

Session 1 – Dave Bench (Defra)

Dave Bench, Defra, gave a presentation on the proposals set out in the Marine Bill Consultation Document and the consultation process. His presentation was followed by a 'questions of clarification' session. The following questions were asked:

John Hepburn, Maritime Plymouth

Q. What weighting (if any) will be given to consultation responses received from individuals, organisations, and groups?

A. Individuals' expertise and experience is highly valued, and their ideas and suggestions will all be considered, but that more weight would be given to organisations' responses as they are seen as representing the views and needs of a group of individuals.

Mike Gilbert, Maritime Plymouth

Q. What are the top 10 organisations that Defra is hoping will respond to this consultation document?

A. Defra has already consulted with all other relevant Government departments and devolved administrations. Although there was a range of views across the different departments and administrations, they have all agreed the text and ideas of this consultation document. All other organisations are welcome to comment. Defra has planned this as an inclusive process so that anyone who wants to respond to the consultation can.

Professor Maltby, University of Liverpool

Q. Are the existing document and its proposals linked to the changes the Government are making by creating 'Natural England'?

A. Dave Bench replied that the Natural England changes are completely separate to the proposed Marine Bill.

Dr Mel Austen, University of Plymouth

Q. What is the relationship between the EU Marine Strategy and the proposed Marine Bill?

A. The EU Directive has primacy over national legislation however, the Marine Strategy (as it is in its draft form) is very aspirational and target driven, whilst the Marine Bill proposes a toolkit through which these targets and objectives can be met.

Roberto Franceschini, Devon County Council

Q. How well will the French approach to coastal and marine management work with the proposed Marine Bill?

A. Planning systems always have to have boundaries. It is necessary to work with the organisations on the other side of that boundary. Dave Bench said that the first part of the consultation process must focus on deciding what we want to do through this Marine Bill. Once that has been agreed it will be appropriate to look at how that will work across boundaries, with other states as well as with existing land-based systems.

Dr Mel Austen, University of Plymouth

Q. Sustainable development is an admirable aspiration, but achieving it will require big changes to the current systems. How will these changes be resourced?

A. A full Regulatory Impact Assessment will be required in order to take the Marine Bill proposals forward. Implementation will incur additional costs, but they will need to be justifiable as there is only a limited amount of money available.

Robin Toogood, South Devon AONB

Q. The consultation document is silent on some coastal and marine management issues such as responsibility for beach and water safety and estuary and coastal partnerships. How open is Defra to accepting suggestions of new additions to the proposed Marine Bill?

A. Safety issues are not mentioned as they fall under the remit of the Department for Transport, who are represented on and contribute to the Marine Bill Steering Group. Integrated Coastal Zone Management (ICZM) is not mentioned as a separate strand in the consultation document, but the principles are used and can be seen in the document, for example in the Marine Spatial Planning section. The Marine Bill team did not want to be too prescriptive about local level management in primary legislation, but if people feel that it should be included, tell Defra through this consultation opportunity. He added that there is no new money to support local initiatives and that Local Authorities and other bodies should be better placed to fund these.

Jack Nott, SW Regional Ports Association

Q. Within harbours the Harbour Authority has responsibility for water safety. Voluntary organisations such as the RNLI have taken on carrying levels of responsibility for coastal water safety. Harbour Authorities would appreciate assistance with enforcement.

A. It is a possibility that the Marine Bill could introduce byelaws to provide more appropriate powers for Harbour Authorities.

Dr Mel Austen

Q. Public health implications of poor water quality / ineffective coastal and marine management are not addressed in the Marine Spatial Planning section of the Marine Bill consultation document.

A. Dave Bench said that if there is anything you feel is missing from the document, please use this consultation period to suggest including it.

Andy Bell, UK Biodiversity Programme

Q. Will management of biosphere reserves in marine areas be addressed with one solution, or a selection of approaches?

A. Ideally there would be one legislative process that you would go through to identify the objectives and necessary level of protection, and get an area designated. Of course, this will all depend on the results of this stage of the consultation process.

Mike Gilbert, Maritime Plymouth

Q. Are the costs of enforcement included / considered in the existing proposal? These costs could make a real impact on coastal towns.

A. Enforcement issues are not addressed in depth in this document as how much is spent on enforcement is a policy issue, not a legislative concern. It may be more efficient to harmonise the enforcement powers of the different existing agencies, and to give them a more formal footing through the Marine Bill.

Jack Nott, SW Regional ports Association

Q. As the Government currently promotes short sea shipping, do you foresee any conflicts with the proposed Marine Bill?

A. No, the point of the Marine Bill is to work with the conflicts. The marine spatial planning process will help to determine which activity should have priority over other activities. Dave Bench agreed that port operators do not want to damage the coastal environment, but that they are worried about the costs of any new restrictions.

Phil Dyke, National Trust

Q. Which mechanisms have been considered to bring accountability to the marine spatial planning system?

A. This stage of the consultation process will dictate the accountability of the system. Public participation in decision making is encouraged, for example through the consultation events.

Aidan Winder, Devon County Council

Q. A new Marine Management Organisation will require appropriate linkages with local stakeholders and communities. Which mechanisms will be used to ensure successful links are made and maintained?

A. Some initial work has been carried out on this, but due to limited resources it has not yet been followed up. If it is agreed that a Marine Management Organisation should be set up, it will be appropriate to address these issues in more detail. Defra are interested in receiving views on this, but detailed debate on community participation will be more focussed on in the next stage of consultation.