

UK Marine Bill throws down gauntlet for management of Scotland's seas

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Welcoming the publication today of the long-awaited consultation paper on a UK Marine Bill, Scottish Environment LINK's Marine Task Force said that it is now up to the Scottish Executive to show that we can deliver for Scotland's seas. Task Force Convenor, Calum Duncan, said,

"This could be the biggest breakthrough for managing our seas in centuries. For years environment groups north and south of the border have campaigned for marine legislation to resolve the destructive 'free-for-all' that is failing both our seas and coastal livelihoods. This UK-wide consultation sets up a general framework for reserved activities. What we need now is a tailor-made Scottish Marine Act to deliver on the whole range of devolved marine issues, from conservation and marine protected areas to renewable energy, fisheries, pollution and aquaculture. A Scottish Marine Act could finally deliver the healthy, abundant seas supporting, for the long-term, many thousands of Scottish livelihoods, which is the objective of the Executive's own marine and coastal strategy."

Scotland has a world-class marine environment, including almost half Europe's breeding seabirds, 24 species of whales and dolphins and most of the UK maerl, horsemussel and seagrass beds, as well as Scottish specialities like tube-worm reefs, tall sea pen, fireworks anemone and northern sea fan. Sadly, the current system for marine nature conservation does not work. Only nine species and eight habitats out of many thousands enjoy legal protection, and there is nothing to protect the majority of Scottish specialities from damage.

Becky Boyd, of WWF Scotland and the Scottish Wildlife Trust, said, "It is important to realise that these wonderful species are the 'engine house' of the sea, providing food and shelter for fish and underpinning all economic activity. It is in everyone's interests to put an end to short-term profit-driven exploitation and look to creating thriving seas that can provide for long-term livelihoods. We believe that a Marine Act for Scotland will provide a unique opportunity to do this. In particular, we would like to see new measures for protecting natural resources, including a network of marine areas to protect habitats and species of special importance for Scotland, not just those of European significance."

The Scottish Executive last year published its strategy '*Seas the Opportunity*' to achieve '*clean, healthy, safe, productive and biologically diverse marine and coastal environments*'. Ross Finnie, Scotland's Environment and Rural Affairs Minister, is working with an Advisory Group of national stakeholders to deliver this vision. The UK government's Review of Marine Nature Conservation, which reported in 2004, recommended a brand new 'marine nature conservation framework', including the establishment of a network of marine protected areas.

"We believe this UK consultation throws down a gauntlet not only to the Minister and the national Advisory Group, but to all political Parties, to take seriously the need for new measures for marine nature conservation and marine protected areas as well as

for a marine planning system, a co-ordinating marine management body and better local management. LINK is calling on all political Parties to use their 2007 manifestos to pledge a Marine Bill for Scotland that will deliver the best possible package for Scotland's marine environment", concluded Lloyd Austin, Chair of Scottish Environment LINK.

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EDITOR'S NOTES

1. Scottish Environment LINK (LINK)

LINK is an umbrella body for Scotland's voluntary environmental organisations representing approximately half a million members throughout Scotland. LINK's Marine Task Force consists of the following environmental NGOs working on marine issues in Scotland:

Hebridean Whale and Dolphin Trust
Marine Conservation Society
National Trust for Scotland

RSPB Scotland
Scottish Wildlife Trust
WWF Scotland

2. UK Marine Bill

Following the Queen's Speech on 17th May 2005, it was confirmed that a draft Marine Bill will be in the programme of legislation for the new session of the UK Parliament at Westminster. The current consultation package precedes a second consultation on a draft UK Bill in summer 2006, and the publication of the Bill later in the year. The UK Bill establishes a UK-wide sustainable development framework for planning and managing coastal and marine areas including wildlife. This framework will be implemented separately by Scotland and separate Marine (Scotland) Act is needed north of the border to address devolved matters. This should be developed in parallel with (and not subsequent to) the Westminster Bill.

3. Advisory Group for the Marine and Coastal Strategy

This working group is chaired by Ross Finnie MSP, Scotland's Environment and Rural Affairs Minister. It is due to meet 5 times, reporting in November 2006, and is tasked to help deliver the objectives of Scotland's Marine and Coastal Strategy, launched in September 2005, and to consider what legislative change might be needed for Scotland.

4. Marine (Scotland) Act

The Scottish Executive controls most activities within 12nm of the Scottish shore, including inshore fisheries, aquaculture, coastal management, renewable energy, conservation, pollution, dumping and dredging, marine works and research. Scottish Environment LINK's Marine Task Force therefore argues for a separate Marine (Scotland) Act to be developed in parallel with (and not subsequent to) the Westminster bill. A Marine (Scotland) Act is needed to sustainably manage Scottish inshore waters in such a way as to ensure they are healthy and productive in perpetuity by delivering:

- **Adequate protection for marine species and habitats** of both national and international importance, encompassing a network of well-managed marine areas protected by law. This network should comprise of at least one Coastal and Marine National Park, further European marine sites, including marine Special Protection Areas (SPAs) for seabirds, and, what is currently missing and much needed, a new domestic designation of Marine Protected Area (MPA) to allow for protection of marine species, habitats and landscapes of national importance to Scotland.

- **Effective Marine Spatial Planning** - to provide an 'ecosystem-based' management system for all activities within Scotland's seas. MSP can offer numerous benefits for industry and government, including a streamlined, forward-looking and joined up planning and consents regime. Through implementing nationally important MPAs within each regional sea, MSP would also benefit marine nature conservation. To deliver an ecosystem-based approach for all UK seas, the same underlying MSP principles and approach in Scotland must be adopted as for the rest of UK waters.
- **An identified lead body** - a national decision-making 'body' to oversee marine strategic and spatial planning of devolved activities in Scottish waters in co-ordination with a UK body responsible for reserved matters.
- **Local management** - delegating powers and putting in place structures for local decision-making, including input to spatial planning and resource management.
- **A duty of care** on all bodies whose activities impact upon the marine environment - to protect, manage and enhance marine species, habitats and ecosystems.

5. Targets agreed for 2010

- **Biodiversity:** as part of the European Union, the Scottish Executive is committed to halting the loss of biodiversity by 2010. This commitment forms the centrepiece of its Scottish Biodiversity Strategy – and should, therefore, be one of the key environmental objectives of the Marine and Coastal Strategy. As this is a commitment, already agreed at EU level, the Minister could clearly state, now, that the new strategy will include this objective – and measures to achieve it.
- **Protected areas:** at the 2002 World Summit on Sustainable Development, in Johannesburg, attended by the First Minister, Jack McConnell, the UK (and the devolved administrations) committed themselves to establishing a comprehensive network of marine protected areas by 2010. As this internationally-agreed commitment already exists, the Minister could clearly state now, that the new strategy will include measures to establish such a network on such a timescale.