan should then be audited on an annual basis.
9. Modernising Marine Fisheries Management

Enforcement

9.28 All respondents who mentioned the reform of SFC enforcement powers supported the proposal to bring powers of SFC sea fisheries officers in line with the powers of British Sea Fishery Officers (BSFOs). Several respondents mentioned that greater clarity was required on the enforcement roles between the MMO and SFCs as it applied to nature conservation within the 0-6 mile zone. One respondent noted that if SFC officers were granted the powers of BSFOs, then they should be considered as such.

Penalties

9.29 Many respondents highlighted the importance of ensuring consistency in the penalties administered by different SFCs. Some suggested that the scale of penalties and fines could be agreed by the ASFC.

9.30 All respondents agreed with the proposals to increase the maximum fine available to the courts upon summary conviction for by-law offences from £5000 to £50,000 to bring it in line with other fisheries legislation.

9.31 A few responses expressed support for courts to be able to order remedial actions.

Funding

9.32 All respondents supported the strengthening of funding arrangements for SFCs. Many respondents supported funding being met solely by local authorities with a sea or estuary coastline. Many other respondents noted that all local authorities, including land-locked authorities, should contribute to the running of SFCs, as management of fisheries is a responsibility for all.

9.33 Many respondents supported enabling SFCs to recover a proportion of their costs, either through fines, or operating permit schemes for those who benefit from SFCs’ operations and for SFCs to be able to charge for services undertaken on behalf of other authorities.

9.34 While respondents were generally supportive of proposals to meet new burdens through a central government one-off adjustment to the Revenue Support Grant, many respondents raised concerns that this funding will still be inadequate if SFCs are to carry out functions associated with a new purpose and duties.

9.35 There was also a strong consensus that central government should meet any new burden on local authorities. There were mixed views on how this funding should be administered. Some respondents supported a one off adjustment to the Revenue Support Grant, while others suggested an ongoing payment. Several respondents highlighted the importance of ensuring the funding actually reaches the SFCs as intended.

Working with others

9.36 A small number of responses stated the importance of close links between SFCs and the MMO.
9. Modernising Marine Fisheries Management

Number of SFCs

9.37 One respondent asked Defra to consider the drivers for change before a decision on numbers is made.

9.38 Various respondents supported the proposal to reduce the number of SFCs from 12 to 6, along the lines of the ‘preferred option’ outlined in the ‘Bradley Review’. Others thought that a reduction in the number of SFCs would mean a loss of local knowledge, influence and representation; thus jeopardise the local accountability of SFCs.

9.39 Some respondents suggested numbers of SFCs should only be reduced where logic and drivers for change are identified and that is was essential not to achieve an arbitrary number. Another respondent asked that any savings be re-invested in the SFCs.

The Environment Agency (EA)

9.40 Mixed responses were received for the proposal to transfer management responsibility for estuarine areas from the EA (acting as an SFC) to the adjacent coastal SFC. Respondents supporting SFCs taking on this responsibility stated benefits such as increased local stakeholder input and streamlined enforcement. Respondents in support of the EA retaining this responsibility stated benefits such as building on the EA’s existing expertise in estuarine management. Several respondents did not state a distinct preference for either the SFC or the EA to manage estuarine areas but noted that a single fisheries management regime should be pursued.

SFC title

9.41 There were mixed responses on the appropriate name for modernised SFCs but all respondents referring to this proposal did support that a change in name would mark a change in focus for SFCs.

9.42 Several respondents supported the name Inshore Fisheries and Environment Authority (IFEA), while others supported Coastal Waters Committees (CWCs) to mark the significant reform in the focus and ways of working of SFCs. Others felt that CWCs is suggestive of a role that cuts across the roles of other environmental organisations and that it may be confused with other coastal steering groups, as defined in the Marine Planning section of the White Paper. Several respondents supported the name Inshore Management Committees (IMCs) as this reflects the new nature of their role. One respondent suggested Sustainable Inshore Fisheries Committees for the same reason.

9.43 Most respondents noted the need for more than a change in name to ensure effective reform and a name change was only one step in achieving the cultural shift required for SFCs to fulfil their new purpose and duties.

Several and Regulating Orders for shellfish

9.44 Many respondents supported Several and Regulating Orders (SRO) proposals for shellfish, noting that amending the Sea Fisheries (Shellfish) Act 1967 would
provide for a more efficient application process with a stronger management system, including enhanced enforcement capability and cost recovery by way of tolls or royalties.

Application process

9.45 Many respondents supported the aim to reduce the likelihood of a public enquiry when applying for Several and Regulating Orders or extensions. Several environmental organisations noted that this would probably lead to an increased number of applications for an Order, thus increasing the proportion of sustainable shellfisheries in inshore waters.

9.46 Many respondents supported simplification and acceleration of the process of granting Orders. Some respondents expressed concern that this must not be at the expense of losing emphasis on the development of comprehensive management plans for the area proposed for regulation during the application process.

9.47 Several environmental organisations suggested a reduction in the lifetimes of Orders from 60 years to 20 years. They also suggested that an upper limit on the size of the area regulated by Orders should to be justified upon application.

Enforcement of Regulating Orders

9.48 All respondents that commented on enforcement of Regulating Orders supported the extension of the powers of SFC officers to enforce the provisions of Regulating Orders. Many responses also stated support for all new Regulating Orders to be granted to SFCs in the future.

Enforcement of Several Orders

9.49 All respondents that referred to the enforcement of Several Orders supported proposals in much the same way as the enforcement proposals for Regulating Orders. A few respondents suggested that there might be a case for requiring all new and existing grantees of Several Orders to accept enforcement by SFCs if they can not satisfactorily demonstrate their own capability to do so.

Enforcement of Private shellfisheries

9.50 Very few respondents commented specifically on enforcement of private shellfisheries but those that did showed general support for the enforcement powers of SFC officers to be extended to include these private fisheries.

Tolls and Royalties

9.51 A small number of responses mentioned the tolls and royalties that grantees of Regulating Orders can levy on those exploiting the fishery. Of those who did, most supported the principle of the user pays.

9.52 All respondents who referred to the proposal to clarify the scope of tolls and royalties to recover a proportion of the costs associated with the Order from those who benefit directly from it supported this proposal.
9. Modernising Marine Fisheries Management

Offences
9.53 There was some support for the proposal to clarify that where a vessel is used to commit an offence, the vessel master, owner, charterer, or any one of them can be liable for that offence.

9.54 Several respondents highlighted the importance of having a sufficient level of fines for SRO offences and supported proposals to raise fines to a level high enough to be a deterrent to those committing a fisheries offence.

Activities within a Several Fishery
9.55 Several respondents supported the proposal to introduce greater flexibility over use of fishing gear. Some suggested that this should be the case only where an Environmental Impact Assessment is applied to any new activity.

Lobster orders
9.56 Very few respondents commented on the proposal to improve consistency in Lobster Orders between the Secretary of State and the Welsh Ministers. Of those that did nearly all supported the proposals.

Other improvements
9.57 Few respondents mentioned other proposed improvements. There was some support for allowing the taking of edible crab that is carrying spawn or has recently cast its shell for scientific purposes.

9.58 Several environmental organisations mentioned that the Minister should be granted a power to withdraw a SRO where significant environmental damage has occurred or is occurring. They also asked for clarification on which shellfish species would be covered, as well as the methods of harvesting, such as hand-gathering.

9.59 There was further suggestion to provide the powers for grantees to set total allowable catch (TAC) limits in order to provide adequate management. Other management tools such as opening and closing shellfish beds and control of fishing operations was mentioned.

Recreational sea angling and unregulated fishing

Chargeable licensing scheme
9.60 There was widespread support for the scheme from environmental organisations and respondents from a number of public bodies who viewed it as an integral part of a more active management package when coupled with other proposals in the Bill to regulate angling. A number of respondents, mainly national sea angling representative bodies, were neutral or expressed conditional support, i.e. that there would need to be significant improvements. The majority of responses from individual sea anglers and angling clubs were opposed to the establishment of a chargeable licensing scheme for sea anglers in the state of fish stocks before any scheme would be acceptable. The main reasons behind opposition to the licence were that the impact of recreational sea angling is considered much less significant.
than commercial fishing so not in need of licensing for control purposes and that other recreational users of the sea were not subject to licences.

9.61 Many respondents had concerns that the licensing scheme has potential to be bureaucratic and costly, and that any revenue may only cover administration and enforcement costs. A number of respondents considered that occasional sea anglers may be put off by the need for a licence and it may have an adverse effect on charter activities. A large number of respondents also highlighted that the enforcement of the schemes would be difficult given the length of the coast and current lack of enforcement resources. A small number of respondents believed that there would be high levels of non-compliance if a scheme was imposed.

9.62 Many respondents asserted the right of the public to fish being outlined in the Magna Carta, and that imposing a licence on recreational sea anglers would be a breach of those rights.

9.63 Those who supported the scheme, or were neutral, made clear that, in addition to the need to significantly improve the state of fish stocks, the benefits from the scheme would need to be made clear and any revenue must be returned to the angling sector. These points would need to be clear in any legislation introducing the scheme. A number of respondents suggested that a ban on commercial fishing within an agreed limit from the shore would greatly improve fish stocks, and could persuade them that a licensing scheme was acceptable.

9.64 Many respondents supported the need for audited accounts to be available so it would be clear how much revenue was generated by a licensing scheme and how it was being spent. The route for funding would have to be clear in its effects otherwise many respondents believed it would be viewed as an additional tax, risking the alienation of participants and leading to non-compliance.

9.65 Respondents who supported the scheme viewed it as a means of influence for recreational sea anglers over fisheries policy and of increasing financial support for the sector. There was some concern over the proposed routes for funding generated from the licence. Some respondents had concerns about the creation of artificial reefs due to the potential negative environmental impacts these could have, others felt they would provide little gain to recreational sea anglers and were likely to be exploited by the commercial fishing sector. A few respondents were concerned about the proposal related to access to the shore, in view of the potential of any new developments that could damage the intertidal zone. A few other respondents considered it unfair for the revenue gained through licensing recreational sea anglers to be used to develop resources for use by users other than the anglers.

9.66 A few respondents commented on who should deliver the proposed scheme, some suggested the Environment Agency as it already delivers a similar licensing scheme for freshwater, whereas others supported administration by SFCs to enable them to control over exploitation.

9.67 Those respondents, mainly environmental organisations, mentioning the proposal for anglers to provide data on their activities supported this on the grounds that
fisheries managers needed access to information on the number and location of anglers’ catches to inform decision making on conservation measures.

Controls on sea angling and unregulated fishing

9.68 Most respondents focused on the proposal to take powers to introduce bag limits. Many supported the ability to apply set bag limits on the number of fish which can be retained, under certain conditions, such as only being for essential conservation reasons, and that they would be applied proportionately to all those who take specific species of fish. Respondents from the recreational sea angling sector considered it unacceptable to apply bag limits solely to anglers in order to reserve availability of fish stocks to other sectors. Environmental organisations generally supported the extension of controls on unregulated fishing as such activities had the potential to have significant negative impacts on the marine environment.

Enforcement and control of commercial fishing

Administrative penalties

9.69 There was widespread support for the introduction of a system of administrative penalties for minor fisheries offences by all respondents.

9.70 Most respondents commenting on administrative penalties considered financial sanctions easier to apply. However, one respondent suggested alternative methods of sanctions such as licence suspension or withdrawal in cases where permit conditions have not been observed. Although these suggestions would be an effective deterrent to alleged offenders, this form of sanction cannot be part of the administrative penalties proposal because it is not possible to apply licence withdrawal to foreign vessels.

9.71 One respondent raised the issue about FAPs being a new burden on the financial resources of SFCs in that they will lose costs that the Courts have hitherto awarded.

Officers’ powers to enforce fisheries legislation

9.72 All respondents supported the need for a coherent suite of British Sea Fisheries Officers’ (BSFO) Powers. The majority of these respondents agreed that the power to seize gears set illegally in the Sea should cover all types of gears and not just nets. The proposed power will apply to any fishing gear and anything attached to any fishing gear that has been issued in the commission of a commercial fishing offence.

9.73 Respondents also supported the proposals to increase the maximum fines available for successful prosecutions. One of the organisations suggested that the inconsistencies in environmental justice where variations exist in sentencing policy should be addressed. This is not a matter for Defra, but concerns will be passed on to the Ministry of Justice.
9. Modernising Marine Fisheries Management

Charging the fish industry

9.74 Few respondents mentioned charging the industry. Of these respondents, several respondents supported a charge that related to the environmental costs of certain fishing methods to provide incentives to select less damaging fishing gear.

9.75 There was some support for charging the industry, particularly in light of proposals to licence recreational sea anglers (see paragraphs 9.59-9.66).

Out-of-date and redundant fisheries legislation

9.76 All of the respondents commenting on reviewing and repealing out-of-date or redundant fisheries legislation, of which there were few, supported doing so. Some respondents considered that reviewing or repealing such legislation would provide the necessary powers, flexibility and adaptability to deliver sustainable management of inshore fisheries.

Responses to fisheries management section of partial RIA

9.77 Thirteen consultation responses referred specifically to the fisheries management section of the partial RIA or mentioned general cost and benefit issues arising from the White Paper proposals. While many of these respondents were broadly supportive of the proposals, and two openly agreed with the overall costs and benefits identified, there were nevertheless several requests for further clarification and some disagreement regarding the cited costs.

9.78 There were five comments on the qualitatively cited benefits, particularly the environmental benefits, of the fisheries proposals. A public body, while recognising the difficulty in quantitatively calculating many of the benefits of the fisheries proposals, felt that the benefits listed in the RIA of stronger and more sustainable fisheries management are insufficiently positive when listed as ‘not quantifiable’. They suggested that a reasonable, quantified assessment of the significant benefits could be made from existing, published values of different fishing activities, and offered by way of example estimates of the economic value of improved management of fish stocks as a result of increased participation in sea angling and improvements in shellfish landings.

9.79 An environmental organisation believed that there was insufficient emphasis on the environmental benefits of sustainable fisheries and the costs of damaging fishing practices, while an advisory organisation cited the Lundy Island “no take zone” as evidence of the positive effect of conservation measures on fish and shellfish stocks. A recreational angling group felt strongly that improved management of inshore fish stocks and environments would positively impact angling-related tourism and boost fragile coastal economies. Meanwhile a respondent from the fishing sector wished to see an assessment of the direct health benefits from eating fish and shellfish, and the resulting benefits for social welfare and the economy.

9.80 Five respondents, while welcoming the proposals to reform SFCs, were concerned about the proposed funding arrangements. A public body, local authority and two fishing associations cautioned against a lack of appropriate funding for the new duties required of the SFCs. Two respondents wished to be involved in discussions
9. Modernising Marine Fisheries Management

about the one-off adjustment to the Revenue Support Grant from central Government to local authorities before the amount is finalised. One respondent of these respondents offered their own detailed assessment of the likely additional financial burden. Meanwhile the local authority opposed the introduction of a Revenue Support Grant, since this does not offer a guarantee that the local authority will receive the full amount of funding, and therefore requested the use of a Specific Grant instead. One respondent also wished to see robust mechanisms that would ensure funding actually reaches the intended SFC, similar to a system that has been shown to work in Wales.

9.81 There were some comments on the costs and benefits of introducing a chargeable rod licence. A number of angling representative bodies felt that a) the funds raised from any introduction of a charging scheme for recreational sea angling must be ring-fenced for the benefit of the sport, b) the proposal should include legal powers to ensure specific benefits are delivered, c) the process of raising and spending funds must be transparent, and d) management, administration and enforcement of the scheme should be capped at a maximum of 10% of the funds raised. Two fishing sector bodies questioned the assumptions in the partial RIA about the potential number of licences sold: using the ratio of participants to sales of licences under the current freshwater licensing scheme, it was asserted that only 250,000 sea angling licences would be sold, generating between £3 -£3.5m. Meanwhile an environmental organisation stressed that the income from rod licences should ensure stock and ecosystem conservation as well as generating returns for local economies.

9.82 Environmental organisations backed charging the inshore fishing industry to help fund inshore fisheries management, such as the costs of monitoring, regulatory and enforcement activities. A public body felt strongly that the fishing industry should be charged according to the environmental impact of different fishing activities and was concerned that requiring coordination with the Scottish Executive could cause delays. An environmental organisation also backed the introduction of a charge relating to the environmental costs of certain fishing gears as a first step towards sustainable fishing, since currently there is no incentive for the fishing industry to switch to more ‘environmentally friendly’ fishing practices.

9.83 There were four comments on costs associated with by-laws and enforcement. A local authority supported proposals for RIAs to be undertaken in relation to by-laws and requested a template RIA to be made available to all SFCs in order to improve efficiency and reduce costs. Representatives of recreational sea anglers stressed that any enforcement regime must be properly funded and staffed. An environmental organisation agreed with the White Paper that current fines for by-law offences are too low, especially when compared to the high value of the fishing industry, and backed using the proposed upper limit of £50,000 since a lower fine would not act as a deterrent.
10. Marine Management Organisation

10.1 There were 221 non-standard responses to the proposals for a new Marine Management Organisation (MMO) in the White Paper. Not all of these responses provided comments on every aspect of the MMO proposals.

10.2 In addition, there were 411 standard, ‘campaign’, responses from supporters of environmental organisations on aspects of the MMO proposals.

10.3 Comments on specific aspects of the proposals are summarised under the topic headings throughout this section.

10.4 Five respondents commented specifically on the MMO section of the partial RIA. These responses are summarised in paragraphs 10.69-10.72.

10.5 Responses that mention data management issues are collated in a separate section (section 5) for ease of reference.

Aim

10.6 46% of all responses received (standard and non-standard) explicitly stated support for the aim of setting up a new MMO.

Geographic scope

10.7 All respondents on this issue expected that, if created, separate organisations to deliver devolved functions would liaise closely with an MMO delivering reserved functions to ensure coordination and consistency. The majority of these respondents expressed concerns as to how, in terms of joined-up working, consistency in marine management will be ensured between the MMO and any equivalents that may be formed by the devolved administrations.

10.8 An environmental organisation raised the issue that in parts of the UK without an MMO or equivalent body there will be less access to justice regarding objections to decisions and the decision making process, leading to potential inequality across the UK.

10.9 Many respondents also expressed the need for sufficient resources and accountability in establishing the new organisation(s). This is addressed in detail in paragraph 10.71.

Northern Ireland

10.10 All responses in relation to proposals for the delivery of transferred/devolved Northern Ireland functions were from Northern Irish organisations, or overarching UK organisations. Many respondents supported the establishment of a regional office of the MMO for Northern Ireland. While many other respondents supported a separate MMO for Northern Ireland. Some respondents supported a regional MMO office but would prefer a separate Northern Ireland MMO if it had the backing in terms of resources from the Northern Ireland Assembly.
10. Marine Management Organisation

Scotland

10.11 The majority of responses in relation to proposals for establishing a separate MMO to deliver functions devolved to Scotland were from Scottish organisations. Many respondents supported a separate MMO for Scotland. However, many of those supporting this were concerned about its ability to interact with a UK MMO, wanting greater clarity on how it would do so.

Wales

10.12 There was support for a separate MMO to deliver functions devolved to Wales from some respondents. Many of these respondents were concerned that without a Welsh MMO Welsh stakeholders would be disadvantaged. They stated that having a similar body in Wales would ensure simplicity, transparency and ease of use for users, regulators and other stakeholders.

10.13 All responses relating to delivery in Wales expressed support for close liaison between the MMO in UK waters and whatever arrangements are made in Wales.

Functions of the new MMO

10.14 Respondents supported the MMO as a champion of and overarching body for marine management.

10.15 Many respondents commented on the delivery of multiple marine functions by the MMO and supported this due to the advantages that would be gained through delivery by a single organisation. Some respondents expressed concern that the number of functions proposed for the MMO will create a huge challenge to delivery.

10.16 Several respondents highlighted that the MMO must be adequately resourced and funded to carry out its numerous functions.

10.17 Many of the responses mentioning the MMO’s functions stated the importance of the MMO consulting marine stakeholders in carrying out its’ functions.

Marine planning

10.18 All respondents commenting on the MMO as the planning body supported this. Some respondents stated that they supported delivery of marine planning by a neutral body and considered the MMO appropriate. No concerns were expressed about this proposal.

10.19 All responses mentioning the role of the MMO in setting up Marine Planning Steering Groups were in support of this proposal.

10.20 Many respondents expressed concern over the MMO’s role where planning required more detail. It was suggested that local and relevant authorities and agencies should provide guidance to the MMO.

10.21 A few responses suggested the need for a MMO to have a local presence. Some suggested this could be through the use of the regional offices of the MFA or MCA. Respondents from environmental organisations and local government expressed concerns about the use of MFA offices to provide a local presence. These
Marine Management Organisation

respondents were anxious to ensure the MMO was not just the MFA with additional functions.

Marine licensing

10.22 Many respondents across all sectors, including in standard responses from supporters of environmental organisations, supported the delivery of the proposed reformed licensing regime by the MMO. However, support for the MMO delivering specific aspects of the licensing regime differed between sectors.

10.23 Environmental organisations supported the MMO delivering all stages of the amended Electricity Act 1989 and Energy Act 2004 licensing regime in relation to offshore renewable energy projects. Respondents from the energy sector opposed the MMO delivering licences related to energy and wished responsibility to remain with DTI.

10.24 Respondents from environmental organisations and the recreational sector supported the MMO assuming responsibility for administering regulation of harbour revision and empowerment orders and harbour act licensing. Respondents from the ports, harbours and shipping sectors opposed this and were of the opinion that Harbours legislation should remain the responsibility of the Department of Transport.

10.25 Mixed opinions were received in response to the MMO’s potential role in regulation of offshore Carbon Capture and Storage (CCS) activities. About half of all respondents mentioning the delivery of CCS licensing were in support of the MMO delivering this, whilst about half opposed the proposal. Support for CCS being within the remit of the MMO was principally from environmental organisations and opposition was principally by respondents from the energy sector.

10.26 A few respondents highlighted the exemption of oil and gas licensing from the proposals as a problem; some suggested that it should be included in the licensing regimes delivered by the MMO.

10.27 Most of the respondents commenting on the proposals in the Planning White Paper stating that an Independent Planning Commission (IPC) would determine decisions on larger or major offshore renewable energy installations (those over 100MW) and port developments opposed these proposals. Standard responses from supporters of the RSPB and MCS expressed strong opposition, being concerned that this could undermine the streamlined licensing, marine planning, and MMO proposals. Some other respondents stated they would be providing fuller comments once they had examined the Planning White Paper more fully.

Fisheries management functions

10.28 There was support from some respondents for the proposal that the MMO be responsible for management, monitoring and enforcement of fisheries. Many respondents welcomed the proposal to incorporate the MFA within the MMO. There was support for the delivery of Sea Fisheries Inspectorate (SFI) functions by the MMO in Northern Ireland.
10.29 All respondents mentioning the relationship between Sea Fisheries Committees (SFCs) and the MMO considered a close working relationship to be important

**Nature conservation functions**

10.30 Many respondents commenting on these functions supported the MMO providing advice on the socio-economic context of Marine Conservation Zones (MCZs). Responses from environmental organisations expressed concerns about this, on the basis that socio-economic factors should be excluded from site selection and designation decisions should be made on a purely scientific basis. These respondents suggested instead that the MMO should provide advice on a site management plan, which would address socio-economic issues.

**Monitoring**

10.31 All respondents mentioning the proposed monitoring functions of the MMO supported the MMO undertaking monitoring responsibilities and suggested building upon the MFA’s monitoring capacity.

**Enforcement**

10.32 All responses referring to enforcement expressed support for the MMO delivering enforcement in the marine area.

10.33 A few responses referred to the enforcement of specific activities. There was support for the enforcement of licensing and fisheries legislation. A small number of respondents raised concerns over the enforcement of nature conservation with suggestions that this could require conservation scientists within the MMO to enable this activity to be effectively delivered and monitored.

10.34 A close working relationship between the MMO and SFCs was considered necessary to effectively deliver enforcement.

**Science and data**

10.35 Nearly all respondents commenting on this issue considered data important. The importance of data underpinning the delivery of functions undertaken by the MMO was mentioned in many responses. There was consensus amongst a small number of respondents who thought there was enough existing data for the MMO to commence its functions.

10.36 Many respondents mentioned the importance of data management in the MMO. A few of these respondents stated that the MMO must not operate independently of other data management initiatives and should not be establishing a new data archive.

10.37 Many responses considered the availability of data to be important. Many respondents supported the ‘collect once, use many times’ principle. Some respondents suggested that data should be freely available for use. However, a few respondents identified the problems in doing so, such as how data generated by the private sector would be included.
10. Marine Management Organisation

10.38 A few respondents expressed support for the potential research coordination role of the MMO. A small number of these respondents suggested that the MMO should be capable of initiating data collection to fill knowledge gaps, in addition to coordinating existing efforts.

10.39 Further comments on data management issues can be found in section 5.

Other functions

10.40 The most frequently stated additional function for the MMO was providing guidance on and championing ICZM. Nearly all of these responses also stated that the MMO should not itself deliver ICZM measures, as this is a role better suited to local bodies.

10.41 A few respondents suggested that the MMO should have a role in management of Marine Conservation Zones.

10.42 A small number of responses suggested the MMO take the role of competent authority under the EU Environmental Liability Directive.

10.43 A small number of respondents suggested that the MMO should have a clear duty to further delivery of the Water Framework Directive.

10.44 Furthermore, a small number of respondents suggested that the MMO could provide a consolidated source of advice to support UK representation at European and international forums.

Establishing an MMO

10.45 All responses mentioning the proposal to establish the MMO as a Non-Departmental Public Body supported this.

10.46 A few respondents expressed concerns that the existing skills base may be lost in the transfer to a MMO.

10.47 A small number of respondents supported the move to locate the headquarters of a MMO outside of London and the South East. A few responses suggested specific locations. Of the respondents that mentioned the location of a MMO, all supported the need for local offices and advocated the headquarters for the MMO being located on the coast.

Governance

10.48 A few respondents supported the MMO serving the government-wide sustainable development agenda rather than the specific aims of one government department. A number of responses mentioned the need for a neutral or independent body and expressed concerns that this would not be possible if a MMO was attached to a single government department. Several responses supported the establishment of a cross-government MMO sponsorship group.
10.49 Respondents considered the accountability arrangements important. A few responses expressed support for the Secretary of State for Defra to be formally accountable to Parliament for the activities and performance of a MMO.

Relationships with other bodies

10.50 Overall most respondents mentioning the relationships between the MMO and other bodies supported the principle that the MMO must consult the appropriate government advisor in the functions it undertakes.

Relationship between the MMO and Natural England (NE) and the Joint Nature Conservation Committee (JNCC)

10.51 Many respondents supported NE and JNCC supplying advice to the MMO within their geographical jurisdictions. As mentioned previously (in paragraph 8.27) some stakeholders expressed concerns over the MMO’s role in providing advice to NE and JNCC related to MCZ site selection and designation.

Relationship between the MMO and Centre for Environment, Fisheries, and Aquaculture Science (CEFAS)

10.52 There was some support for the intention not to merge CEFAS with the MMO, principally from environmental organisations. A few respondents from other sectors suggested that CEFAS should be merged into the MMO.

10.53 A few responses stated that it is important that the MMO does not act as a conduit for the majority of Defra’s research and development funding to be directed to CEFAS.

Relationship between the MMO and the Sea Fisheries Committees (SFCs)

10.54 The majority of responses underlined the importance of a close working relationship between SFCs and the MMO.

Relationship between the MMO and English Heritage (EH)

10.55 Many respondents supported the role of EH in supplying advice to the MMO, and some suggested this should be a statutory advisory function for EH. A small number of respondents were concerned about the arrangements for the supply of advice beyond 12nm.

Relationship between the MMO and the Environment and Heritage Service Northern Ireland.

10.56 A small number of responses highlighted the need for a close working relationship between the Environment and Heritage Service and a Northern Ireland regional office of the MMO.

Relationship between the MMO and the UK Hydrographic Office

10.57 There were very few responses mentioning the relationship between the UK Hydrographic Office and the MMO. It was suggested in one response that a Memorandum of Understanding (MoU) between the two organisations should define the relationship.
**10. Marine Management Organisation**

**Relationship between the MMO and the Crown Estate**
10.58 Very few responses referred to the Crown Estate and its' relationship with the MMO. All of these responses highlighted the need for a close working relationship between the two bodies.

**Relationship between the MMO and the Environment Agency (EA)**
10.59 Some respondents expressed support for the proposal that the EA provide advice and expertise to the MMO and vice versa. Some of those respondents suggested that the EA should be a statutory consultee of the MMO.

**Relationship between the MMO and the Maritime and Coastguard Agency (MCA)**
10.60 Many respondents mentioned the MCA; almost half of these respondents supported a close working relationship between the two bodies and supported not including the MCA within the MMO. However, the other half of these respondents suggested that further consideration be given to the potential of inclusion of the MCA in the MMO. It was suggested that this inclusion could improve local representation of the MMO through use of the MCA’s local offices.

10.61 Many respondents supported a close working relationship between the MMO and the MCA.

10.62 It was also suggested that the MCA be involved in the proposed Marine Planning Steering groups.

**Relationship between the MMO and the Marine Data and Information Partnership (MDIP)**
10.63 There were very few responses referring to relationship between the MDIP and the MMO. All of these responses supported the proposal that the MMO participate in MDIP.

**Relationship with Regional Assemblies, Local Authorities and Regional Development Agencies**
10.64 All respondents mentioning the relationship between Regional Assemblies (RAs), Local Authorities (LAs) or Regional Development Agencies (RDAs) and the MMO highlighted the importance of this relationship in ensuring local participation and representation at the coast.

10.65 Many of these respondents suggested that RAs, LAs or RDAs should be statutory consultees for the MMO and have a statutory role in providing advice to the MMO.

10.66 A few responses also suggested that RAs, LAs or RDAs should be involved in the Marine Planning Steering Groups.

**Other bodies**
10.67 Some responses suggested other bodies and organisations that should have an important relationship with the MMO. Some respondents suggested their own organisation. Organisations mentioned by more than one respondent include:
10. Marine Management Organisation

- HM Treasury
- The Health and Safety Executive
- The proposed Independent Planning Commission (IPC)
- Coastal Partnerships

10.68 There were suggestions that coastal partnerships should play a key role in the development of ICZM and planning, and be members of the proposed Marine Planning Steering Groups.

Responses to MMO section of partial RIA

10.69 Many respondents to the consultation agreed broadly that there would be significant benefits for many sectors of society from the delivery of Marine Bill functions through a single organisation and accessing marine data through a central portal. Eight respondents commented on the MMO or data management sections of the partial RIA. Responses that mention data management issues, both in relation to the MMO and other areas of the Bill, are collated in section 5 for ease of reference.

10.70 Apart from one environmental organisation who wished to see mention of the benefit offered by the MMO in providing a strategic overview for future marine research, and another who felt that the benefits of the MMO would be lost should the IPC’s powers overlap with the MMO’s, all of the responses related to the costs of setting up and running an MMO, and fulfilling its data requirements.

10.71 The general message of responses was that the MMO must be sufficiently resourced by central government in order to achieve the Bill's objectives. One respondent was anxious that the wide range given for the MMO’s proposed set-up costs and running costs in the partial RIA could lead to a compromised budget and recommended these costs be refined.

10.72 Some respondents expressed concern over the quality of service and numbers of staff within the MMO. A respondent from the recreational sector felt that the RIA did not show evidence of current staffing levels and requested that these be made available; otherwise, it would not be possible to compare any change in service. Two respondents warned of a potential loss of skills when the MMO moves out of London and problems with staff recruitment, which one of them felt should be addressed through the use of consultants in both the short term and for specialist tasks in the longer term, although with the caveat that not all specialist support should come from CEFAS. Another noted the lack of reference to the training requirements of licensing and administrative staff within the MMO, which is needed to remedy the current knowledge gap thought to have arisen as a result of longstanding high staff turnover within the MCEU (now within the MFA). One respondent stressed that the proposed 100% recovery of MMO administrative costs must not lead to significant increases in licensing fees; should not include capital relocation costs as this is the government’s responsibility; and must be justified by demonstrating an improved service for licence applicants.
Annex A: List of respondents

Organisations that responded
Aberdeen City Council
ABP Marine Environment Research Ltd
Andrews Ward James (AWJ) Ltd
APEM Ltd
Associated British Ports (ABP)
Atlantic Salmon Trust
Avian Survival UK
Bass Anglers' Sportfishing Society
Bridport Environment Group
Bristol and South West Socialist Environment and Resources Association
British Ecological Society
British Geological Survey
British Marine Aggregate Producers Association
British Marine Federation
British Ports Association
British Sub Aqua Club
British Wind Energy Association
Camelford and District Sea Angling Club
Cardiff Council and Cardiff Harbour Authority
Causeway Coast & Glens Heritage Trust
Central Council of Physical Recreation
Centrica Energy
Chamber of Shipping
Cleveland Potash Limited
Coastal Partnerships Working Group
CoastNET
Comhairle nan Eilean Sair
Cornwall Sea Fisheries District
Cornwall Wildlife Trust
Council for British Archaeology
Council for Nature Conservation and Countryside
Council for Scottish Archaeology
Countryside Alliance
Countryside Council for Wales
Cumbria County Council
Cumbria Wildlife Trust
Dartangler Partnership
Deepdock Ltd
Devon County Council
Devon Maritime Forum
Devon Wildlife Trust
Dorset Coast Forum
Dorset County Council
Dorset Wildlife Trust
Annex A: List of respondents

Durham Heritage Coast Partnership
Durham Wildlife Trust
E.ON UK Plc
East of England Biodiversity Forum
East Riding Of Yorkshire Council
East Sussex County Council
EDF Energy
English Heritage
Europarc Atlantic Isles
Firth of Clyde Forum
Fisheries and Angling Conservation Trust (FACT)
Glamorgan-Gwent Archaeological Trust
Gloucestershire County Council
Go Angling Charter Services
Greenpeace
Hampshire and Isle of Wight Wildlife Trust
Hampshire County Council
Hayle Harbour Management
Herne Bay Angling Association
Humber Advisory Group
Humber Management Scheme
Institute of Biology
Institute of Field Archaeologists
Institute of Marine Engineering, Science & Technology
Institution of Civil Engineers
Inter-Agency Committee on Marine Science and Technology
International Fund for Animal Welfare (IFAW)
Isles of Scilly Sea Fisheries Committee
Joint Nature Conservation Committee
Joint Nautical Archaeology Policy Committee
Kent and Essex Sea Fisheries Committee
Kent Charter Fishing
Kent County Council
Kent Wildlife Trust
Langstone Harbour Board
Lincolnshire Wildlife Trust
Local Government Association
London Aggregates Working Party
Loughs Agency
Marina Projects Ltd
Marine Biological Association
Marine Connection
Marinet
Maritime UK
Mersey Docks and Harbour Company
Morecambe Bay Partnership
National Centre for Ocean Forecasting
National Farmers Union
National Federation of Fishermen's Organisations
Annex A: List of respondents

National Federation of Sea Anglers
National Mullet Club
National Oceanography Centre, Southampton
National Trust for Scotland
Natural England
Newry & Mourne District Council
Norfolk Wildlife Trust
North East Biodiversity Forum Marine and Coastal Group
North Eastern Sea Fisheries Committee
North Norfolk District Council
North West Coastal Forum
North West Regional Assembly
North Western & North Wales Sea Fisheries Committees
Northern Ireland Coastal and Marine Forum
Northern Ireland Environment Link
Northern Ireland Marine Task Force
Northumberland Sea Fisheries Committee
Ocean Challenge
Oceans 2025
Oil & Gas UK
Ordnance Survey
PADI International Ltd
Pembrokeshire Coast National Park Authority
Pembrokeshire Coastal Forum
Pembrokeshire Marine Special Area of Conservation Relevant Authorities Group
Poole Harbour Commissioners
Port of London Authority
Portsmouth City Council
Pot Black Sea Angling Club
Prestatyn Sailing Club
Purbeck Heritage Committee
Renewable Energy Association
Renewable Energy Foundation
River Hamble Harbour Authority
Royal Commission on Environmental Pollution
Royal Institution of Chartered Surveyors
Royal Society for the Protection of Birds
Royal Society for the Protection of Birds Scotland
Royal Town Planning Institute
Royal Yachting Association
Royal Yachting Association Northern Ireland
RWE Npower plc
Salcombe-Kingsbridge Estuary Conservation Forum
Salford University Diving Society
Sark Sea Fisheries Committee
Save Our Seabirds Network
Save Our Sharks
School of Ocean Sciences University of Wales  
Scolt Head and District Common Rightholder’s Association  
Scottish & Southern Energy plc  
Scottish Coastal Forum  
Scottish Environment LINK Marine Task Force  
Scottish Environment Protection Agency  
Scottish Natural Heritage  
Scottish Power  
Scottish Renewables Forum  
Scottish Water  
Scottish Wildlife Trust  
Sea Anglers Conservation Network  
Sea Fish Industry Authority  
Sea Users and Developers Group  
Severn Estuary Partnership  
Shell UK  
Shetland Islands Council  
Shirley Sea Angling Club  
Shropshire Wildlife Trust  
Sinn Fein  
Sir Alister Hardy Foundation for Ocean Science (SAHFOS)  
Society for Underwater Technology  
Society of Parliamentary Agents  
Solent Forum  
Solent Protection Society  
Solway Firth Partnership  
South Coast Fishermen’s Council  
South Devon and Channel Shellfishermen  
South Downs Joint Committee  
South East England Regional Aggregates Working Party  
South East England Regional Assembly  
South West of England Regional Development Agency  
Specialist Anglers Alliance  
Stanswood Bay Oystermen Ltd  
Strangford Lough Management Advisory Committee  
Sub Sea Turbines Ltd  
Suffolk Coast and Heaths Area of Natural Beauty Unit  
Suffolk Coastal District Council  
Surrey Wildlife Trust  
Teignbridge Council and Teign Estuary Partnership  
Thames Estuary Partnership  
Thanet Coast Project  
The Association of Sea Fisheries Committees of England and Wales  
The Bristol Greenpeace Group  
The Crown Estate  
The Crown Estate Review Working Group  
The Environment Council  
The Highland Council
Annex A: List of respondents

The Marquis Group
The Mersey Partnership
The National Trust
The Planning Inspectorate
The Ramblers Association
The Scottish Federation of Sea Anglers
The Shellfish Association of Great Britain
The Society for Nautical Research
The West London River Group
The Wildlife Trust for Lancashire, Manchester & North Merseyside
The Wildlife Trusts
The Wildlife Trusts’ South East Marine Programme
Trinity House
UK Cable Protection Committee
UK Hydrographic Office (UKHO)
UK Independence Party
UK Major Ports Group
Ulster Wildlife Trust
VEGA Research
Wales Coastal and Maritime Partnership
Wales Environment Link
Welsh Federation of Sea Anglers
West Sussex County Council
Whale & Dolphin Conservation Society
Whitby Charter Skippers Association
Wildlife and Countryside Link
Wirral Council
World Wildlife Fund Northern Ireland
WWF UK
Zoological Society of London

A large number of individuals responded in addition to the organisations listed above. The names of those individuals are not listed in this document.
Annex B: Sector Descriptions

Aggregates:
Organisations / associations / businesses from the marine aggregates industry.

Energy / Renewables:
Organisations / associations / businesses from the general energy industry, offshore oil and gas industry, offshore wave and tidal power industry, offshore wind energy industry.

Environmental:
Non-government organisations / associations / charities with a primary focus on environmental issues.

Fishing:
Organisations / associations / businesses from the fishing industry.

Local Government:
County and district councils, council committees, local authority districts e.g. metropolitan districts, regional assemblies and development agencies.

Other:
Academic institutions, advisory organisations not associated with any of the other sectors listed here, individual non-standard responses.

Ports:
Organisations / associations / businesses from the ports and harbour industry.

Public Bodies:
Government departments, Non-Departmental Public Bodies, Executive Agencies, and other organisations including associations whose members have a statutory function.

Recreation:
Organisations / associations / businesses involved in recreational activities e.g. angling, diving, yachting.

Shipping:
Organisations / associations / businesses from the shipping industry including boat owners and skippers.
### Annex C: Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ASFC</td>
<td>Association of Sea Fisheries Committees</td>
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<td>ASSI</td>
<td>Area of Special Scientific Interest</td>
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<td>BSFO</td>
<td>British sea-fishery officer</td>
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<td>CCS</td>
<td>Carbon Capture and Storage</td>
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<tr>
<td>CEFAS</td>
<td>Centre for Environment Fisheries and Aquaculture Science</td>
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<td>CPA</td>
<td>Coast Protection Act 1949</td>
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<tr>
<td>CWCS</td>
<td>Coastal Waters Committees</td>
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<tr>
<td>DBERR</td>
<td>Department for Business, Enterprise and Regulatory Reform</td>
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<tr>
<td>DEFRA</td>
<td>Department for Environment, Food and Rural Affairs</td>
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<td>DfT</td>
<td>Department for Transport</td>
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<td>EA</td>
<td>Environment Agency</td>
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<td>EH</td>
<td>English Heritage</td>
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<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>EiP</td>
<td>Examination in Public</td>
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<td>EU</td>
<td>European Union</td>
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<td>FAPs</td>
<td>Financial Administrative Penalties</td>
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<td>FEPA</td>
<td>Food and Environment Protection Act 1985</td>
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<td>ICZM</td>
<td>Integrated Coastal Zone Management</td>
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<td>IFEA</td>
<td>Inshore Fisheries and Environment Authority</td>
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<td>IMCs</td>
<td>Inshore Management Committees</td>
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<td>IPC</td>
<td>Independent Planning Commission</td>
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<td>JNCC</td>
<td>Joint Nature Conservation Committee</td>
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<td>MCA</td>
<td>Maritime and Coastguard Agency</td>
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<td>MCEU</td>
<td>Marine Consents and Environment Unit</td>
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<td>MCZ</td>
<td>Marine Conservation Zone</td>
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<td>Acronym</td>
<td>Description</td>
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<tr>
<td>MDIP</td>
<td>Marine Data and Information Partnership</td>
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<td>MEDAG</td>
<td>Marine Environmental Data Action Group</td>
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<td>MFA</td>
<td>Marine Fisheries Agency</td>
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<td>MMO</td>
<td>Marine Management Organisation (previously referred to as a 'marine agency')</td>
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<td>MNR</td>
<td>Marine Nature Reserves</td>
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<td>NDPB</td>
<td>Non-departmental Government Body</td>
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<td>NE</td>
<td>Natural England</td>
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<td>Nautical Miles</td>
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<td>Regulatory Impact Assessment</td>
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<td>UK Hydrographic Office</td>
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<td>UKMMAS</td>
<td>UK Marine Monitoring and Assessment Strategy</td>
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<td>WAG</td>
<td>Welsh Assembly Government</td>
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