

Environmental Audit Committee

Oral evidence: Governing the marine environment, HC 551

Wednesday 2 April 2025

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[Watch the meeting](#)

Environmental Audit Committee members present: Mr Toby Perkins (Chair); Olivia Blake; Julia Buckley; Ellie Chowns; Barry Gardiner; Anna Gelderd; Sarah Gibson; Alison Griffiths; Chris Hinchliff; Martin Rhodes; Blake Stephenson; Alison Taylor; John Whitby; Sammy Wilson.

Environment, Food and Rural Affairs Committee members present: Mr Alistair Carmichael.

Questions 163 - 271

Witnesses

I: Michelle Willis, Chief Executive Officer, Marine Management Organisation; Olivia Thomas, Head of Planning and Technical, The Crown Estate; and Ronan O'Hara, Chief Executive, Crown Estate Scotland.

II: Emma Hardy MP, Parliamentary Under-Secretary of State (Minister for Water and Flooding), Department for Environment, Food and Rural Affairs; The Baroness Chapman of Darlington, Minister of State (International Development, Latin America and Caribbean), Foreign, Commonwealth and Development Office; Mike Rowe, Director for Marine and Fisheries, Department for Environment, Food and Rural Affairs; and Helen Mulvein OBE, Deputy Director for Ocean Policy, and Legal Counsellor, Foreign, Commonwealth and Development Office.

Written evidence from witnesses:

[The Crown Estate](#)

[Crown Estate Scotland](#)

[Department for Environment, Food and Rural Affairs](#)

Examination of witnesses

Witnesses: Michelle Willis, Olivia Thomas and Ronan O'Hara.

Q163 **Chair:** Welcome, everybody, to the latest meeting of the Environmental Audit Committee and the last session in our review into marine governance. We are very pleased to be joined by our panellists today. Welcome to you all. Can I first encourage you to introduce yourself, your organisation and your role, please, starting with you, Ms Thomas?

Olivia Thomas: Thank you for having me here today. My name is Olivia Thomas. I am the Head of Planning and Technical at The Crown Estate, part of marine leadership looking at how we de-risk and enable opportunities for the long-term management of the seabed.

Michelle Willis: Good afternoon, everybody. Thank you for having me. My name is Michelle Willis. I am the Chief Executive of the Marine Management Organisation. Our organisation is the principal marine regulator for marine management in England.

Ronan O'Hara: Good afternoon, everybody. My name is Ronan O'Hara. I represent Crown Estate Scotland, which is a Scottish public body, and my position is that of Chief Executive.

Q164 **Chair:** Thank you very much for joining us. Starting on my left with yourself, Ms Thomas, what would you summarise as the main gaps in the Government's current approach to marine planning in the UK?

Olivia Thomas: It is important to recognise the considerable progress that has happened with respect to policy and legislation, reflecting the constrained sea space, so multiple competing demands. If I see an opportunity or a challenge that we are seeking to address, it is really to move from project-by-project decision making to a place where we can unlock and afford opportunity for addressing big system-wide issues at a national level.

Q165 **Chair:** Thank you. Ms Willis, the same question to you: what do you see as the main gaps?

Michelle Willis: For marine management and marine plans, the success has been the MMO-implemented plans, which were the first plans in the world. We did it first in 2014 with the east plan. It is an evolving picture at the moment. Since 2014 and since the organisation was created, there has been a lot of competing pressure for marine space. We have to enable activities to happen in the right way and to have the plans there to help decision makers to make effective decisions. Understanding the new priorities across a range of Government Departments and trying to bring those priorities together is challenging but can be done. I believe we have worked collectively as Government and with stakeholders to try to do that well with better information, a better shared understanding of what we need to achieve, and a better outcome focus, with a focus on balancing economic and social needs and restoring nature.



Q166 **Chair:** Mr O'Hara, can you explain the difference in governance in Scotland in comparison with your colleague from The Crown Estate in England and then what you see as the key gaps in the current Government's approach there?

Ronan O'Hara: In answering that question, I think it is appropriate to start with describing Crown Estate Scotland and the unique arrangements that exist in that jurisdiction. Post the Smith Commission and the decision by the UK Parliament to devolve increased powers to the Scottish Parliament in 2014, Crown Estate Scotland was subsequently established in 2017 to manage The Crown Estate in Scotland or the Scottish Crown Estate. Our primary purpose in law is to maintain and seek to enhance the value of the estate, which is not dissimilar to our counterparts in England, Wales, and Northern Ireland.

We also have a statutory obligation to advance sustainable development, which is non-monetary benefits, social and environmental, as well as economic. Of course, we pay the net surplus revenues derived from the Scottish Crown Estate to the Scottish Consolidated Fund. I would highlight that no moneys leave Scotland. They are retained in Scotland for the benefit of supporting and underpinning wider public spending. It is also worth highlighting that none of the moneys supports the royal household.

Our role is very much that of an asset manager and investor and an enabler, and we take a commercial perspective as a commercial operator, but we are still very much part of the machinery of government. We are delighted to be able to support the deployment of Scottish policies on a wider basis.

The opportunity, I believe, is in the fact that the devolved arrangement allows for many benefits and a closer integration with central Government in Scotland and local government in Scotland. However, in the evolving policy landscape and the transition towards whole system-based policies, there is something about what I would describe as the evolution after devolution. How do we ensure that we have that cohesive, effective four-nation approach?

Chair: We are potentially straying into topics that other people will be asking you about, so thank you for that opening answer. I will bring Julia Buckley in now.

Q167 **Julia Buckley:** I will start with you, Olivia Thomas. How can the Government's current approach to marine planning be improved to achieve that balance between the social, economic and environmental demands that we have touched on?

Olivia Thomas: We are starting to see the emergence of more spatially specific planning and with that the underpinning—how we share that underpinning evidence—that helps us to take those balanced decisions across the economic, the social and the environmental. At The Crown



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Estate, we are building that shared evidence base and seeking to work in that statutory framework with our colleagues on the panel here to start to take informed decisions with respect to achieving UK-wide agendas around nature recovery, energy security, and ensuring that we drive value on behalf of the nation. That spatial specificity we are seeing come through the marine spatial prioritisation programme and we are using our tooling and our capability through our marine delivery route map to help navigate the policy decisions that are led by Government through to then delivery of the action that takes place on the ground.

Q168 Julia Buckley: If we were trying to translate that to somebody who is not a specialist, would you say that you are talking about more localised parts of the map—drilling down to that smaller detail in the geographic space?

Olivia Thomas: In every local area we have the ability to look at a 1 km scale and, in every area, on balance, to look at the opportunities. We have the opportunity to look at the balance of economic and natural environmental information and the multiple needs and demands over that particular piece of space.

Q169 Julia Buckley: Is that a key recommendation to keep working at that more localised level so that we do get those nuances?

Olivia Thomas: I believe we should still work at national scale but have the ability to use tooling, like the marine delivery route map, to help understand—as we take a decision spatially—how it contributes to achieving those overall outcomes.

Q170 Julia Buckley: That is helpful for us as a Committee trying to find those pathways forward to try to improve this. I think you have already answered the question, Ms Willis, unless you want to add anything further about that balance.

Michelle Willis: What I would like to highlight is that we do need to work better across Government, and we are doing that. For the Marine Management Organisation, we see ourselves very much as a facilitator in bringing those organisations together. You will have seen with the British energy security strategy, and more recently with the strategic spatial energy plan, there is more need to get greater alignment because everybody wants to be quite specific about their needs.

On the place based issue, we have geographic plans that are in six locations to deliberately take account of those important local needs. It also allows us at that local level to feed into the national picture to allow better decisions to be made strategically.

There is always more we can do. Policies are in different places at the moment, and we just need to help navigate around that, work better together and bring that integration so we can make better decisions and have those shared outcomes and be outcome focused as a system.



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Julia Buckley: It is almost a call for that cross-referencing between parallel strategies.

Michelle Willis: Yes.

Q171 **Julia Buckley:** Is that something you would like to see different Departments of Government do?

Michelle Willis: Yes, we are working with other Government Departments. We work very closely with DESNZ, MHCLG, The Crown Estate and other partners to try to build that picture.

Julia Buckley: For those to cross reference each other before you get into the room would be quite helpful.

Michelle Willis: Yes, exactly.

Q172 **Julia Buckley:** Thank you. Mr O'Hara, how can we get that balance between the economic, the social and the environmental? What improvements do we need to see?

Ronan O'Hara: In Crown Estate Scotland, as a creature of statute, the underpinning legislation requires us to implement and, where possible, advance sustainable development—that is, environmental, social, and economic in combination. As a public body, of course, we comply with Green Book methodology, which makes provisions and evaluations for investment and decision making around all that.

One of the features of the management operation in Scotland is that we have sought to decentralise. We deploy our staff base across the highlands and islands of Scotland, as well as in the central belt and Edinburgh. We maintain and work hard to have deep, collaborative relationships where the assets serve and support communities. In doing so, we are considering that local perspective in turning the estate to account. It is also, of course, integrated within our value system as a public corporation. Our place within the machinery of government in Scotland then also allows for that lateral collaboration and interaction across Government Departments centrally.

Julia Buckley: You sound like you are a best practice example that you want your English colleagues to replicate.

Ronan O'Hara: It is not for me to say.

Q173 **Julia Buckley:** We have pretty much covered off this next question, but I will just check in with Olivia Thomas. How do the Government work with your organisations to ensure effective marine planning? I know you have talked about the new spatial planning, but is there anything else in there specifically on the planning side that you think is worth mentioning?

Olivia Thomas: I suppose just the focus on how we build a coherent evidence base that underpins the statutory planning and then plays through to how we deliver off the back of the policies and the plan



requirements. We have several examples of how we have worked in partnership with Government and other leading organisations, such as the offshore wind evidence and change programme. That identified those critical evidence gaps for when we need to develop more offshore wind in an increasingly busy space. It targeted the evidence that was needed. Then, by working with Government, we were able to look at areas for potential change, whether that is updating policy or reflecting the evidence back into marine plans.

Q174 Julia Buckley: Do you feel there is enough resource to fulfil these additional requirements to find the evidence?

Olivia Thomas: It is important that we invest in a way that brings that connectivity across organisations. Where we are investing, we are contributing to the statutory planning system as much as relying on it. It is fair to say that resourcing is always going to be a challenge, but we can be more efficient through partnerships and collaboration.

Q175 Barry Gardiner: Ms Willis, you said that you work very closely with DESNZ. Last month it published the "Building the North Sea's Energy Future" consultation. Did you work closely with it on that? That consultation document talks about the transition from oil and gas to clean energy, but it does not seem to focus on the challenges of marine spatial planning.

Michelle Willis: We did not work as closely as we could have done, but I would need to come back to the Committee with a bit more information on that specific consultation.

Barry Gardiner: Ms Thomas, what about yourselves?

Olivia Thomas: There is recognition that working with the clean power mission and across Government, it is a cross-Government objective to achieve a transition and secure energy for the nation.

Barry Gardiner: Yes, of course. I was asking what involvement you had had in that consultation document.

Olivia Thomas: Not in the development of the consultation document, but we are actively working with the Department for Energy on the outcomes.

Q176 Barry Gardiner: Thank you. I would like to do a Bamber Gascoigne and divide you up, give you each your starter for 10, but with no conferring on the next one. Whereas one of you is responsible for the licensing and the seabed, and owning the leases, it is the regulator that does the statutory planning. What I want to know is how you co-ordinate with each other to make sure that you are looking at not simply the revenue stream that The Crown Estate will get from this in the short term, but a balanced, long-term view of the environmental sustainability of the seabed. I will start with you, Ms Willis, and then see if Ms Thomas can block her ears for a moment and whether it coincides with what she says.



Michelle Willis: From an MMO perspective, we do work closely with The Crown Estate on how it plans future development and future activities, more so now with that competing tension, as we have set out. We have all been closely working on marine spatial prioritisation. That was a programme to help to better build up a data and evidence base in order to help inform that decision making from a regulatory perspective, but also to support better decision making on the use of the seabed. We all fed into that, and we worked with other partners.

From a regulatory perspective, we are not always the primary lead decision maker. The other thing we need to remember is for nationally significant infrastructure projects, the MMO is the statutory consultee. It is PINS that basically leads on that decision making, but we feed into that.

In terms of where we go forward, much of the work that we do with The Crown Estate relies on habitats regulations, and they do satisfy us of that when they are taking nature into account and trying to come up with ideas of where things can be done in a sensible place-based space. We do work together in various programmes of work, because if we do not work together like that, we will not make the best decisions and we will not have an effective marine planning framework and the policies within it.

It is not just the relationship between the MMO and The Crown Estate, it is the relationship between us all with all those bodies who are taking forward activities in that space. We have to navigate that land to sea transition and understand the supply chain so we can understand the effect not just for development but for nature and the local considerations economically.

Barry Gardiner: We will come to the local considerations in a minute.

Olivia Thomas: If I am to build on that, I suppose, from The Crown Estate's perspective, we use the statutory marine planning framework as our foundation, and that guides us. It sets the Government direction, as do the UK-wide national policy statements and other considerations we have. We then use the marine delivery route map and that shared evidence base to help inform how we deliver into that space and how and who we work in partnership with to deliver in a co-ordinated way. For me, that is a very complementary role, but with clear responsibilities. It is the opportunity we have in having the shared outcomes and shared objectives to a certain extent, but very clear, distinct responsibilities.

Q177 **Barry Gardiner:** Okay. How is the 45 to 50 GW that the Government have predicated of offshore wind by 2030 influencing your leasing process? How are you co-ordinating with Government to ensure that those leases are available? How are you doing it in such a way that it is not impacting on marine protected areas that are already established under the marine spatial planning?



Olivia Thomas: We are working with the Government-led marine spatial prioritisation programme, so that cross-departmental initiative. Government and Ministers will be directing those areas. They are using the evidence base we are providing through the marine delivery route map to help look at that problem statement exactly, which is how we find space for the development of more offshore wind in areas that have minimum impact or preferably enable nature to both recover and thrive. It is a journey we are going on at the moment to try to ensure we are not in a place where it is wind and then everything else as a consequence of it. We are looking to use that balanced evidence base to appraise the best areas—the best technically and for viability from a wind perspective on a balance of cost and cost to consumer, but also then the locations that are those marine protected areas that need recovery and where we need to make space for nature.

Q178 **Barry Gardiner:** Thank you. For an offshore wind project, there are separate processes for seabed leasing, marine consents, landfall and the onshore construction activity, but there is very little opportunity for the affected communities to participate in the decision making until the operations go through the terrestrial planning, which could come long after the consents that you have given have been made. Going back to what you were saying about community involvement, how do you think that squares up with getting local communities—coastal communities—involved in what you are doing?

Olivia Thomas: We recognise the opportunity in being able to take a national approach as to how we design our leasing offer. If I were to use the example of a live process—so I cannot talk about it in the specifics—we have a process running in the Celtic sea at the moment to enable future floating offshore wind. Part of the mechanism and how we have designed it is that we will work with developers to provide us with a view of what community benefit their projects will bring and we have those conversations with community at the outset of that design, rather than waiting until it is a project ready to develop.

There are lots of examples where we are working with the community through social enterprise initiatives like the Sea Rangers, who are people who are trained to go out and spot birds and marine mammals, through to then engineering programmes that we are running with local communities. Again it is about working out those contributions that we can make that amplify community benefit through the design of what we do.

Q179 **Sammy Wilson:** Following on from the point that you have made, there is a certain thrust of Government policy at the moment, whether it is the net zero targets they have set and the amount of renewable energy they want to see generated, the way in which they are seeking to circumvent some of the planning objections through the infrastructure Bill or, indeed, the recent Crown Estate Act, which actually was quite specific that the Government expected The Crown Estate to play an important role in the



delivery of offshore wind generation.

Given all those things, while you indicate that you make your own decisions and so on, is there not significant pressure now on The Crown Estate to slot into a policy that may well have a detrimental impact on the marine environment and an impact on local communities and people's other economic activities in areas where wind farms might be proposed?

Olivia Thomas: While we are set up to deliver Government policy, including those priorities for offshore wind, we are very much defined by our statute, which is to create that shared and lasting prosperity for the nation. That is value across seabed management for the long term—across multiple different sectors and demands.

Our leasing and licensing of specific activities over the seabed, when we think about value, includes the space we make for nature and other activities as well, such as the aggregate industry, the telecommunications infrastructure, and so on. We have to make a balanced decision as to how we manage the activities that we run for the long term. Even where offshore wind needs space, using that guidance and direction from Government through the spatial prioritisation programme and our marine delivery route map, we will be able to take a balanced decision rather than one that biases in favour of delivering one outcome.

Q180 **Alison Griffiths:** Could I ask a supplementary to what you have just been speaking about? You talked about the floating offshore wind platforms. I am just wondering why, given that there would be such significant reduction in seabed detriment, we would not be waiting for the technology to improve before we implement offshore wind in other places. I am thinking particularly of my own constituency but also elsewhere.

Olivia Thomas: This is where we have the balance of seeking to address both policy and market ambition. The opportunity that we worked to create was to address and respond to the markets that are developing technologies that would like the opportunity to continue to develop. We have test and demonstration as well as the larger scale, but equally there is policy need. There is a commitment to develop floating offshore wind as part of a wider mix for offshore wind, and that is the journey we have been on in order to enable it.

Q181 **Alison Griffiths:** How far off do you think we are before large-scale roll-out?

Olivia Thomas: Our process will run through the course of this year. We are then just at the beginning of that process where the developers will need to go on and achieve their statutory consents. In a few years' time I would say that we will start to see that market realised offshore.

Q182 **Sammy Wilson:** I know that you cannot talk about specific projects, but there is one project—and I really just want to find out about the process by which people can have their input—which is a large wind farm being



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proposed on Scottish Crown Estate land. It is off the shore of Northern Ireland. It will be adjacent to a world heritage site—our biggest tourist attraction—the Giant’s Causeway.

I just want to know what the process is where the decision is being made by another Administration in Scotland, and where Crown Estate Scotland will be responsible for the leasing of the seabed, but where power generation is devolved to the Northern Ireland Assembly. What is the process where there is a clash between two Administrations, with one wanting to protect our biggest tourist infrastructure, and on the other hand an opportunity to generate offshore wind? In that case, that might have an impact not on seabed but on the tourist industry.

Ronan O’Hara: The process starts before where we are at this point in time. The regulation of the seabeds in Scotland were and are managed by the Scottish Government Marine Directorate. The process of governing the seabed in that jurisdiction adopts a tiered model of a national marine plan going down to local marine plans, which feed into the process of consultation that supported offshore wind leasing in Scotland. Consultation in any jurisdiction, as far as I am aware, is open to all stakeholders, irrespective of geography.

Ultimately, the process is one where we, as the manager of the seabed, take a plan-led approach. We look to the Administration as to how we would do that—what would be permissible and deemed reasonable and appropriate to take forward in practice for a leasing round. The wider interjurisdictional aspect is, to be honest, not something that I could comment on in great detail today, but I am happy to take that away and look at it and provide a response.

Q183 **Sammy Wilson:** I do not know what the impact on the seabed will be and what environmental assessment has been carried out so far on the proposed project, but in the case where it is not just the seabed that is affected but vital economic activity in an area that will be impacted by the development, what consideration would Crown Estate Scotland give to that? Or is it simply about the impact on Scotland and communities adjacent to it in Scotland, not communities adjacent to it in Northern Ireland?

Ronan O’Hara: As previously stated, on the interjurisdictional aspects, that is not necessarily something that I feel I could comment on today, but I can say that the process is such that consideration is given to environmental implications, habitat implications and feedback from communities. Those consultation processes, as far as I am aware, are open and unfettered for all.

Q184 **Martin Rhodes:** Mr O’Hara, to follow up, you mentioned the role of Crown Estate Scotland as a public body in Scotland. How do decisions made by the UK Government impact marine spatial planning within Scotland, despite those devolved responsibilities?



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Ronan O'Hara: I am going to repeat myself slightly, but just for the purposes of clarity, consenting, regulating and managing of the seabed generally sit with the Scottish Administration and the Marine Directorate. Where you have this interplay between UK matters versus devolved matters or, indeed, reserved matters versus devolved matters, my sense is that—particularly over the last year or so—that has become more prevalent and pronounced.

Examples that come to mind would be concepts such as the role of the North Sea Transition Authority in carbon capture, utilisation and storage. There is something in relation to, for example, as already mentioned today, the recent Crown Estate Act, which secures additional investment and borrowing powers and other matters for The Crown Estate and the estate in the jurisdictions of England, Wales and Northern Ireland. That, by way of example, is not something that the estate in Scotland will benefit from.

Generally speaking, my observation is that as we deal with matters such as national energy security, that is an area—as I alluded to earlier in my opening remarks—of opportunity and improvement as to how we address that.

Q185 **Martin Rhodes:** How could that relationship between yourselves and the UK Government in areas like that be improved? As a Committee, if we were to look at recommendations, what things would you like to see in those recommendations?

Ronan O'Hara: The first thing I would say is that I do observe in practice good, strong cross-jurisdictional collaboration. I recently observed Michael Shanks and the Deputy First Minister on stage together seeking to address investment. I know that officials work together. I suppose on one hand, for myself managing the Scottish Crown Estate, I am not sure that we have ever codified or formally enabled the interaction occurring at an official level and ministerial level between my organisation and The Crown Estate, by way of example.

There are synergies and opportunities there. I also think that the SSEP, the strategic spatial energy plan, coming from NESO is an example of policy development starting to try to create a whole system approach and bring things together in a structured and co-ordinated fashion.

Q186 **Martin Rhodes:** So one thing you think would be an improvement would be some way of codifying those interactions to have more formal structures in place—or processes in place rather than structures.

Ronan O'Hara: Quite possibly.

Q187 **Martin Rhodes:** Thank you. Since the creation of Crown Estate Scotland, do you think you have gained the benefits that were envisaged in terms of the redistribution of revenue from seabed leasing activities, for instance, to local communities?



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Ronan O'Hara: In short, yes. To bring that to life, since devolution we have generated and returned £270 million net surplus revenues to the Scottish Consolidated Fund to underpin public sector spending. Of that circa £63 million has been returned to 26 local authorities in Scotland, but there is an opportunity to go further. Like all businesses, the more you put in, the more you get back out.

Q188 **Martin Rhodes:** One of the things you would like to see is for that to go further in terms of that relationship with local communities.

Ronan O'Hara: At a local community level we, for example, have a sustainable communities fund where we have returned £1.7 million to local groups to advance everything from peat restoration to undertaking feasibility studies for community housing. We would love to do more in that space.

Q189 **Mr Alistair Carmichael:** On the relationship with the UK Government, we now have a situation, after the Crown Estate Act has passed, where your colleagues south of the border have access to Treasury guarantees but you as Crown Estate Scotland will not. The Treasury is a UK-wide authority. Is that going to put you at some disadvantage?

Ronan O'Hara: Since 2017, there has naturally been divergence and change within the various jurisdictions. Our starting position is that Scottish Ministers control the capitalisation of the estate in Scotland. There is a different arrangement there. We already have a slightly different level of funding. Then if you extend that through to borrowing powers derived from Treasury, if we are without those, we will obviously be disadvantaged.

Q190 **Mr Alistair Carmichael:** The Act is about guarantees for borrowing as well, is it not?

Ronan O'Hara: It is, yes.

Q191 **Mr Alistair Carmichael:** In your view, is there any reason you could not have access to these same borrowing powers and guarantees, other than the fact that nobody thought about it when they were drafting the Act?

Ronan O'Hara: The Act was specific for particular jurisdictions. I suppose this is more to do with the treatment of moneys evolving beyond the current arrangement and presumably Barnett consequentials. I would have thought conceptually that if the Treasury was receptive to the idea of lending to the Scottish Crown Estate and Crown Estate Scotland, we would put those moneys to good use.

Q192 **Mr Alistair Carmichael:** That is helpful. Thank you. Can I just drill down a bit into the circumstances around the first leasing round for ScotWind? You will recall that that was the subject of some controversy at the time. Who designed that auction system? Was it yourselves or the Scottish Government?



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Ronan O'Hara: It was a system designed by Crown Estate Scotland in consultation and taking on board the views of other stakeholders and, indeed, what was occurring globally and the unique circumstances that prevail within the Scottish jurisdiction and the unique geography of Scotland.

Q193 **Mr Alistair Carmichael:** You had an auction and then you capped the maximum bid in the auction. I have never heard of that being done anywhere else. Why did you choose a cap?

Ronan O'Hara: First, it reflected the strategic objectives set that underpinned the leasing round—to create a strong pipeline with critical mass at a scale that was world class and would deliver a world-leading marketplace. It reflected our understanding of market conditions and the desire to reflect the constraints that are associated with bringing forward the investment opportunity in Scotland.

Q194 **Mr Alistair Carmichael:** Do you think you got that calculation right?

Ronan O'Hara: I would suggest that we did. I would suggest it was evidence based. It was methodical. It was fact based. I would also suggest that the nature of the market at present would suggest that we positioned that correctly.

Q195 **Mr Alistair Carmichael:** You could do it better in the future?

Ronan O'Hara: I would not say that.

Mr Alistair Carmichael: Differently then?

Ronan O'Hara: Things can always be different in the future.

Q196 **Mr Alistair Carmichael:** You talked about global comparators there, but there was an auction round in New York at much the same time, wasn't there? Your auction round raised £700 million, is that correct?

Ronan O'Hara: £755 million.

Mr Alistair Carmichael: £755 million, I stand corrected. Do you know the scope of that auction round in New York and what it realised?

Ronan O'Hara: I have heard it in the past; I could not recall the exact figures right now.

Q197 **Mr Alistair Carmichael:** If I suggested to you that it was an auction for an area about a quarter of the size that was auctioned in Scotland and that it realised an income for New York of \$4.3 billion, would that be about right?

Ronan O'Hara: That sounds about right.

Q198 **Mr Alistair Carmichael:** That is about right. Given what you can see is possible where you have a different system in New York, do you still think that the judgments that you made in that first leasing round were



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correct?

Ronan O'Hara: I do. I genuinely do, and it comes back to the fact that a house in a salubrious environment and postcode will not attract the same money as a house in a less desirable postcode.

Q199 **Mr Alistair Carmichael:** Do you think our seabed has less worth than New York's?

Ronan O'Hara: Our seabed has world class opportunity, but I also recognise the fact that we have practical considerations such as the terrain, the geography, the route to market, the grid—all those factors. When we seek to price anything, market conditions and risk all feed into deriving a pricing point.

Q200 **Mr Alistair Carmichael:** Why did you put a cap on the amount that could be bid? Surely the whole point of a commercial auction is that the commercial players make the decision on what they can afford themselves.

Ronan O'Hara: Part of the rationale was again balancing social, economic and environmental considerations. The actual design of the leasing scheme was such that it facilitated developers to make supply chain development commitments in a way that changed the nature of delivery, so it was a fundamentally different offering.

Q201 **Mr Alistair Carmichael:** Do you think those should have been decisions for the bidders themselves?

Ronan O'Hara: We assessed the market, took evidence and made a decision.

Q202 **Mr Alistair Carmichael:** Have you ever heard of another auction with a cap on the bids? I have heard of plenty with floors.

Ronan O'Hara: Yes. I am sure they are out there.

Mr Alistair Carmichael: But you are not in a position to offer me one?

Ronan O'Hara: Not right now. I am happy to come back to you on that point.

Mr Alistair Carmichael: You will follow it up for the benefit of this Committee in correspondence.

Q203 **Alison Taylor:** Ms Willis, I will address the next section of questions to you. With the Government pushing for offshore wind development, what steps are being taken to ensure that you have the necessary expertise and resources to effectively manage marine licensing and environmental impact assessments?

Michelle Willis: For the marine licensing service that we provide, we train our staff very well. In fact, we train our staff so well that developers then take our staff, so we must do that right. From our perspective, the



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service we provide in line with Treasury guidelines is that we have to recover costs through fees and charges.

We are probably not at full cost recovery currently, and we are waiting for Government to come and consult on changes to that. We do not just do that through fees and charges. We also have the opportunity to consider things like exemptions, which we have done to try to improve the regulatory regime and framework. From when the organisation was vested back in 2010 to date, we have done quite a lot of activity where we can improve.

In terms of resourcing, we have scaled up. We have, for example, created a strategic renewables unit. That unit works between the marine licensing and consenting team and the marine planning team, which brings together in a more integrated way plans, consenting and decision making. We do a lot of work with MHCLG and NSIPs to be on the front foot to understand the pipeline of applications that we are due to get. The forward planning is not something that industry does as well as it could with us, but we are making much better progress with industry engagement through the seabed user group and representatives on that to take a system and a programme approach.

We do have a particularly good evidence base. We invest and we partner with various research institutions. When we are making decisions that are based on the marine plans, we can run ranges of projects to take account of socioeconomic impact. The approach is not just about the people; it is about the way in which we resource ourselves to do it to make those good decisions. It is important to recognise that.

Undoubtedly, we do require a skilled workforce. The habitats regulations and the environment regulations can be complicated and are a key factor in decision making, as is taking scientific advice and the advice of statutory consultees. As I say, our workforce has increased over the last few years to scale up in preparation for the pipeline. We do have churn. We get our staff to a point that they are effective and then, like I say, we lose them.

The other important point to note is that one of our resource challenges has been that for many years we have been working with the system we inherited from the oil and gas sector to interface with our customers. That is out of support now, and we have secured through a spending review investment to improve that system. We have a marine licensing programme, which brings together not only the systems, but changes in the ways in which we work. That is to improve the efficiency and the effectiveness of the service we provide.

There is investment that we have secured to improve it, but a lot of the work is not just about the technical facets. We are working much more closely with industry, the port sector, and the energy sector to try to better get that forecast so that we can engage much more up front. The



better-quality applications we have, the more we can do at a greater pace.

Q204 **Alison Taylor:** What steps are you taking to further facilitate and enable marine restoration projects, particularly those community-led projects, through licensing to make it more accessible and affordable? Again, Ms Willis, if you could answer there?

Michelle Willis: Yes, of course. The difficulty with some of these projects is that the Marine and Coastal Access Act is quite specific in the activities that we have to license and give permissions to. Unfortunately, we charge on the activity, not on the type of applicant, and so we recognise there have been some challenges, particularly for charities, when they are trying to navigate the complexity of the regulations and the charging structures, and trying to set out their projects differently.

We have done a lot of work through exemption. As I touched on previously, in 2011, 2013 and 2019, we undertook exemption reviews to try to find different ways in which we could enable these activities to be done in a less complicated way, but for now we still have to have regard for the legislation that we have to operate with and that, we recognise, is challenging.

We have been doing a lot more work in the community space and on the more place-based considerations around how we can do that better with consultees. We bring the consultees together with Environment Agency colleagues and Natural England so that we can help those applicants navigate this much more easily and look at ways in which we can enable them to do those activities.

You will have seen today that the Corry review has reported and some recommendations in that will be taken away with the Government to look at things around constrained discretion. We have noted that, but we are open to working more collaboratively to find better solutions to this challenge.

Alison Taylor: I am glad you mentioned that because we might have a couple of small follow-up questions on that, if you are comfortable to take them.

Michelle Willis: I will do my best where I can.

Q205 **Alison Taylor:** If you feel you are able. I have one final question in this section, though. What might you need from the spending review to enable these actions and what will be the implications if you do not get what you need?

Michelle Willis: We have secured investment into systems and processes, so that is helpful. From our perspective, we are thinking differently about how we implement regulation. We have to get that balance of ensuring that we enable things to happen and have that



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positive nature impact. There is the opportunity to step back and ensure that we are interpreting regulation well.

That does not necessarily always need money. We have a fees and charges consultation, which we are waiting for the Government to consult on. That is with Ministers. We have, as I say, secured the investment we need.

As I said earlier, the greatest challenge is that retention of resource and the fact that a Government salary does not match necessarily to the private sector salaries. That will always remain the challenge. If we can work better with industry, we could do more to try to get cross-pollination of resources so that they do not feel the need to necessarily come and recruit our staff.

Q206 **Alison Taylor:** Referring to the Corry report, do the recommendations on pay flexibility help you, first, employ and retain some of the specialist staff you need, particularly in the light of some of your earlier comments?

Michelle Willis: It is an opportunity we are open to exploring.

Q207 **Alison Taylor:** On a further comment from the Corry report, will the recommendations on digitalisation in the review assist with any of your operations?

Michelle Willis: Absolutely. Yes, that is quite important for the whole environment. Having user-centric services accessible and easy to use and that integration will be quite key, yes.

Q208 **Alison Taylor:** I appreciate you have not had a lot of time to consider all the recommendations. Do you want to follow up in writing on any of this?

Michelle Willis: I am more than happy to take that away and follow up in writing with some further examples.

Q209 **Blake Stephenson:** My first question is to all of you, please. To what extent will we achieve the 30 by 30 initiative, how are we currently performing against that target, and what is needed to make more progress? Can I start on the left with Olivia Thomas?

Olivia Thomas: We have done a fantastic job as a nation of recognising the opportunity in terms of coverage. The marine protected area network, I believe, at sea is around 38%. The journey we have to go on now, working with our statutory nature conservation bodies, environmental NGOs and others is how we take advantage of the evidence and the data that we are collecting that underpins the state of nature within those marine protected areas, and looking at opportunities for connectivity across them so that we can move into the space of nature recovery.

Michelle Willis: The MMO has a significant role to play in supporting the meeting of the Government's targets on the environmental improvement plan, specifically in relation to marine protected areas. The MMO has and



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can introduce byelaws to control fishing for the purposes of conservation. There are jurisdiction issues between us and the Inshore Fisheries and Conservation Authorities, so we share that space, but either way we use byelaws to enable that protection and restoration to happen.

We are seeing positive progress in that space. You will be aware that the MMO has implemented already on behalf of the Government the stage 1 and stage 2 marine protected areas, and we have completed much of the work. That is with the Government now for stage 3 and we will both produce stage 4.

The only thing I highlight is that you must remember that some of the marine protected areas currently are very much feature specific. The next round in stage 3 will rebalance some of that; we will revisit some of the protected areas in stage 3 because it will be less feature specific and more encompassing.

Q210 Blake Stephenson: You said there that you have completed much of stages 3 and 4. How much? How far are we from completing them?

Michelle Willis: For stage 3, we have undertaken all the preparatory work and the evidence and the analysis, and that is now with the Government to progress. For stage 4, we have broadly completed the consultation work and the evidence base, and we are preparing that to submit it to the Government.

Q211 Blake Stephenson: Has that work taken longer than you would have expected? Are there any lessons learned?

Michelle Willis: It has taken longer than expected. The lessons we need to learn are much more around how we gather some of that evidence. There is a complex picture and there is a range of needs. It would be wrong to say that we do not recognise the need for the protection. It is how to balance the protection but allow some activity to happen. It is fair to say that there might be a misconception that no activity can happen. Some activity can happen, but it needs to be done in line with the conservation measures and the byelaws that we put in place.

Q212 Blake Stephenson: I will come back to you, if I can, on stages 1 and 2 in a second. But Rohan O'Hara, could you just answer my original question, please?

Ronan O'Hara: In my capacity here today representing Crown Estate Scotland, I do not speak for the Scottish Government, but my understanding is that the nation of Scotland is committed to the 30 by 30 commitments. Frameworks are in place, and they are delivering against those.

However, as I am sure is the case in all four nations, these are challenging targets, and we see the tension between environmental interests and commercial interests. We also see increasing spatial squeeze for access and use of the marine environment.



Q213 Blake Stephenson: Michelle Willis, going back to stages 1 and 2, if I can, what are you doing to monitor the effectiveness of protecting the marine environment due to the measures that were introduced with those stages?

Michelle Willis: From a compliance point of view, it has been important to recognise that we have a range of tools that we can use. VMS is one of the primary tools, but we have aerial surveillance that we can target at specific high-risk areas, and we also have offshore surveillance. We have a range of assets and technology that we are using to help with that.

I thought it would be helpful to share some examples. In stage 1, we have had about nine advisory notices in those areas. To put some perspective, in the compliance world, we do the education and signpost that you might just be in the wrong area at the wrong time. We do the advisory. Then we look to escalate through to a point of enforcement. The education piece is quite important for behavioural change.

It is useful to understand that prior to the byelaws coming into place in stage 1, there were about 92 non-UK fishers in that space and 23 UK fishers in that space. Having nine advisory notices in that space demonstrates positive compliance, but we are looking at that—that there is a want to comply with that.

Equally, in stage 2 areas, there were 300 aspects of UK fishing activity and 300 non-UK, in both cases using bottom-towed gear. Again, we had 27 advisory notices, three of which have been escalated for further investigation. That gives reassurance that we are actively looking at that.

We cannot tell the using I-VMS and VMS whether a vessel is transitioning through the area or anchoring for shelter. We can take a view on what that activity might be. We might not necessarily be able to say fully what is happening there, but we have indicators that allow us to at least go and look more closely.

Q214 Blake Stephenson: This is the final question because I know we are pushed for time. In terms of overall outcomes, would you say that those compliance measures are effective?

Michelle Willis: The byelaws are effective, but we will always review them. We will keep them in check because you have to.

Chair: Thank you very much. On behalf of the Committee, can I take this opportunity to thank all three of you for the evidence that we have heard? It has been a useful session ahead of hearing from Ministers. Thank you all.

Examination of witnesses

Witnesses: Emma Hardy MP, Baroness Chapman of Darlington, Mike Rowe and Helen Mulvein OBE.



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Q215 **Chair:** Welcome to the second part of today's session into the marine global environment. We are pleased to be joined by Minister Baroness Chapman and Minister Hardy and their officials.

Can I first invite the four of you to explain who you are and what your role is, please, starting on my left?

Helen Mulvein: Hello. My name is Helen Mulvein. I am the Deputy Director of Ocean Policy in the Foreign Office, and I am also the head of the legal team that advises on law of the sea matters.

Baroness Chapman of Darlington: I am Jenny Chapman. I am the Minister for International Development and also Latin America and the Caribbean.

Emma Hardy: I am Emma Hardy. I am the Minister for Water and Flooding, but I also have responsibilities for the ocean, chemicals, and pesticides.

Mike Rowe: Thank you. I am Mike Rowe, Director for Marine and Fisheries at DEFRA, where I am responsible for domestic and international marine and fisheries policy.

Q216 **Chair:** Thank you very much. We will start with you, if I may, Minister. Our questions will all be to the Ministers. If you want to bring in assistance, we will leave that to you to decide. The Government recently decided to designate new marine protected areas and extend current ones, while de-designating others. Why?

Emma Hardy: This is all about our plans to deliver on the Government's mission for clean power. As you know, one of the most important missions the Government have is to deliver on clean power and one of the things we wanted to look at in terms of marine designation or MPA designation is also whether they are in the right place and fit for the future. We know our climate is changing.

We know some of the reasons that some of those marine spaces were designated were for mobile species that move around. We want to make sure they are in the right place for the future. We will also make sure when we are looking at where our MPAs are designated that they are in the right place in terms of marine spatial prioritisation to make sure that they are the right place for what we want to do with our wider sea network.

Q217 **Chair:** Presumably when they originally designated, they were in the right place, and they did not move. Did they cease to be in the right place, or did we discover we could slap a wind turbine on it?

Emma Hardy: There are different types of marine protected areas. Some were protecting migratory species, seals, harbour porpoises and various others. Some are protecting seabirds. Some are protecting habitats and species and then there are the HPMPAs. Different MPAs are there for different reasons. Yes, some of it is about making sure they are in the



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right place and protecting the right things and that they are fit for the future.

But some of this comes into marine spatial prioritisation more widely and how we are using our seas. We have an awful lot of pressure on the seas around our country. We have pressure from fisheries. We have pressure from what we want to do on clean power. We have pressures for conservation. There is also defence. There are telecommunications. There is much more. There are all these different competing pressures.

One thing we are looking at is developing a strategic plan for marine spatial prioritisation and part of that strategic plan means looking at all our MPA network that we have right now and asking that question. Thinking about the future and everything that we want to do that involves the sea, are these in the right places and are they doing and protecting what we want them to do? That is what the review is all about. Of course, we very much welcome contributions from the Committee into that review and thoughts that you might have.

Q218 Chair: I am sure you will get them. In terms of that strategic work, had that not been done when they were initially identified?

Emma Hardy: In terms of the marine spatial prioritisation, no, because we have a huge ambition on what we want to deliver on clean energy. This means we will ramp up what we do in terms of offshore wind. It was not done before, under the previous Government, that they had that strategic look at how we use our seas, where we put things, why we make the decision to put them there, where else we could have it and what the other competing priorities are.

Part of the work on MSP, marine spatial prioritisation, is looking at bringing together Ministers who all have a different interest in the sea, including even MHCLG. It has an interest in the sea; lots of different people have an interest. It is about asking whether we are putting the right things in the right place.

It is my role to think about marine protection and marine conservation, but it would be Minister Zeichner's role to talk about fishing and whether things are in the right place for the fishing community, and for other Ministers to talk about whether things are in the right place for what we want to do in terms of defence and energy delivery. That is about having a strategic plan, which I have to say under the previous Government did not exist.

Q219 Chair: You have the strategic plan, but you have already de-designated some areas. What assessment was made of the quality of the marine protected areas that were being delisted?

Emma Hardy: We have not de-designated any MPAs at the moment. That has not happened. We are doing a review to, as I say, make sure they are in the right place for the right feature that they want to protect. As I have mentioned, there are diverse types of marine protected areas,



some of them, as I say, protecting seabirds, some protecting mobile species, some protecting the seabed. There are varied reasons for the different MPAs. This is not about de-designating the ones we have. It is about having that strategic think about whether they are in the right place for what we want to do in the future.

It will not happen under this Government, but we would not want to be in a situation where we designate marine protected areas only to find in 10 years' time that is where we want to put a wind turbine or that the MOD wants to use that particular area.

This is about mapping it all out and saying what our plans are for various parts of the seabed and having that conversation now, which gives some level of security to offshore wind investors that they know that these are the areas that we are looking at. It gives them more certainty. It gives people interested in the marine environment and environmental issues some more certainty that these are places that we know will be future-proof. It gives certainty to everyone else who has an interest, which has never existed previously.

Q220 Chair: We have heard in previous evidence sessions that the UK Government are performing well in identifying marine protected areas ahead of the 30 by 30 target, but when it comes to those marine protected areas actually being protected, the majority are not. From your perspective, should the policy be to make sure that we better protect those areas we identify, rather than continually finding new ones when we have not protected those that have already been identified?

Emma Hardy: You are absolutely right to point out that more needs to be done in terms of protecting MPAs. I completely and utterly agree with you. We are taking more action on this. I am not sure if the MMO mentioned some of the enforcement action that is going on at the moment. We have issued 28 notices on five investigations that we have done. We are also looking at the use of technology to improve investigation of what is happening in some of our MPAs.

As I say, MPAs are designated for varied reasons. In terms of the level of protection, they are based on feature by feature. One question that I expect I will get is: why are we not banning bottom trawling in an area that is protecting seabirds? If an MPA has been designated for seabirds, that would not be an area where we would be looking at bottom trawling because that would not be the reason for the protection in that particular MPA. Different types, therefore, have different levels of protection depending on what species we want to protect.

We are also doing some more work now on looking at our HPMAs. One thing we are looking at is a consultation on removing exemptions for some of the activities that are going on there and relating to anchoring as well, but that is for HPMAs.

Q221 Chair: In terms of the review that is going on, you are saying we have



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not delisted anywhere but, effectively, everywhere is open to being considered as part of the review. Some people who welcomed the fact that the Government had identified so many marine protected areas might now look at it and say, "We thought we had that in the bank. We had these areas identified. We are now being told that everything is up for review and that, effectively, this can be sacrificed at the altar of the growth mission."

Is that a reasonable criticism? Do you see why people will be nervous that that will happen?

Emma Hardy: I hope, if nothing else comes out of me coming here today, that I can offer some reassurance and calm any nerves that people might have on this. This Government are utterly committed to 30 by 30. We are utterly committed to enforcing responsibilities under the Environment Act. This is not a regressive Government. We are not looking to go backwards in conservation. We want to go forwards.

I hope people will see this as positive. This is about future-proofing our marine protected areas. This is about making sure we have them in the right places and that they are protecting the right things. We want to be involving our various environmental groups in that consultation and hearing from the Committee as well to make sure we set this up for the future because, as I said, I do not want to be in a situation where in a few years' time it is changing again. I would much rather now bring together Ministers and everyone who has different thoughts on this, plan this out properly and have a strategic plan for what we want to do.

We are committed to 30 by 30. We are committed to the Environment Act. We are not being regressive. We are making sure that we have things in the right place to fulfil all the commitments that the Government are making.

Q222 **Alison Griffiths:** They are warm words, Emma Hardy, but what are you doing specifically to monitor the effectiveness of the currently designated MPAs in protecting marine environments?

Emma Hardy: Thanks so much for your question. As I have mentioned, one thing that the MMO is looking at is licensing. One other thing we are looking at, which is quite exciting, is different technology—looking at drones and how we can investigate and protect what we already have.

There have been consultations done on future byelaws and some of the work that we want to do around that but, as we all know, when you are talking about byelaws and changing the rules for the MPAs, there are differences of opinion. I meet with the environmental groups, and they will push me in one direction, then I talk to some of the fishing community, and they want a different outcome. It will always be about having a balance and having that conversation right across DEFRA, which we are keen to do.



If your question is whether we have done everything there is to do, obviously we need to do more. I am keen to do more.

Q223 **Alison Griffiths:** The question was more about the measures you have in place currently to monitor the effectiveness of the MPAs. It is great to hear about what will happen in the future, but what are you doing at the moment?

Emma Hardy: As I mentioned, different MPAs are designated feature by feature. The action being taken depends on the feature that they are protecting. If it is an MPA that is designated for protecting seabirds, the enforcement would be different from if it is protecting the seabed. It will depend on the type of feature that is under protection on that MPA.

Q224 **Alison Griffiths:** I wanted to talk about some MPAs that are further afield. With the Government planning to hand over sovereignty of the Chagos islands, can we have some details about the future of the marine protected area there?

Emma Hardy: With respect to Chagos, I will defer to the Minister from the FCDO.

Baroness Chapman of Darlington: It is a good question. As I am sure everyone has gathered, we are, hopefully, towards concluding negotiations with the Government of Mauritius on the future of the Chagos archipelago. It has been agreed that the Mauritian Government will now lead on establishing a new marine protected area around the islands. That will be for them to do. We will not be telling them exactly what that has to consist of and they will have to lead on that.

We have an agreement with them that they will do that because it is something that we have been pleased to do. There are other reasons than the marine life that Emma is an expert on for wanting to protect the seas around that archipelago to do with security, which is also a concern as part of the deal.

Q225 **Alison Griffiths:** At the point of the transfer of sovereignty, what will happen to the current MPA? I understand that we have not had anything confirmed yet, but why will the current MPA not be continued and those protections guaranteed until something different is put in place?

Baroness Chapman of Darlington: It can, and I am not saying that it will not. All I am saying is that when we transfer sovereignty, the sovereignty will not belong to the United Kingdom any longer. It will belong to the Government of Mauritius, and they will make decisions about how they protect the seas around the Chagos archipelago. We have agreed that with them, and they have agreed that they will do that.

You want more detail than we have. Precisely what that will be, how they will do it and whether they will be looking, as Emma said, at different features or how holistic this will be I do not know, but when you give away sovereignty, certain things go alongside that. We and the



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Government of Mauritius want to see the marine protected area continue, but I do not know what the precise nature of it will be.

Q226 **Alison Griffiths:** I know Ministers have said that they will help Mauritius with capacity to set up an MPA and that funding will be provided to Mauritius.

Baroness Chapman of Darlington: Yes, of course.

Alison Griffiths: How much funding will be provided and will it come from ODA budgets?

Baroness Chapman of Darlington: As someone who is about to cut the ODA budget by about 40% over the next year and a half, we are working through exactly what the ODA will pay for.

It is important to realise that this is a process that we are working alongside Mauritius on, and they care about it and want to see it continue, as do we. We could provide money, but we can also provide technical assistance. We can provide expertise. We can provide technology. We can make sure that we do work together in different ways with Mauritius to make sure the marine area is protected in the future.

Q227 **Alison Griffiths:** Have you set up what the governance arrangements will look like and how the MPA will be governed in the area around Diego Garcia? Will any of those waters be covered by the lease?

Baroness Chapman of Darlington: No, we have not set up the governance arrangements, as I am aware. No, we have not done that yet.

Q228 **Alison Griffiths:** Could I ask you to refer back to the Committee when you have done so?

Baroness Chapman of Darlington: I would be happy to update the Committee on that.

Q229 **Barry Gardiner:** Minister Hardy, can I start by picking up what you said about seabirds? We have 377 MPAs in the UK—about 200 in England alone. Do you know how many of them are protected for seabirds?

Mike Rowe: Can I come in on that?

Barry Gardiner: Five, is it not?

Emma Hardy: I am more than happy to get you the figure. Mike, would you like to add?

Mike Rowe: We have 181 MPAs in English waters that the Minister is responsible for. About 100 of those MPAs currently have fishing restrictions in place.

Barry Gardiner: Yes, but, for five of them, the feature that is being protected is seabirds. Is that not correct?



Mike Rowe: I do not have that detail before me.

Q230 **Barry Gardiner:** You could write to the Committee about that, but I wanted to pick up on the feature basis. You said about making sure that the MPAs were in the right place. The fact that they have been done on a feature basis ensures that they are in the right place because you are designating the protection of the feature that is there. Apart from those five, all of them have been designated for demersal features. I do not understand why there is now a question mark over whether they are in the right place. We know they are in the right place because we did it because of the features that were there.

Emma Hardy: Absolutely. They were designated on the basis of the feature that was currently there and some of those are for marine birds. As Mike has kindly said, he will let you know exactly how many there are. Some are designated for special areas of conservation. Those are the ones that came from the EU. They were EU-derived MPAs.

Barry Gardiner: Under Natura 2000?

Emma Hardy: Yes. Were you DEFRA Minister at the time, Barry? It must have been around that time. Some protected migratory fish, seals and harbour porpoise. Some protected migratory species. It is important, recognising that the climate is changing, that we look at where some of these species are and we check that the designation for them is in the right place.

I want to reassure you—and as I say, I hope if nothing else I manage to achieve this—this is not about being regressive. This is not about reducing the number of MPAs. This is not about making them smaller. This is about making sure they are in the right place for now and future-proofing them. That is the purpose of the review—not to remove any, not to get any rid of any, not to be regressive—to say, “Okay, this MPA was created to protect migratory fish. Is that in the right place still? Is that still where we want it to be?”

Q231 **Barry Gardiner:** We have had talk at the Committee of changing the designation so that we could put in, for example, windmills. Look, I am all in favour of our renewables targets, but I want to get clarity on this.

Emma Hardy: I know you are, yes.

Barry Gardiner: We heard that there might be alternate MPAs providing that, but of course the MPAs that we have established were the ones that were most important for those features and, therefore, to get that elsewhere will be difficult. *[Interruption.]*

Chair: Barry, we ought to suspend this sitting for the Division, rather than people missing the boat or getting half an answer to the question.

Sitting suspended for a Division in the House.



On resuming—

Q232 **Chair:** My colleague Barry Gardiner was cut off in his prime, unfortunately, and it is possible we will be interrupted again. Apologies to anyone watching our proceedings. I will ask you to repeat the question, Barry, and then we will go to the Minister for the answer.

Barry Gardiner: That is if I can remember the question; I have so many. When we are considering features-based MPAs, it seems to me that when you talk about the seabirds, for example, that is the feature on which it was designated. It is immobile. The seabirds are in that spot for a particular reason, usually because it is feeding grounds. Therefore, something about that spot means that you have the seabirds there, which is under the water.

If you allow a trawler to come on right through it, you will take out what is under the water and make sure that your feature is no longer a feature. It seems to me that one cannot simply use an example like that that says that they are up in the air and, therefore, the designation of that particular area is not relevant.

Let me ask you another question because we were getting on to the issue of the placing of wind turbines and the potential to then say that we will no longer designate this area, but we will put in compensatory measures elsewhere. The problem with that, Minister, is that because we took quite a while to get up to 181 MPAs, we tried to designate the most important ones first—the ones that were most obviously in need of protection. It was part of a coherent ecological strategy. Natura 2000 was designated as a coherent ecological strategy. Therefore, if you think that you can now mix and match with that, not only will you lose the coherence but, also, you will not get adequate compensation.

Emma Hardy: On marine spatial planning and what we are trying to put where, I hope I have tried to explain the need for a strategic plan on what is going where in our ocean. As we have said, where we put offshore wind, where the MOD is, where cables are, where we dig for aggregates and all these things have evolved over time without ever being planned for strategically. The marine spatial prioritisation is important.

I am sitting here today talking about marine biodiversity and conservation. If Minister Zeichner were here, he would be talking about the importance of marine spatial planning for fishing and making sure that fishing is in the right place. As you can see, there are priorities, which is why we need to bring people together and produce a plan for where everything is.

In that plan, we are looking at literally mapping out the sea and determining where things should be and what the right place for them is and having those cross-Government and sometimes—in DEFRA, where



you have fishing and marine protection—internal conversations about where the best place is.

Q233 **Barry Gardiner:** Absolutely. Before DESNZ published its consultation on building the North sea's energy future last month, what input did you have?

Emma Hardy: I work closely with Minister Shanks. The Government's mission is green energy power. To deliver on that green energy power, he needs offshore wind and that means he needs to put that in the seas and the oceans, which come under my responsibility. We work closely together. We have regular meetings. However, to be clear, the marine spatial prioritisation work is wider than just me and DEFRA and DESNZ—

Q234 **Barry Gardiner:** No, I am asking you specifically about this consultation document. I am asking you about that because, while it focuses on environmental considerations in terms of oil and gas, it does not recognise the challenges of marine spatial planning or the environmental impact of renewable energy developments and the wider environmental implications. That is why I am asking what specific input you had into that document—it is narrow in its environmental scope.

Emma Hardy: The conversations I tend to have with Minister Shanks are more about how we can ensure the best use of our seas. As I say, I am here talking about the environment. Daniel would be here talking about—

Q235 **Barry Gardiner:** You did not have any input into that consultation document.

Mike Rowe: If it helps, Mr Gardiner, in terms of mitigating the environmental impacts of offshore wind, we are using powers that were first created in the Energy Act 2023, and we are going through the process. For example, earlier this week we launched a consultation on our Marine Recovery Fund, and it was also part of the written ministerial statement in January. We put out that statement saying that we will look to expand our MPAs to compensate for benthic damage because offshore wind developers have been struggling to compensate for that under the hierarchy of compensation required under the regulations.

The document that you referred to that DESNZ published recently is an earlier stage statement of policy, whereas what we are doing at the moment on offshore wind is delivering and implementing, under the Energy Act powers, specific measures to improve our strategic approaches to compensation and to set up the Marine Recovery Fund. As part of that, we have committed to that wider review of the MPA network to make sure that in the light of biodiversity pressure, climate change pressure and spatial squeeze in the sea, we are protecting the right things in the best way for biodiversity and for climate.

Q236 **Barry Gardiner:** I think that is a reassurance that ultimately this will come out well. You talked about the features-based approach to MPAs but of course the whole-site approach has shown itself to be more effective



for marine conservation protection than the features-based approach. We see that in the Lyme bay example. It is one of the largest MPAs that we have in the UK. I wonder what the thinking is in the Department about moving from features-based to a whole-site approach.

Emma Hardy: If it is an MPA, it is based on features. If it is based on a whole-site approach, it would come under what we would call the highly protected marine areas instead. There are three HPMAs at the moment that are banning pretty much everything that takes place within that area. That is one thing we are looking at. I mentioned the anchoring laws and the consultation to make sure they are fully protected. As I say, under the MPA legislation at the moment it is based on features. If it is a whole site, we would classify that as a highly protected marine area or HPMA.

Chair: I need to move on if I may. Anna Gelderd, please.

Q237 **Anna Gelderd:** Baroness Chapman, what steps are the Government taking to strengthen marine protection in the UK overseas territories? We have heard previously some comments on that issue, but how does this align with the broader UK marine conservation goals?

Baroness Chapman of Darlington: Our overseas territories are where we find the majority of the marine biodiversity that we are responsible for in some way. We have the Blue Belt initiative with our OTs, for which we provide funding. That is working relatively well.

It is vital, though, that we keep monitoring that and we keep close to our OTs on how we make sure that that is enforced—well, it is not enforcement. That initiative is important. Because of where our OTs are, they are sovereign Governments and we need to work alongside them, but in the conversations that we have with them on many issues, the ecology and the impact of climate change and all those issues matter a great deal to those countries and are things that they want to talk about. They recognise that those initiatives that protect their waters are actually incredibly valuable to them, and they want to work closely with us on that.

Q238 **Anna Gelderd:** How are the Government protecting the future of those hugely successful programmes like the Blue Belt programme and the Darwin and the Darwin Plus funding in the light of ODA cuts? What do you envision to be the future for those programmes?

Baroness Chapman of Darlington: You all know about the ODA decision that was made. It means that everything needs to be looked at. We need to make sure that we prioritise our spend. We need to make sure that we get value for money for every pound that we spend. There is a prioritisation task to do, but there is also an efficiency task to do, making sure that even when we say we want to protect something like the Blue Belt initiative, the money that we are putting into that is going where we want it to go, and we get the impact that we want to have. We are looking at that at the moment.



We have to make some quick decisions on our ODA programming, which we are in the process of doing. Over the next six to 12 months, we will need to make some further decisions, which will mean that we need to look at those programmes. Without wanting to be a hostage to fortune here, I cannot imagine a situation where we do not want to continue to prioritise climate and biodiversity as part of that spending.

Q239 Anna Gelderd: That is good to hear. Are you planning to continue the ringfencing of the £3 billion for nature within the international climate financing and ODA spending process going forward?

Baroness Chapman of Darlington: I get asked about ringfencing for lots of things every day and I do not like it. Rather than ringfencing x percentage for this or x money for that, we need to look again at what we get for what we spend. Where things are delivering and are having an impact, where they are in line with the Government's priorities, one of which is of course climate—and I hope you noticed the Foreign Secretary's speech at Kew earlier this year on how he wants to put nature at the heart of what we do—and where things are working and we can identify the funding and, ideally, where we can work with partners and other Governments to make sure that we are doing things in a co-ordinated way, then those are the things that I hope we will be able to continue to support.

It is tough. You do not take 40% of your budget away that quickly and not—when we say tough choices, we mean it. These are tough choices.

Q240 John Whitby: How are you ensuring that environmental obligations from international treaties, or targets such as 30 by 30, are on course to being delivered? I am happy with whoever answers.

Emma Hardy: One thing I was genuinely delighted about was that after we won the election, Prime Minister Starmer recommitted the UK Government to the high level panel for sustainable oceans and he nominated me as chair for that panel. I have met some of the co-chairs of that. This is 15 different countries working together.

Because international governance is so complex and there are so many various treaties and obligations when it comes to the oceans, the idea behind the high level panel for sustainable oceans is that we bring all that information together and that we create a cross-cutting plan by 2027 on what we want to achieve as an individual country. It is about looking at all our international obligations, bringing them together and saying, "This is what we want to do. This is our plan by 2027".

I am delighted that we have recommitted to that. Work is going on right now on pulling that plan together and making sure that it is effective for the future.

Q241 John Whitby: Going back to the overseas territories, in terms of marine protection, which overseas territory is the Government's highest concern and what is being done to make it less concerning?



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Emma Hardy: Overseas territories that we are responsible for—Jenny?

Baroness Chapman of Darlington: I do not know which one would be; they are all concerning for different reasons. I am concerned about Turks and Caicos because of security and the impact of Haiti. I am concerned about them all. Minister Doughty is responsible for our overseas territories, and he spends a lot of time discussing our various concerns with them. We have the Falkland Islands as well. They all have unique biodiversity and marine life. We have not done a ranking to say, "This one we will look after and that one we will not." I have never heard that discussed.

Emma Hardy: If I may come back, we should be incredibly proud as a country that we are highly regarded when it comes to work that we do on oceans, and we have a genuinely huge global influence right across that. I give a bit of a shout-out to the DEFRA team and what it does when it goes abroad, because it does these negotiations and works for us. We should all be incredibly proud that we are respected as a country that delivers when it comes to the oceans.

Q242 **Chris Hinchliff:** Minister Hardy, if I can start by quoting some written evidence we received from Oceana: "Marine planning systems in the UK, particularly in England...offer little strategic direction to avoid and balance competing interests in marine space." Given that the 2011 marine policy statement that guides all marine plans in the UK still contains policies such as seeking to maximise oil and gas production, is that policy statement still relevant and suitable for addressing the current challenges and priorities of the marine environment?

Emma Hardy: Oceana is a fantastic organisation and one of the many ENGOs that I meet and talk to. There are lots of hugely committed ENGOs in this area. This goes back to the point I made before that we need to think about marine spatial prioritisation. We need to think about marine planning. Lots of things have not been updated for a number of years under the previous Government. We are getting ahead in terms of thinking strategically about how we use the seas and where is the best place for conservation, the best place for offshore wind, and the best place for all the different priorities that this Government has.

One of the reasons we all want to deliver clean energy and clean power is so we will not be reliant on fossil fuels and we will have that just transition. This is all in the round. If we want to deliver our clean energy mission, we need to look at where we put offshore wind. That means we need to think about where it goes and making sure that it is in the right place and that we are still having the same level, if not better, of marine conservation that we had in the past.

Mike Rowe: Maybe I will add a couple of points in case it is helpful. There is quite a lot of work in a range of organisations you have probably heard about in this space. DESNZ is in the process of preparing via the NESO the strategic spatial energy plan, which it expects to deliver in



2026. You will have heard from The Crown Estate about its marine route map. The work that we have been undertaking in the Department, which the Minister has been leading on, on marine spatial prioritisation tries to holistically bring together all Government interests.

While it is true that the marine policy statement was published back in 2011, in 2023 the overarching energy policy statement included an updated section on marine considerations, which also flagged it. As part of that marine spatial prioritisation programme that the Minister mentioned, we will be reviewing how the marine policy statement and marine plans are operating and whether they need to be beefed up. We are trying to make sure we plug into the work that The Crown Estate is doing and that DESNZ is doing on the strategic spatial energy plan.

Q243 Chris Hinchliff: Certainly holistic planning would be welcome. I am not sure I detected an answer to the question of whether you think the 2011 marine policy statement is still relevant. Will you be updating that statement and, if so, when do you hope to do that?

Emma Hardy: Part of the statement refers to energy policy, so I am conscious as the DEFRA Minister that I am not speaking about DESNZ policy because that would be inappropriate. I hope I have explained what we are trying to do as a new Government, which is looking at prioritisation and making sure we have things in the right place.

As I say, to reiterate the point, we are not a regressive Government; we are not seeking to be regressive in any way at all. We are committed to 30 by 30. That is a commitment that we are all making and I will repeat again today. However, to deliver on what we want to do in terms of that just transition away from oil and gas, we need to build offshore wind. A lot of that offshore wind will be in our seas and that brings us back to the point of the competing priorities and how we manage that strategically.

Q244 Chris Hinchliff: I fear I may have slightly led us down an avenue because the point around oil and gas was merely given as an example of the ways it might be considered out of date. I will push one further time to see if I can get clarity on whether you are considering reviewing the marine policy statement and, if so, when you might intend to do that.

Emma Hardy: I hate to repeat myself as well. However, if it is related to energy policy, it would not be appropriate for me to speak about somebody else's brief.

Q245 Chris Hinchliff: Fine. To move on, how do you feel scientific evidence is integrated into policy decisions to ensure that economic activities taking place in the marine environment do not compromise long-term sustainability and protection?

Emma Hardy: We have some brilliant people working on science and innovation, and looking at our marine environment. In fact, lots of that evidence is partly what will guide the work we do on marine spatial prioritisation. They have also been looking at our MPA review. We need



that level of scientific evidence to make sure that we are putting things in the right place to see, if the fish stocks have moved, where they have moved to. We need that level of evidence; we need that understanding. It is a huge part of what we plan and what we do. We have R&D work going into this all the time. I do not know if you want to add any more to that, Mike.

Mike Rowe: Yes, I have a couple of examples, if helpful. We have talked about marine protected areas. When we are looking at the byelaws and the programme of byelaws that we are bringing in with MMO, Natural England and JNCC, they will look at the feature that we are trying to protect and what activity might damage it. That scientific input into the process is baked in right from the start to make sure that we take an evidence-based approach and that we are restricting activities that could potentially prevent an MPA from getting into a favourable or recovering condition in line with our target.

Equally, on fisheries, for example, we have excellent scientists at our organisation CEFAS who plug into international communities to make sure that, when we set annual fisheries negotiations and cap limits, fundamentally we are observing the requirements of the Fisheries Act and basing all those decisions on science. Ministers have to consider other objectives as part of that, as the EFRA Committee heard from our Minister Daniel Zeichner yesterday.

It is absolutely integrated. We have scientists within the core Department as well as scientists in a number of arm's length bodies.

Q246 **Chris Hinchliff:** The Corry review, published today, raised concerns about the limited scope of publicly shared data, noting a reduction in particular in the data collected and released by the Environment Agency. How could the data that helps to underpin scientific research and your decision making be made more accessible to others in environmental groups, local communities and industry to enable them to help monitor the effectiveness of the measures that you are pursuing?

Emma Hardy: This is an important point because, where there is a lack of transparency, people may misinterpret how decisions are made. My general rule of thumb is that I will try to be as transparent as possible unless there is a particular reason I am not able to share the data. Quite obviously, we might not share data and information about marine spatial prioritisation and the MOD. However, I am keen to share as much information so that people can understand, because we are being evidence based, how we made that decision and the reasons behind that decision. They might question the decision, but at least they can see from the evidence how that came about.

Of course, if you as a member of the Committee or the Committee wants to see or know more about any particular evidence, I would like to share as much as I can, as I say, unless there is a particular reason I am unable to.



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Q247 **Chris Hinchliff:** I am sure your commitment to transparency is welcome. Do you feel that the data is currently being made available in a sufficiently timely way to the wider community to enable monitoring of what the Government is doing?

Emma Hardy: The fact that it has come out in the Dan Corry review means that this is an area that needs improvement, so we need to have a look at it. It is highlighted as a potential problem, so we need to look at ways to address it and resolve that. We are working on that now.

Q248 **Mr Alistair Carmichael:** Minister Hardy, what has been the net impact on fishing opportunity as a consequence of the changes to the MPA designations that you have been describing?

Emma Hardy: On the changes that we are looking to prescribe, that goes back to the question on marine spatial prioritisation. I am pleased you have mentioned that because it highlights even within the Committee the different tensions when it comes to managing the oceans. In the marine spatial prioritisation, we have the fishing community represented, of course, by Daniel Zeichner, so he is part of those conversations. As I highlighted, when you are looking at spatial squeeze and where you can put things, there will be an impact. My written ministerial statement acknowledged the fact that there will be an impact on fishing—

Q249 **Mr Alistair Carmichael:** Can you quantify that impact?

Emma Hardy: At this moment, no, because we do not know where we will put MPAs in the future and where we have got to at this stage of marine spatial prioritisation. That would be impossible to quantify at this moment. However, even though I sit here as the marine conservationist, if you like, I still talk to—

Mr Alistair Carmichael: I am sure we all do.

Emma Hardy: Of course. I still talk to the fishing community as well. We still have those conversations to see how we can best manage it. There is a spatial squeeze. There is no getting around it. That is a challenge and that is why we need to think about it strategically. *[Interruption.]*

Chair: Thank you. I regret that we have been interrupted again by a Division, so I am afraid I will have to suspend this sitting again.

Sitting suspended for a Division in the House.

On resuming—

Q250 **Chair:** We were hearing from my colleague Alistair Carmichael. Back to you, please.

Mr Alistair Carmichael: Minister Hardy, when do you envisage bringing forward proposals for HPMAs?



Emma Hardy: In terms of new proposals for HPMAs? So that I have understood, is that about designating new HPMAs?

Mr Alistair Carmichael: Yes, new HPMAs.

Emma Hardy: Designating new ones, okay. Under the MPA review, we are looking at all of them and HPMAs are included in that, but at the moment, in that review, we are not considering designating new HPMAs. It is looking at whether the things we have are in the right place.

Also, importantly, some of the HPMAs have not had all of the legislation passed required or the rules passed required to truly make them into HPMAs. Those three that we have designated to begin with were designated as pilot projects so that we could learn from them and understand and look at the evidence.

My priority is to make sure that the HPMAs have all the rules required to truly make them HPMAs and then look at the learning from the pilot projects before I would look at where else we could put HPMAs at the moment.

Q251 **Mr Alistair Carmichael:** What do you anticipate will be the net effect on fishing opportunity once you make these designations?

Emma Hardy: To be clear, going back to spatial squeeze and all the concerns around that, the fishing community is fully represented in all of those conversations around spatial squeeze by the Minister for fisheries, Minister Zeichner, but part of the—

Mr Alistair Carmichael: He is a wonderful Minister, but he is not a fisherman.

Emma Hardy: He is a wonderful Minister. We also talk directly to the fishing community as well. Part of the difficulty at the moment is that because we are doing the marine spatial prioritisation, of course we do not know at the moment where the offshore wind will be because that is part of having the strategic plan.

However, to offer you some reassurance and to offer the fishing community, I hope, some reassurance as well, we have fed into the MMO around vessel monitoring data and looking at various models so that we have a clear picture of where people are fishing. To make an evidence-based decision about where you put something strategically, you need to know what fishing is happening there and what is going on. They have fantastic models that ping back location information so that we can look at where these vessels are, and we can look at where the key areas are.

Of course, we are listening to the fishing community when they have come to us with their own information and we are having conversations like, "Do not put anything there. That is a key catch ground. Okay, you could put it there." They are the kinds of conversations that we are



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having. Then we are overlaying all this information to produce our strategic plan for what we are doing with this ocean.

Mike and his team—and I am conscious that I am not the Minister for fisheries, but I do have the Director for Fisheries with me—meet the fishing industry regularly. Is there anything else you want to add?

Mike Rowe: It happens at multiple levels. We will meet as the Government with the fishing industry. The Crown Estate will also engage directly with the fishing industry. When they are thinking about which parts of the seabed to lease, they will consider the importance of those grounds. Even individual developers will also have discussions with the fishing industry to try to make sure that all those decisions are conscious and are based on evidence.

Q252 **Mr Alistair Carmichael:** The Crown Estate will tell you that their priority is to maximise economic benefit to the Treasury, so it is not necessarily about fishing any more, is it?

Mike Rowe: I think The Crown Estate would say that they have also prioritised supporting sustainable development at sea and delivering for nature as well. We have seen in recent years the level of engagement The Crown Estate are undertaking with the fisheries industry. There has been a step change upwards in that.

Emma Hardy: To mention one success story with the marine spatial prioritisation —because who does not like to share success—in the past I was informed that there was regular conflict with the fishing community about the telecommunications cables that go along the bottom of the ground and the types of fishing and how that disrupted the cables. Through the marine spatial prioritisation programme, we have been able to bring them together to produce a solution that works for the cabling so that they are not accidentally dragging up the cables when they are fishing. That works for the fishing community as well.

I do not want to give the impression—and apologies if I have—that this is just designating one area and saying, “That is the sole use of this. That is the sole use of that.” There are opportunities for co-location if we think quite carefully about how we do things. There are opportunities for co-location and bringing people together and saying, “Okay, you have cabling going down here, but if you fish just that side of it, you will not interrupt the cable.” Everyone is happy because sometimes we can have everyone as a winner.

Q253 **Mr Alistair Carmichael:** Indeed, we all know that. Look, I am sure the trawlermen of Cambridge will be well represented by Minister Zeichner, but what message should you take from the experience of the SNP-Green coalition in Holyrood and its efforts to introduce HPMAs?

Emma Hardy: It is devolved, so I was completely respectful of—

Mr Alistair Carmichael: You will be aware of how it worked for them.



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Emma Hardy: I am aware of how it went, but I want to say for the record that I respect that it is a devolved decision, and it is a devolved Government.

Of course, you are looking at where you are putting things. From my understanding of that situation—and I respect you are closer to it than I am—one important thing is talking to the local community and engaging thoroughly with the local community. When we are making decisions around marine prioritisation and where we will put things, we need to recognise that we have those conversations and have community support.

Mr Alistair Carmichael: At the end of the day, nobody will get everything that they want, but we have to make sure that everybody feels they have had a fair crack of the whip.

Emma Hardy: One hundred per cent.

Mr Alistair Carmichael: Good luck with that.

Emma Hardy: Thank you.

Chair: I will bring in Blake Stevenson now. Could you do the question to Baroness Chapman first and then we will work from there?

Q254 **Blake Stephenson:** Yes; thank you, Chair. Baroness Chapman, what are the timelines to ratify the high seas treaty and what stage are the Government at?

Baroness Chapman of Darlington: We are completely committed to it. We will ratify when we have our legal ducks in a row. I need to get some space in the parliamentary time to be able to do that. You will understand we are a new Government, and it is a bit of a crowded field at the moment, but we are committed to it and we will do it.

Q255 **Blake Stephenson:** Do you have a timeline in mind?

Baroness Chapman of Darlington: No.

Blake Stephenson: None whatsoever?

Baroness Chapman of Darlington: I would love a timeline. I would love the Chief Whip and the Leader of the House to tell me, "This is when we will do it," but we are not in that place at the moment.

Q256 **Blake Stephenson:** You will not be ambitious enough to commit to June.

Baroness Chapman of Darlington: Me?

Blake Stephenson: Yes.

Baroness Chapman of Darlington: That would be stupid—no. I would not want to give the impression that not having a fixed point in the parliamentary calendar in any way diminishes our commitment, because



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it does not. I talk about BBNJ with partners across the world all the time to reiterate our commitment. It is solid.

Q257 **Blake Stephenson:** I understand that. You talked about getting legal ducks in a row, which makes perfect sense. Are there particular issues in implementing the legislation or is it purely a timetabling matter?

Baroness Chapman of Darlington: There are no legal issues. It is about timetabling. Inevitably when you present something to Parliament, something may come up. Because we respect the work of both Houses, we are open to issues being raised, but I am not anticipating any issues like that, no.

Q258 **Blake Stephenson:** In terms of the resourcing that has been allocated to getting this over the line, to clarify, is it not a resourcing issue but purely a timetabling issue?

Baroness Chapman of Darlington: It is not a resourcing issue, no.

Emma Hardy: On the back of that, to show our commitment to it even though it has not been ratified by Parliament yet, we know that DEFRA has already commissioned research to have a look at potential area-based management tools for the future, including marine protected areas. We are already looking at getting ahead so that, when it is ratified, we are ready to go straightaway. We are doing the research now, even though the ratification has not gone through Parliament so that we can hit the ground running. We are committed to BBNJ.

Q259 **Blake Stephenson:** Your commitment is clear. You have said you are committed quite a few times there. So far, 21 countries have ratified the treaty, but quickly—and I will make this the last question—is it embarrassing that we have not got this over the line when you are in front of all these countries?

Baroness Chapman of Darlington: Excuse me for getting my handbag; I have to go. No, it is not embarrassing. People understand. We have similar conversations with other countries on things that we want them to hurry up and do around the CPTPP and things like that. It is not unusual; other states understand. Everybody has their own parliamentary obligations and pressures on their systems. When we speak Minister to Minister or official to official, it is well understood. It is not as if we are the last state, either. People understand where we are coming from, and they agree that we are committed, and they are glad that we are.

Blake Stephenson: Baroness Chapman needs to go.

Q260 **Chair:** Baroness Chapman, thanks very much. We would love you to come back if you can because we have more for you.

Baroness Chapman of Darlington: Okay, I will.

Chair: I will now go to Sarah Gibson, who has a question for Minister Hardy.



Q261 **Sarah Gibson:** Minister Hardy, would you be able to update the Committee on what measures are being taken to monitor the environmental impacts of the recent collision in the North sea and what action is being taken to prevent damage to the marine and coastal environment? I note that my question, if Baroness Chapman is able to come back, is to do with plastics; there have been quite a lot of plastic deposits from that collision as well.

Emma Hardy: Yes. I should mention for the record that of course this is near my constituency as well, so there is also a constituency issue here.

I have to say the MCA did a great job. It immediately began retrieval, which is happening at beaches, and encouraged the public not to go and retrieve some of it themselves because we are looking at all of it. It has surface skimmers that can operate in shallow water, towing a net behind to recover some of the individual nurdles. We also have skimmers and booms to collect some nurdles on the surface of the water as well. We have asked, as I say, the public to call the local authority rather than pick it up themselves to accurately assess the levels of the pollution.

Aerial flyovers have looked at the levels of pollution at the moment. The good news is they are not currently observing further nurdles in the water at this moment. It is part of a national contingency plan for responding to marine pollution that has been enacted.

The immediate response to this awful incident is of course led by the DFT but DEFRA comes in when it comes to looking at the environmental side of it. We are pleased that it has not had the great environmental impact that it could have done—that is to be welcomed. One of my other portfolios is air pollution and there was a great amount of local anxiety about that. We are delighted that it did not show increased levels of air pollution, but we still have nurdles at sea, Chair.

Q262 **Chris Hinchliff:** I want to follow up, Minister, if I may, briefly on the discussion we were having before the previous Division around the 2011 marine policy statement. I want to clarify, thanks to the expertise of the Committee Clerks, that the marine policy statement sits with DEFRA, not DESNZ. In terms of my question as to whether you are considering updating that policy statement and, if so, when you might look to do that, we do not need to reopen that for the sake of the timings, but I would be grateful if you could write to the Committee to confirm those two points.

Emma Hardy: I am happy to.

Q263 **Barry Gardiner:** Minister, we heard that you are at the point of trying to get BBNJ ocean treaty ratified, which is great news, and you talked about the work that is being done that will mean that you can get on with it quickly. We heard from the witness earlier today from the MMO that they have completed their work on stage 3 and that that is now “on Ministers’ desks.” What is holding up stage 3?



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Emma Hardy: So that I have not conflated the two things, on BBNJ, of course, we have the research going, so—

Barry Gardiner: I was trying to lead in gently.

Emma Hardy: You are doing me a linking—

Barry Gardiner: I was asking you for the good things that you are trying to do ahead of time while pointing out that some good things have already been done that you have not yet implemented. You did undertake to do so by the end of last year and of course good ecological status was promised by 2020, and we still do not have it. We could go on.

The state of our seas is perilous. Given what the chair of the EFRA Committee said and what you said about the great science that we have, fishing quotas—TACs—were set above what the scientists said in 50% of cases. I am trying to dig down into that and ask why we cannot get on with stage 3 because the MMO says it is already there on your desk.

Emma Hardy: I totally understand. To give the overarching response, I want to get this right. I want to make sure that we have this right. Stage 3 byelaws cover 43 MPAs. That is 13% of English waters—almost three times the size of the previous stage when we were looking at the byelaws. Almost half of the UK fishing fleet catches through bottom trawling and would be impacted. It is of a huge scale—much greater than it was last time—so I want to make sure that I get this right.

It is important that we work through the process. As a new Minister, it is important that I understand it all and I am talked through the consequences because one danger for any Minister is not understanding the unintended consequences when you make a decision. You will know yourself from your time in DEFRA that there are competing priorities. I want to understand it properly and I want to get it right. That means it is taking a bit longer than it would have done, but I would rather take a bit longer and make good policy decisions than rush something through that I do not fully understand the consequences of.

Q264 **Blake Stephenson:** Minister, we have heard concerns throughout this inquiry that, in practice, co-ordination between Departments across Government in governing the marine environment is not working effectively. A piece of written evidence to this Committee received from RenewableUK says that, “the offshore wind industry is concerned about the lack of joined-up work...across government...leading to siloed thinking”. Professor Melanie Austen told the Committee that there is a bit of a mismatch between who is doing what and where. How do you respond to these concerns and what steps will you take to improve cross-departmental collaboration?

Emma Hardy: Absolutely. As you know, clean energy power is a huge mission of the Government and an important priority. I have been talking to some of the offshore wind industry about what is holding up consent,



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what is holding up planning and why they have not been able to go on with projects as quickly as they could under the previous Government. It comes back to marine spatial prioritisation and looking at where we put things. If they know, for example, that we have allocated, almost, a particular area of the sea for offshore wind, it helps them with the planning process.

One other important thing we are doing is around the Marine Recovery Fund, which is similar to what is happening on land at the moment. At the moment, you have to go through all the compensatory measures that you have to do if you are building offshore wind to compensate against damage. We are looking to create—and it was in my written ministerial statement that came out in January—a Marine Recovery Fund. This could be genuinely exciting. At the moment, you compensate on a very strict basis, and this is where you see those artificial nesting sites appearing around the country.

The Marine Recovery Fund would be a fund that different developers could pay into, and you could do something quite special. Quite a lot of money is coming in from offshore wind to do something impressive on the environment. I would love to write to the Committee or tell the Committee more about this so that I can hear your thoughts, and also those of all the environmental groups. We want to consult on this Marine Recovery Fund. We will potentially have quite a lot of money coming into it from all the offshore wind that will happen, so let's do something brilliant. Let's do something special when it comes to marine conservation and use this money to do it.

Q265 Blake Stephenson: In addition to the Marine Recovery Fund—and it would be good to write to the Committee and describe that from your perspective and how great that is—how does your Department co-ordinate with The Crown Estate and the Marine Management Organisation to ensure effective marine planning?

Emma Hardy: This is the marine spatial prioritisation. We meet The Crown Estate. The Crown Estate of course is responsible for leasing the seabed and determining what goes where. We are having those conversations with different Ministers from different Departments along with The Crown Estate to look at what we are putting where. We have regular conversations with The Crown Estate about this.

Offshore wind developers want this as well—they want some certainty. If we say, "Okay, you will go ahead with leasing this particular area," they do not want to find out in a few years' time when they have got so far down the consenting process that now we want to allocate that as a marine protected area. They want to know that from the beginning, which is why planning and having that strategic plan from the beginning matters so much.

The Marine Recovery Fund has been welcomed by industry. They were pleased about it.



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Mike Rowe: I have one technical detail. I mentioned earlier how DEFRA has initiated some work on our marine spatial prioritisation programme across Government and how The Crown Estate is doing work on its marine route map and how DESNZ is doing work on the strategic spatial energy plan. The data that the Minister mentioned that we get from the MMO on vessel monitoring to build that fishing picture, and the data we have on where our MPAs are and their condition, has been fed into both The Crown Estate's work and into the DESNZ work on the strategic plan. Ideally, everyone is working off the same dataset, even if The Crown Estate and DESNZ will be looking at it from a slightly different angle, whereas the Minister is responsible for all interests in the marine environment.

Q266 **Blake Stephenson:** You mentioned the marine delivery route map, which leads me on to my final question. Will the Government consider adopting it as a strategic tool for marine planning?

Emma Hardy: As I say, our priority is to go through, looking at MSP, marine spatial prioritisation, and then, as I announced in my written statement around the Marine Recovery Fund, we want to help unlock growth. It is a priority for the Government. It is one of the five priorities for the Government so, clearly, it is a priority for this Department.

It comes back to, I suppose, my general feeling about most things I am asked. How do we do this in the best way? How can I do this well? To me, looking at delivering on our clean energy mission and delivering on protecting the environment and respecting the needs of the fishing community with this strategic approach is the best way to do it, bearing in mind that we might not please everyone all the time. Hopefully, we will please some of the people some of the time.

Blake Stephenson: That is a good point to end on.

Q267 **Chair:** To clarify that, we had heard the evidence that Mr Stephenson referred to. You have spoken effusively about working together. Do you not recognise that criticism of organisations like RenewableUK make of the Government? Do you think they are wrong?

Emma Hardy: They were right to make those criticisms in the past—absolutely. I hope they would say that they can see we are trying to take a different approach. It has been the case—and it has been the case for a long time—that there has not been a strategic plan. I hope they would recognise we have come in as a new Government and we are trying to do things differently. We have not been able to change everything immediately, but I hope they will see that we are moving to more strategic planning and that we are taking their concerns seriously and we are committed to the green energy mission.

Chair: In fairness, those representations we heard were under this Government. They were part of this review. Whether they now think things have changed, we will ask them.



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Q268 **Sarah Gibson:** Thank you very much for returning, Baroness Chapman, because I have one last quick question for you. Would you be able to provide us with an update on the global plastics treaty?

Baroness Chapman of Darlington: Emma knows more about this than me. I have met the Government of Ecuador and discussed this, and I have met the ambassador for Ecuador; I saw him in the Palace last night briefly as well. They did an amazing job on this. The amount of support they are able to galvanise internationally is fantastic. They have responsibility for Galapagos, and it is great to see they are becoming leaders in this. That is encouraging from my point of view and from a geopolitical perspective. The ambassador meets Emma, too, so she might be best placed to answer.

Emma Hardy: I love this—this is really exciting. We are as the UK part of the high ambition coalition. We were not internationally able to negotiate the final treaty, so negotiations will be happening again this year, but that was not for the lack of UK passion, involvement and commitment. The DEFRA team—to use a non-ministerial word—smashed it out there. They were absolutely brilliant, and they drove it forward.

I have to say the commitment from His Majesty, who held a reception beforehand and got a number of companies that were involved in the UK to sign up to a plastics statement as well, was incredibly helpful going into that. We went in there with an ambitious, united commitment to the plastics treaty.

I will not pretend it is not disappointing that it was not agreed internationally, but we fight on. We keep going. We will go again, and we hope that we will get there eventually. It is incredibly important that we have this. The more countries that recognise that, the better.

I met the Ecuadorian ambassador, who is leading the treaty, only a couple of weeks ago to talk about what more we can do as the UK, how we can show global leadership and how we can use our position to, hopefully, try to influence as many countries as we possibly can to agree with us that this is a great treaty. We are completely committed to it and, hopefully, we will get that international agreement when we go back to negotiations again.

Q269 **Sarah Gibson:** You feel that we are taking a lead on this. In what specific ways do you say that we are managing to show leadership in that? What timeline do they have for trying to put this back to an agreement?

Emma Hardy: I have to apologise if I am slightly mindful about how I talk about negotiations that are going on in the background, so apologies for that. Conversations are happening with other countries where we have allegiances and alliances, and those conversations are going on at the moment. I suppose, as you would ahead of any negotiation, we try to align as many people as possible. Negotiations will resume formally in



August. I am hoping there might be an opportunity to bump into a few people in the June conference as well and continue these conversations.

I genuinely feel the UK has been leading on this. We are part of the high ambition coalition. You do not get much higher than the support of His Majesty hosting a reception to invite and influence lots of people in terms of the weight behind what we are trying to do here. We have had complete commitment as a country. We should all feel proud of that.

Q270 Chair: Minister Hardy, one of my diligent colleagues has shared a tweet from your boss, Secretary of State Steve Reed, from before the election saying, "Britain's marine life is under threat thanks to this Conservative Government. Labour will stop destructive bottom trawling destroying ocean ecosystems." I may have even retweeted it myself.

Now we are here, notwithstanding what you have said, that was pretty unequivocal language in that tweet. Is that still the policy? If so, when will it have been delivered?

Emma Hardy: If I had not got rid of my Twitter account, I would have retweeted it myself, too.

It goes back to the conversation we were having about when we can get the stage 3 byelaws passed. We are committed to not having bottom trawling in areas that damage the MPAs, especially when they are attached to features that we are trying to protect. We have heard on the Committee today about balancing different interests. I know it is frustrating, and I recognise the frustration that we have not bought those byelaws in yet. I take that and I understand that, and I hear it regularly.

All I can say is that we are looking at this carefully. As soon as I bring those forward, I will make sure I inform the Committee straightaway, but I do feel it is important that we get this right and so forgive me taking a little—

Q271 Chair: The policy has not changed? The delay is on clarifying what Mr Reed meant when he tweeted that?

Emma Hardy: No. The policy has not changed. The delay is on making sure that I am making the right decision and that I have all the evidence required to make the best decision. I would rather spend a bit longer—a few more months—doing that than make a decision that I regret later on.

Chair: Okay. Thank you very much indeed, both of you. It has been a difficult session in terms of having to go off for votes. We are grateful to you both for extending the time you had originally allocated and returning. Thank you very much indeed, to both you and your colleagues.