

## RESPONSE TO DEFRA MARINE BILL CONSULTATION

FROM A MEETING AT THE NATIONAL LOBSTER HATCHERY PADSTOW, 14<sup>TH</sup> JUNE 2006

### Background to meeting

This meeting was organized as part of the activities of an ESF funded project, SME Skills in Applied Zoology, which aims “to increase the skills necessary in Cornwall to protect, manage and interpret the natural environment”. Several members of the project’s advisory board suggested that a meeting be held. The meeting had 3 main aims:

- a) to contribute to an increased understanding of the marine bill in Cornwall.
- b) to establish links between interested parties as a basis for future discussion as details of the marine bill and associated issues emerge.
- c) to contribute to the consultation exercise with submission of significant points arising. (The aim was not to contribute a consensus covering all aspects of the consultation; rather it was to draw attention to particular points that emerged during discussion.)

The meeting centred on a detailed presentation by an independent marine environment consultant, Peter Barfield of Sea-nature Studies, of issues raised by the marine bill consultation document and the discussions that accompanied it.

### Significant Points Arising.

Probably the most common comment during our consideration of the specific questions in the consultation document was that the answer was obvious and often self-evident from the wording of the question. We have not answered such questions, considering that they are well answered by the detailed response submitted by Cornwall County Council. In the rest of this submission we concentrate on the most significant points arising from our discussions.

#### A) Exclusion of fisheries from the consultation exercise

It was clear from informal discussions during the development of the meeting that the exclusion of fisheries from the consultation exercise was an important issue. Comments ranged from “*missed opportunity*”, through “*exacerbates existing polarization*”, to “*perverse to segregate*”. During the meeting this was a significant issue that ran through all detailed discussions. Some representative comments are “*as fish are an integral part of marine environment, therefore so are fisheries*” “*how can we have an ecosystem approach that doesn’t include fisheries impacts?*”

The meeting was particularly disappointed in the exclusion of fisheries because Cornwall has several examples of positive outcomes from dialogue between fisheries and conservation interests. The venue for the meeting is one such example – the National Lobster Hatchery works to promote the concept of sustainability in fisheries and aquaculture and to safeguard the biodiversity of our coastal marine fauna. Four other examples are:

- a) Byelaw to minimise bycatch of auks by St Ives Bay fishery.
- b) Voluntary Marine Conservation Area in the Helford.
- c) Voluntary No Take Zone demonstration off St Agnes.
- d) Sustainable inshore fishing by members of the Southwest Handline Fishermen’s Association. Their mackerel fishery is accredited by the Marine Stewardship Council as a sustainable and well-managed fishery and was the second such accredited fishery in the UK. Their bass and pollack have individually numbered tags giving ‘hook to plate’ traceability.

**We strongly urge dialogue between all marine interests including fisheries in subsequent development of a marine bill. It is essential to the development of a bill that can achieve its stated objectives.**

#### B) Marine Spatial Planning (section 8).

The nature of the marine environment is that the approach will have to be flexible, with emergency procedures in place to address rapidly emerging issues.

From the perspective of better regulation, it is important to clearly and transparently identify who has which powers of action.

It also needs to be recognised that the information base on which to base decisions is often barely adequate. Frequently information is not available at an appropriate scale; many issues require very local information (e.g. spawning sites or aggregations) and some also require global information (e.g. migratory marine stocks breeding in UK freshwater habitats, such as salmon and eels).

#### **Specific answers**

1. YES, but must be designed for characteristics of marine environment.
2. Requires statutory provision (voluntary schemes have had limited success, an example is detailed in Cornwall County Council's answer to q.126).
3. See main comment.
4. Needs to be flexible with provision for extensive local consultation.
5. Should be binding (see response to 2 and 4 above).
6. See general comments above.
17. Planning at local level is essential.
31. The Marine Bill may integrate better if drafted as an enabling act.

#### **C) Improving Marine Nature Conservation (section 10).**

There was general agreement that important issues surround enforcement. One issue concerns how the activity of EU member states can be affected outside the 12 mile limit. A specific south west issue here is cetacean bycatch associated with pair trawling, with pair trawling by French boats continuing outside the 12 mile limit. A second issue is the interpretation of "knowingly damaging" protected areas. Whilst accepting that catch is unpredictable to quite a degree, this should not be used as a coverall defence when some actions are very likely to damage protected areas. A specific example would be scallop dredging in areas of Lyme Bay with inshore reefs and associated protected species (e.g. sea fans).

#### **Specific answers**

55. New mechanism should REPLACE existing legislation on MNR.
60. YES, different marine nature conservation sites may need to have different levels of objectives, BUT restrict the number of types of designated area to 2 or possibly 3. Such a restriction will improve general understanding of reason for marine reserve.
62. MPAs should DIRECTLY control activities.
66. Seaward boundaries for terrestrial protected areas (e.g. SSSIs) and landward boundaries for MPAs should overlap as much as possible to promote integrated management of the coastal zone. So seaward boundaries for SSSIs should be extreme low-water springs and landward boundaries for MPAs should be extreme high-water springs.

Peter McGregor on behalf of the meeting attendees 15/6/06

#### **Attending:**

Peter McGregor, SME Skills in Applied Zoology, Duchy College; Peter Barfield, Sea-nature Studies; Dom Boothroyd, National Lobster Hatchery, Padstow; Rebecca Allen, Cornwall College, Newquay; Jenny Christie, Marine Environment Officer, Cornwall County Council; Eddy Derriman, Sea Fisheries Committee; Rory Goodall, Elemental Tours, Penzance; Philippa Hoskin, Marine Environment Officer, Cornwall County Council; Matt Slater, Blue Reef Aquarium, Newquay

#### **Involved in initial discussions, but unable to attend on day:**

Charlie David, North Cornwall District Council; Joana Doyle, Cornwall Wildlife Trust; Phil Dyke, National Trust; Tim Germans, Cornwall Sustainable Energy Partnership; Tom Hooper, English Nature & Finding Sanctuary project; Rory MacPhee, Falmouth Marine School; Colin Pringle, Cornwall College, Newquay; Pamela Tompsett, Helford VMCA; Simon Toms, Environment Agency; Ruth Williams, Cornwall Wildlife Trust

[www.siaz.co.uk](http://www.siaz.co.uk)



**SME Skills in Applied Zoology**

