

# Wildlife and Countryside Link Evidence to the Environmental Audit Committee on Governing the Marine Environment

11 March 2025

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## Executive Summary

- The UK marine environment is in poor health. The Government’s 2019 assessment found that 11 out of 14 descriptors failed to meet Good Environmental Status (GES).<sup>1</sup> Data obtained from JNCC shows that only 83 out of the 374 UK MPAs are moving towards their conservation objectives.
- Current government strategies to address international obligations and restore the marine environment are inadequate. In particular, the UK is not on track to meet the Kunming-Montreal Global Biodiversity Framework (KMGBF) targets, including 30x30. Meanwhile, the marine environment faces multiple and increasing pressures, especially from the rapid development of offshore wind and unsustainable fishing.
- The Government urgently needs to create new strategies to govern the marine environment. It needs to publish and implement a marine spatial prioritisation plan to frontload nature protection into the planning system. It needs to publish its National Biodiversity Strategy and Action Plan (NBSAP) to set out how it will meet KMGBF targets and integrate this into the new Environmental Improvement Plan (EIP).
- To reach 30x30, fisheries management measures to protect and restore a greater proportion of MPAs need to be published. The Government has missed its existing Environmental Improvement Plan commitment that “all offshore MPAs will have byelaws in place by the end of 2024” where needed and this should be rectified urgently.<sup>2</sup> HPMAAs need to be expanded to 10% of English seas to provide a core network that is genuinely protected for nature.

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<sup>1</sup> Defra, 2019, Marine Strategy Part One: UK updated assessment and Good Environmental Status, <https://assets.publishing.service.gov.uk/media/5f6c8369d3bf7f7238f23151/marine-strategy-part1-october19.pdf>

<sup>2</sup> Defra, 2023, Environmental Improvement Plan 2023, <https://www.gov.uk/government/publications/environmental-improvement-plan>

- These measures must sit within a wider ambitious plan to achieve Good Environmental Status. Measures are especially needed to address noise pollution and fisheries impacts, which are the most poorly managed threats in many MPAs. For developments already sited, and so beyond the scope of spatial prioritisation, work is needed to adequately and reliably mitigate significant impacts, including delivering ecologically effective strategic compensation where appropriate. Fishers also need to be supported to transition to sustainable catch levels and practices.
- Finally, improved monitoring is needed so we can properly understand the condition of the marine environment and document recovery. This will require increased funding for statutory nature conservation bodies, as well as strategic monitoring funding from developers and the Government.

## Governance and Delivery of International Marine Treaties

1. **Does the Government have an adequate strategy to address the actions required to ensure alignment with its environmental obligations under multiple international marine treaties?**
  - **How do the UK's environmental obligations under international marine treaties interact, contradict or overlap?**
  - **What non-legally binding instruments, including Memorandums of Understanding, related to the marine environment apply to the UK?**
  - **How should the UK ensure it aligns with advisory opinions that impact the interpretation of international treaty obligations, such as the International Tribunal for the Law of the Sea's ruling that carbon dioxide should be treated as an ocean pollutant?**
1. KMGBF is the key UN instrument concerned with halting and reversing biodiversity loss. While the entire agreement is crucial to protecting marine biodiversity, the targets most relevant to the marine environment are: Target 1: plan and manage all areas to reduce biodiversity loss; Target 2: restore 30% of all degraded ecosystems; and Target 3: conserve 30% of land, waters and seas (known as 30x30). As set out in our report [Global Biodiversity Framework 2024: Report on Policy Progress Towards Targets in England](#), the UK is making some but not sufficient progress towards Target 1 and is making little progress towards Target 2 and Target 3.<sup>3</sup>

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<sup>3</sup> Wildlife and Countryside Link, 2024, Global Biodiversity Framework 2024 Report on Policy Progress Towards Targets in England, [https://wcl.org.uk/docs/202410\\_GBFReport2024\\_FINAL\\_WEB.pdf](https://wcl.org.uk/docs/202410_GBFReport2024_FINAL_WEB.pdf)

2. Other treaties and international bodies are also crucial to protecting the marine environment. **OSPAR** (Convention for the Protection of the Marine Environment of the North-East Atlantic) aids cooperation to protect the marine environment of the North-East Atlantic. The **IWC** (International Whaling Commission) was set up under the International Convention for the Regulation of Whaling and is the key international body for the conservation of cetaceans (whales, dolphins, and porpoises). It upholds a moratorium on commercial whaling as well as promoting cooperation for the conservation, management and study of cetaceans. **CMS** (Convention on the Conservation of Migratory Species of Wild Animals) promotes cooperation for the protection of migratory species, including marine species and provides the framework for regional agreements. These include **ASCOBANS** (Agreement on the Conservation of Small Cetaceans of the Baltic, North-East Atlantic, Irish and North Seas), which promotes cooperation between countries to conserve small cetaceans; **EUROBATS** (Agreement on the Conservation of Populations of European Bats), which provides coordination and direction for conservation of European bat populations, including those species that migrate across the sea; and **ACAP** (Agreement on the Conservation of Albatrosses and Petrels). The **BBNJ Agreement** (Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction) is the key mechanism for conserving oceans that are not under national jurisdiction and, among other things, allows for the designation of marine protected areas (MPAs) in international waters. This agreement is not yet in force and UK ratification would be a significant step towards realising the benefits of this agreement.
3. Engagement with **Regional Fisheries Management Organisations**, is also key to management and protection of the marine environment, including of species affected by fishing such as seabirds. For example, DEFRA and CEFAS have led strong evidence-based advocacy in the International Commission for the Conservation of Atlantic Tunas (ICCAT) to reverse the population declines of albatrosses and petrels. These organisations are of particular importance to protect marine biodiversity in the UK's overseas territories.
4. Many voluntary agreements are also in place to protect the marine environment. For example, the International Plan of Action for reducing the incidental bycatch of seabirds in longline fisheries (IPOA-Seabirds) is a voluntary instrument under the FAO that applies to all States whose fishers engage in longline fisheries.
5. While the KMGBF sets out global targets for the conservation of biodiversity, including marine biodiversity, other treaties together help achieve the KMGBF goal of halting

and reversing biodiversity loss. The UK must continue to support and actively engage with all the above treaties.

6. The United Nations Convention on the Law of the Sea (UNCLOS) provides a broad legal framework that interacts with other international treaties such as the Convention on Biological Diversity (CBD). Article 192 of UNCLOS provides that 'states have the obligation to protect and preserve the marine environment'. However, other priorities under UNCLOS, such as resource exploitation, can contradict priorities under environmental agreements. Effective management of competing priorities requires a cohesive set of plans for the marine environment.
7. The UK currently does not have an adequate strategy to manage competing priorities and ensure alignment with obligations under these treaties, especially the KMGBF. The UK has not yet published its NBSAP, its plan to achieve the KMGBF targets.
8. The Environmental Improvement Plan (EIP) is the key document setting out how the UK will achieve its environmental goals. EIP marine commitments mainly focus on increasing the scope and protections of MPAs, with little focus on restoration of MPAs or pressures outside MPAs. The Marine Strategy should provide a more comprehensive approach to restoring the marine environment and achieving Good Environment Status (GES) for the UK marine environment. However, Part Three of the strategy, which sets out the measures the UK will implement to conserve the marine environment, has not been updated since 2015. This leaves the UK without a strategy for achieving its international commitments.
9. The UK must urgently publish its NBSAP. It is also in the process of reviewing and updating the Environmental Improvement Plan (EIP) and must include additional information on how it will protect and restore marine habitats and species. Actions it should include in the EIP are set out below. An updated Marine Strategy: Part Three should also be published setting out how the Government will achieve GES.

## **2. How effectively are the UK's obligations in respect of marine protection under environmental treaties being implemented in UK law?**

- **Are there obligations from treaties that the UK has signed, but not ratified, that have yet to be implemented in legislation?**
10. UK law does not effectively enable implementation of the UK's international marine obligations. The key environment targets in law are contained in the Environment Act 2021. The specific target related to the marine environment requires the Government to restore 70% of designated features in MPAs to favourable condition by 2042, with the rest in a recovering condition. This provides a strong basis for recovering key habitats. However, habitats in protected areas that are not specifically designated, as

well as habitats outside protected areas, are not subject to a legally binding commitment. The species abundance target in the Environment Act also does not include marine species (apart from seabirds), meaning UK law does not support commitments with respect to species under the KMGBF and other treaties. The EIP Review provides an opportunity to ensure that international commitments are fully reflected in the plan, especially the protection of MPAs required to meet 30x30.

11. The Government must next undertake a review of the statutory targets under the Environment Act by 31 January 2028. However, new targets may be set at any time, so key targets such as 30x30 could be quickly added to domestic law through secondary legislation.
12. Under the Marine Strategy Regulations (2010) the UK is required to achieve or maintain GES in its seas by 2020. However, this requirement was missed and the OEP has just launched an investigation into Defra in relation to a suspected failure to take the necessary measures to achieve or maintain GES.
13. As noted under question 1, Part Three of the UK Marine Strategy is out of date, meaning there is no up to date strategy to achieve GES as required in law. The current strategy also mainly includes measures already in place at the time of publication, with no evaluation of whether they are sufficient to achieve GES.
14. Upcoming legislation that addresses spatial planning, such as the Planning and Infrastructure Bill, provides an opportunity to integrate key targets such as 30x30 into key planning and decision-making mechanisms. 30x30 should be a guiding principle of any new spatial prioritisation framework, ensuring that sufficient space is allocated for nature alongside other priorities.
15. Legislation protecting UK marine mammals (cetaceans and seals) is in particular need of reform, including if we are to meet our international commitments with respect to these species. A 2023 EFRA Committee report found that the legal framework to protect marine mammals is ‘incoherent and not sufficient to effectively preserve these precious species’.<sup>4</sup> Key national reforms are needed, especially to protect marine mammals from disturbance from commercial and recreational use of the marine environment and the expansion of offshore development. This is set out in our briefing: [Protecting Marine Mammals in the UK: Amendments to the Legislative Framework](#).

### **3. How does the UK's performance compare to other UN ratifiers in delivering its environmental obligations under international marine treaties?**

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<sup>4</sup> EFRA Committee, 2023, Protecting Marine Mammals in the UK and Abroad, <https://committees.parliament.uk/work/6670/marine-mammals/publications/>

- **What are the economic consequences and trade-offs for the UK in exceeding its legally-binding obligations to protect the marine environment?**

No response

## Marine Planning and Protection

### 4. What are the existing pressures on the marine environment?

16. While the rapid expansion of offshore wind is essential for reaching net zero, it must not come at the expense of marine nature restoration. Offshore wind can cause multiple impacts including: collision of seabirds and migrating bats with turbines; displacement of wildlife from critical foraging, breeding, nursing and migratory areas; barriers to flight paths; habitat loss and injury to animals from construction; and significant disturbance from noise and light pollution, especially during construction.<sup>5</sup>
  17. Noise pollution from other offshore industries is widespread and pervasive in the marine environment, including commercial and recreational shipping, seismic surveying for offshore developments, pile-driving, and military sonar and explosives. These noise sources have been shown to negatively impact marine invertebrates, fish, seabirds and marine mammals.<sup>6</sup>
- Overfishing reduces prey availability for marine species, as well as threatening fish populations themselves. Indiscriminate fishing removes at-risk fish species, and juvenile fish upon which future populations depend. Fishing destroys habitats, especially when bottom-towed fishing gear is used. This drags directly on the seafloor causing harm to marine habitats and resulting in a large amount of bycatch (the entanglement or capture of non-target species in fishing gear). Bycatch is a major cause of death for marine mammals, birds, sharks, skates, rays and other species. This has population-level and conservation impacts for vulnerable species of marine mammal. For example, it is estimated that around 1,100 harbour porpoises and common dolphins were victims of bycatch in 2019.<sup>7</sup> In the case of seabirds, bycatch is

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<sup>5</sup> RSPB, 2022, Powering Healthy Seas: Accelerating Nature Positive Offshore Wind, [https://www.scotlink.org/wp-content/uploads/2024/01/powering-healthy-seas-report\\_rspb\\_august-2022.pdf](https://www.scotlink.org/wp-content/uploads/2024/01/powering-healthy-seas-report_rspb_august-2022.pdf), pg.12

<sup>6</sup> UNEP/CMS, Marine noise: a threat to migratory species and their prey, [https://www.ascobans.org/sites/default/files/publication/fact\\_sheet\\_marine\\_noise.pdf](https://www.ascobans.org/sites/default/files/publication/fact_sheet_marine_noise.pdf)

<sup>7</sup> Kingston, Thomas, and Northridge, 2021, UK Bycatch Monitoring Programme Report for 2019, Available [here](#).

among the top three threats these species face globally.<sup>8</sup> In UK waters, it is estimated that up to 9,100 Fulmars and up to 3,300 Guillemots are killed through bycatch every year.<sup>9</sup>

18. Pollution of the seas by chemicals, sewage and plastic has a major impact on the marine environment. Agricultural pollution is a major source of excess nutrients and chemicals, placing significant pressure on coastal habitats. Storm overflows are also a significant problem. In 2021, 1,651 storm overflows within 1km of an MPA in England spilt untreated sewage for a total time equivalent to over 30 years.<sup>10</sup> Pollution of the ocean by toxic chemicals and plastics causes illness, injury and death of marine animals,<sup>11</sup> including by entanglement in or consumption of plastic,<sup>12</sup> and through build-up of toxins in animals' bodies.<sup>13</sup> In European seas, discarded fishing gear accounts for roughly a third of marine litter,<sup>14</sup> and 49% of litter found on Scottish Islands in 2023 was fishing and aquaculture gear.<sup>15</sup> This type of marine litter is particularly likely to entangle and kill marine wildlife as it is designed for this purpose.<sup>16</sup>
19. Finally, climate change is already having major impacts and these will continue to increase. These include "decreased ocean productivity, altered food web dynamics, reduced abundance of habitat-forming species, shifting species distributions, and a greater incidence of disease".<sup>17</sup>

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<sup>8</sup> Dias et al, 2019, Threats to seabirds: A global assessment,

<https://www.sciencedirect.com/science/article/abs/pii/S0006320719307499>

<sup>9</sup> Northridge et al, 2020, Preliminary estimates of seabird bycatch by UK vessels in UK and adjacent waters, <https://research-portal.st-andrews.ac.uk/en/publications/preliminary-estimates-of-seabird-bycatch-by-uk-vessels-in-uk-and->

<sup>10</sup> Marine Conservation Society, Sewage pollution, <https://www.mcsuk.org/ocean-emergency/ocean-pollution/water-quality-and-sewage/sewage-pollution/>

<sup>11</sup> Fair and House, 2018, Poly- and Perfluoroalkyl Substances in Marine Mammals,

<https://www.sciencedirect.com/science/article/abs/pii/B978012812144300005X?via%3Dihub>

<sup>12</sup> WWF, 2022, IMPACTS OF PLASTIC POLLUTION IN THE OCEANS ON MARINE SPECIES, BIODIVERSITY AND ECOSYSTEMS,

[https://wwfint.awsassets.panda.org/downloads/wwf\\_impacts\\_of\\_plastic\\_pollution\\_on\\_biodiversity.pdf](https://wwfint.awsassets.panda.org/downloads/wwf_impacts_of_plastic_pollution_on_biodiversity.pdf)

<sup>13</sup> Williams et al., 2023, Spatiotemporal Trends Spanning Three Decades Show Toxic Levels of Chemical Contaminants in Marine Mammals, <https://pubs.acs.org/doi/10.1021/acs.est.3c01881>

<sup>14</sup> European Commission, 2018, Reducing Marine Litter: action on single use plastics and fishing gear,

<https://eur-lex.europa.eu/legal-content/ES/TXT/?uri=CELEX:52018SC0254>

<sup>15</sup> MCS, 2023, Beachwatch report, [https://s3.eu-west-](https://s3.eu-west-1.amazonaws.com/media.mcsuk.org/documents/2023_Beachwatch_Report.pdf)

[1.amazonaws.com/media.mcsuk.org/documents/2023\\_Beachwatch\\_Report.pdf](https://s3.eu-west-1.amazonaws.com/media.mcsuk.org/documents/2023_Beachwatch_Report.pdf)

<sup>16</sup> Good at al., 2010, Derelict fishing nets in Puget Sound and the Northwest Straits: Patterns and threats to marine fauna, <https://www.sciencedirect.com/science/article/abs/pii/S0025326X09003713>

<sup>17</sup> Hoegh-Guldberg and Bruno, 2010, The Impact of Climate Change on the World's Marine Ecosystems, <https://www.science.org/doi/10.1126/science.1189930>

20. These pressures on marine species and habitats occur in combination and representing cumulative pressure on marine life. Strategies to restore the marine environment must consider them together.

5. **Does the UK have a sufficiently integrated and effective marine spatial planning strategy?**

- **How well does the UK's current approach to marine planning operate across (1) different regions and sectors and (2) areas for which devolved administrations have responsibility?**
- **Are responsibilities for resource allocation, asset designation, and strategic planning clearly defined and well-coordinated across Government?**
- **What arrangements and resources are in place for the implementation, monitoring, reporting and enforcement of the government's marine environment objectives?**

21. The UK does not currently have a sufficiently integrated and effective marine spatial planning strategy. The Marine Policy Statement is meant to guide marine spatial planning, including the creation of regional marine plans. However, it was last updated in 2011 and many of the principles it is based on were drawn up at a time of much less marine activity, did not explicitly take a spatial approach and did not take into account the increasing and cumulative impact of all sea uses. Decision-makers do not have to consider the policies in the statement and the maps within marine plans if 'relevant considerations indicate otherwise'. Crucially, Nationally Significant Infrastructure Projects (NSIPs) are primarily decided in accordance with National Policy Statements (NPSs) rather than marine plans. This means that there is no overarching spatial planning strategy for UK waters and responsibilities are overlapping and uncoordinated between agencies and departments.

22. This means that offshore developments are often located in areas that directly compromise nature and biodiversity goals, such as MPAs. For example, in 2015, The Crown Estate granted Orsted the seabed rights to develop a site known as Hornsea 3 for renewable energy. Due to the scale of negative impacts on seabirds from the planned development, Orsted was required to prepare a Compensatory Plan for kittiwakes. Disputes and judicial reviews on the subject of the compensation meant planning approval took over 5 years. Avoiding cases like this by frontloading nature into the planning system to steer development away from key sites for nature would be beneficial for both developers and nature.

23. For England, the UK Government should publish and implement a marine spatial prioritisation plan. It should be developed alongside plans for the devolved nations and integrated with them. This should allocate sea space for nature, as well as marine



activities, taking into account all pressures on the marine environment and with specific consideration of 30x30. It will require new data identifying the key areas to avoid to protect and restore marine habitats and species, as set out under question 7. The Government should bring together multiple departments to create a plan that has the cross-sectoral and national reach, as well the authority to direct overall decision-making, which current spatial planning lacks. We set out these proposals in more detail in our report: [Planning Ahead on land and at sea](#).

**6. Are the economic, social, environmental, and scientific demands on the marine environment adequately balanced in the context of marine spatial planning?**

- **Does the UK sufficiently balance the fishing quota with scientific data to ensure sustainability in fishing stocks?**
- **Is the subsidy regime for fisheries management suitable for ensuring long-term sustainable fish stocks?**

24. The demands on the marine environment are not currently adequately balanced. GES has been achieved for only 3 of 11 descriptors,<sup>18</sup> and currently only 44% of designated features in MPAs are thought to be in favourable condition (with much of the data used in this assessment out of date).<sup>19</sup> As set out under question 5, a marine spatial prioritisation plan is needed to balance the rapidly increasing pressures on the marine environment with nature restoration.

25. The UK, along with other countries, does not sufficiently balance the fishing quota with scientific data. 34% of UK stocks are overfished relative to ICES advice on maximum sustainable yield.<sup>20</sup> Without increased fishing sustainability, GES will not be reached for fish or the species that rely on them and fishing communities will be faced with depleted stocks. Catch limits must be reduced to achieve sustainable fishing. This will require sustainability to be a key priority in negotiations with other countries where shared stocks are involved and for the UK to urgently reduce fishing of non-shared stocks to sustainable levels.

26. As increasing areas of the sea are taken up by offshore wind, fishing effort is also likely to be displaced if not managed strategically. This will concentrate fishing effort in

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<sup>18</sup> Defra, 2019, Marine Strategy Part One: UK updated assessment and Good Environmental Status, <https://assets.publishing.service.gov.uk/media/5f6c8369d3bf7f7238f23151/marine-strategy-part1-october19.pdf>

<sup>19</sup> Defra, 2024, Marine Protected Areas Network Report 2019–2024, [https://assets.publishing.service.gov.uk/media/67601b1fb745d5f7a053ef97/Marine\\_Protected\\_Areas\\_MPA\\_Network\\_Report\\_2019-2024\\_Web\\_Accessible\\_002\\_.pdf](https://assets.publishing.service.gov.uk/media/67601b1fb745d5f7a053ef97/Marine_Protected_Areas_MPA_Network_Report_2019-2024_Web_Accessible_002_.pdf)

<sup>20</sup> Oceana, 2023, Taking Stock: The state of UK fish populations 2023, <https://uk.oceana.org/wp-content/uploads/sites/14/2023/09/Oceana-TakingStockReport2023-web.pdf>

smaller areas, increasing impact on the marine environment, including the MPA network. The marine spatial prioritisation plan needs to consider the cumulative impacts of offshore wind and fishing in the years to come. It should include a just transition plan, created in cooperation with fishers, that takes into account the need to end overfishing and allow for offshore wind expansion.

27. Measures to reduce overfishing are not the only measures needed to make fishing sustainable. As set out under question 10, the Government must protect MPAs from particularly damaging fishing practices. The Government also needs to reduce bycatch. Remote electronic monitoring (REM) is due to be introduced in priority fisheries to improve monitoring of bycatch but the timelines for mandatory implementation are unclear. This leaves us with incomplete data on the impact of bycatch. Rather than rely on voluntary adoption of REM, which has not been effective, the Government should set out an expedited timetable for mandatory REM.
28. In addition, England lacks any implementation plan for reducing bycatch, and one should be introduced. This is essential to meet the ecosystem objective of the Fisheries Act to minimise and where possible eliminate sensitive species bycatch in the UK. It will also enable the UK to comply with OSPAR's recommendations on reducing bycatch of marine birds which was adopted in June 2024.<sup>21</sup> The existing body of best-practice mitigation measures should be made mandatory. In high-risk fisheries for which no best practice mitigation has been established, trials should be prioritised to develop appropriate measures. Where appropriate measures cannot be identified, the fishery should consider alternative gear types. Hugely positive outcomes can be secured when tangible action to reduce bycatch is taken. For example, mitigation measures applied in the Filey Bay sea-trout gillnet fishery led to a dramatic reduction in seabird bycatch from approximately 700 deaths to just 4-5 per year.<sup>22</sup>
29. Marine net gain financing from offshore wind could be used to help fishers transition to more sustainable practices and reduce overfishing of depleted stocks. Marine net gain is not yet in operation and should be prioritised by the Government.
30. Current subsidies for fishing mostly take the form of fuel tax relief, which rewards the most fuel-intensive industrial fishing methods. This relief is worth £150-180m per

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<sup>21</sup> OSPAR Commission, 2024, OSPAR Recommendation 2024/02 on reducing bycatch of marine birds in the maritime area, <https://www.ospar.org/documents?v=57701>

<sup>22</sup> JNCC, 2022, Seabird Bycatch Mitigation: Evidence Base for possible UK application and further research, <https://data.jncc.gov.uk/data/dbed3ea2-1c2a-40cf-b0f8-437372f1a036/jncc-report-717.pdf>

year.<sup>23</sup> Rather than continuing to subsidise fuel, the Government should reward fishers who practice more sustainable fishing methods.

31. The UK's evolving relationship with the European Union is a matter of high priority for the future of the marine environment. Since Brexit, the UK has made important progress in some areas, including closing the sandeel fishery and beginning the programme of banning harmful industrial fisheries in MPAs. We are dismayed by EU challenges to the sandeel fisheries closure and by early indications that as part of a renegotiated deal on alignment, the EU may ask for increased fishing rights that increase the extent of overfishing in UK waters. The UK government must stand firm against the EU challenge on sandeels, which would damage precious biodiversity sites. The UK governments and Brussels should explicitly agree to enter into any talks on the basis that any new deal should improve levels of environmental protection not weaken them.

**7. What actions should be taken to ensure the UK's marine spatial planning function is fit for the future?**

- **How can responses to climate change be incorporated into marine spatial planning to ensure adaptive and sustainable management of marine resources?**
  - **How can emerging technologies improve the accuracy and efficiency of seabed mapping and monitoring to support marine spatial planning?**
32. As set out in detail under question 5, the Government needs to publish and implement a marine spatial prioritisation plan. This needs to frontload nature into the planning system.
33. This will require a review of the MPA network, especially SPAs, to fully understand the most important places for nature, which MPAs are in favourable condition, and the measures outside MPAs needed to create a functioning ecological network. Ongoing monitoring will also be needed allow the plan to be adapted to take into account cumulative impacts on the marine environment.
34. To achieve this, it is essential to increase funding for Statutory Nature Conservation Bodies (SNCBs). Data we obtained from JNCC under the Environmental Information Regulations (2004) shows that only 37 out of the 374 UK MPAs have enough monitoring in place to assess if their management measures are working. More

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<sup>23</sup> Vaughan et al., 2023, Revisiting fuel tax concessions (FTCs): The economic implications of fuel subsidies for the commercial fishing fleet of the United Kingdom, <https://www.sciencedirect.com/science/article/abs/pii/S0308597X23002968?via%3Dihub>

- funding for SNCBs is critical to fund a full review of the status of the MPA network, an SPA sufficiency review and essential ongoing monitoring.
35. Monitoring for offshore development also needs to take place at a strategic scale. This will help developers and conservation bodies better understand the least impactful sites for offshore wind development, the cumulative impacts of offshore wind, and how best to mitigate and compensate for them as a last resort. Developers should contribute to national or regional funding pots that monitor and assess impacts of development, with data being shared publicly.
  36. There would still need to be some project level monitoring to satisfy development consent requirements. Project level monitoring would also be needed for migrating bats, where very little is known about migratory routes and collection of evidence at the site level has been recommended in Bat Conservation Trust's report on behalf of Natural England on 'Bat Migration and Offshore Wind', which will be published shortly.
  37. Marine spatial planning will also need to consider mitigation of and adaptation to climate change. Climate change not only impacts the marine environment, marine habitats also store carbon helping to fight the climate crisis.<sup>24</sup> Marine spatial planning needs to take into account these blue carbon habitats and limit bottom trawling and offshore development in areas where this could put blue carbon stores at risk. Areas for actively restoring coastal blue carbon habitats, like saltmarsh and seagrass, should also be identified as part of spatial planning. Private finance, including from marine net gain, should facilitate their restoration. The planning system should also enable the restoration of marine and coastal ecosystems. This means removing current legislative barriers blocking the scaling up of marine restoration projects, such as the need to change the licensing framework for non-commercial restoration projects.

**8. How does the UK Government work with devolved nations to ensure that commitments such as '30 by 30' are met across the four nations in a fair and equitable way?**

38. As a first step in coordinating the delivery of 30x30, as set out under question 7, a full review is needed of all UK MPAs to understand the comprehensiveness and condition of the MPA network and the management measures needed to achieve favourable condition. This will allow the UK Government to understand progress towards achieving 30x30 for the whole UK. It will also inform the creation of UK level plans, such as the Marine Strategy, as well as national level plans such as marine spatial

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<sup>24</sup> Blue Carbon Mapping Project, 2024, <https://www.wildlifetrusts.org/blue-carbon>

prioritisation plans. Creating and implementing joint plans will require regular meetings of officials from the UK and devolved governments, as well as regular agenda items at the Joint Ministerial Council.

**9. How can the consenting process for marine developments be improved to ensure effective collaboration between planning officers and developers, while balancing environmental protection and economic growth?**

39. A marine spatial prioritisation plan, as set out under question 5, is essential to improving consenting processes. Alongside this, there should be a stronger policy presumption against further development in MPAs. This approach will ensure that net zero and nature recovery targets are delivered in tandem.
40. However, many of the offshore wind developments that will be built before 2030 have already been allocated sea space within MPAs. For these developments, strategic spatial planning will come too late to prevent damage to nature. It is crucial that the mitigation hierarchy (avoid, minimise, compensate) is effectively followed for all developments.
41. First, the development footprint must be located in the least impactful areas, within allocated space, to avoid impacting key habitats and species as far as possible.
42. Second, design standards that minimise the impact of offshore wind on habitats and species urgently need to be brought forward as part of revised NPSs. These are already being developed through the Offshore Wind Environmental Standards programme but this work has not yet produced clear results. This must include standards limiting underwater noise from development and associated shipping and measures to reduce the risk of collision for bats and birds.
43. Finally, a strategic compensation programme for offshore wind and associated grid infrastructure needs to be introduced as a last resort where mitigation is not possible. This will mean developers contribute to the proposed Marine Recovery Fund which will invest in strategic compensation projects. This is intended to replace compensation on a project by project basis, which is often expensive, time-consuming and ineffective. Compensation programmes must be adequately monitored to ensure they are delivering the intended outcomes. In addition, for some highly mobile species, such as cetaceans and migrating bats, suitable compensation measures may not be available and avoidance and mitigation are essential.
44. In addition, increased funding is needed for SNCBs which provide pre- and post-application advice on offshore development. This will allow better advice to be offered in a timely manner, ensuring the mitigation hierarchy is followed and development timelines are reduced.

**10. Do UK regulations give sufficient protection to the environment covered by Marine Protected Areas in domestic waters?**

- **If not, what can be done to give sufficient protection?**
- **What are the benefits and challenges of designating Highly Protected Marine Areas? Should more areas be covered?**

45. MPAs are far from having sufficient protection. As set out in our report [30x30 in England: 2024 Progress Report](#), a maximum of 9.92% of English waters are protected from the most damaging form of fishing. Data we obtained from JNCC under the Environmental Information Regulations (2004) also shows that only 83 out of the 374 UK MPAs are moving towards their conservation objectives.
46. Although some progress has been made with the MMO's Stage One and Stage Two fisheries management measures for offshore MPAs having been introduced, Stage Three and Stage Four measures need to be urgently introduced, and the threat of destructive forms of bottom towed should be removed from the entire MPA network. Current measures only protect designated features of MPAs, not the whole MPA. This makes it difficult for fishers to understand where measures apply, and makes measures hard to monitor and enforce. It also neglects the fact that features rely on ecological connectivity with the rest of the MPA and beyond. Future measures need to protect whole sites from damaging fishing gear if we are to reach 30x30.
47. Fishing is not the only pressure on MPAs. The Government needs to improve the planning process for offshore development to minimise impacts on MPAs and wider seas, as set out under questions 5, 7 and 9.
48. HPMAs are essential to protecting the marine environment from multiple pressures and enabling ecological recovery by preventing all damaging activities within the entire site. Despite being designated in 2023, the three pilot HPMAs in England currently do not have byelaws in place to legally prevent damaging activities. Simply implementing management measures would allow these sites to become the gold-standard of marine protection, benefiting wider seas and providing the benchmark against which other MPAs should be measured. 10% of English waters should eventually be protected by HPMAs forming the core of the 30x30 commitment.
49. In addition, the Government should carry out a review of the sufficiency of the current coverage of SPAs (MPAs designated to protect birds). The last UK SPA Review published by JNCC, which covered only inshore waters, concluded that 'provisions in the marine environment are needed for at least 49 species'.<sup>25</sup> The Government must

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<sup>25</sup> JNCC, 2016, The status of UK SPAs in the 2000s: the Third Network Review,

complete and implement an SPA Sufficiency Review for offshore areas to ensure the network of MPAs across English waters is ecologically coherent and truly supports species recovery. Similarly, research into bat migration at sea is needed to understand measures needed to protect bats within and beyond MPAs. Siting of new HPAs and SPAs should be done as part of the strategic spatial prioritisation plan to ensure it maximises benefits for nature.

50. The Government needs to go beyond MPA protection and towards restoration, both within MPAs and beyond, to deliver GES for the whole marine environment. A key mechanism for restoring MPAs must be the implementation of marine net gain (MNG). MNG would be the marine counterpart to biodiversity net gain (BNG) on land. The Government consulted on the principles of MNG in 2022, but it has yet to be implemented. Building on the lessons learnt from BNG, the Government must seize this opportunity to significantly increase investment in marine restoration.

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Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 86 organisations to use their joint voice for the protection of the natural world and animals.

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The following organisations support this response:

Amphibian and Reptile Conservation (ARC)  
Bat Conservation Trust  
Blue Marine Foundation  
Environmental Investigation Agency (EIA)  
Institute of Fisheries Management  
Marine Conservation Society  
Northern Ireland Marine Task Force (NIMTF)  
Oceana  
ORCA  
Rewilding Britain  
RSPB

Seal Research Trust  
The Angling Trust  
The Wildlife Trusts  
Whale and Dolphin Conservation (WDC)  
WWF