

MARINE AND COASTAL ACCESS ACT 2009

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

Background

4. In 2002, the Government published its Marine Stewardship Report¹ which set out a “vision for the marine environment”. A number of other reports and reviews followed, suggesting that a new approach to managing all marine activities was needed, together with legislation to implement it.
5. In March 2006, the Government published a consultation document on the aims and scope of a Marine Bill.² A summary of responses to the consultation was published in October 2006³.
6. In March 2007, the Government published a Marine Bill White Paper⁴ putting forward proposals for legislative measures to introduce new arrangements for the sustainable management of activities and protection of resources in the UK’s marine area.
7. The White Paper set out proposals covering:
 - a) a new marine planning system
 - b) a new system for licensing marine developments
 - c) a flexible mechanism to protect natural resources, including marine conservation zones with clear objectives
 - d) changes to the management of marine fisheries
 - e) a Marine Management Organisation to discharge these and other marine functions on behalf of UK Government
8. The provisions on migratory and freshwater fisheries were developed from recommendations made to Government by the Salmon and Freshwater Review Group in 2000, which received input from a large number of interested individuals and organisations. Provisions to improve access to the coast were consulted on by Government during 2007.⁵
9. In April 2008, the Government published the draft Marine Bill for public consultation and pre-legislative scrutiny.⁶
10. The draft Bill was scrutinised by a Joint Committee of the House of Commons and the House of Lords. The coastal access provisions were also scrutinised by the House of Commons Environment, Food and Rural Affairs Committee. The EFRA Committee⁷

¹ <http://www.defra.gov.uk/environment/water/marine/uk/stewardship/index.htm>.

² <http://www.defra.gov.uk/marine>.

³ <http://www.defra.gov.uk/marine>.

⁴ <http://www.defra.gov.uk/marine> Cm 7047.

⁵ <http://www.defra.gov.uk/corporate/consult/coast-access/index.htm>.

⁶ <http://www.defra.gov.uk/marine>.

⁷ <http://www.publications.parliament.uk/pa/cm200708/cmselect/cmenvfru/656/65602.htm>.

*These notes refer to the Marine and Coastal Access Act 2009
(c.23) which received Royal Assent on 12th November 2009*

reported on 22 July with 23 recommendations, and the Joint Committee⁸ reported on 30 July with 96 recommendations. The Government's response to these recommendations was published on 25 September 2008.⁹

11. Alongside the pre-legislative scrutiny, the draft Bill and an accompanying policy paper and Impact Assessment were published for public consultation. The consultation ran from 3 April to 26 June. The Government's summary of consultation responses was published on 25 September 2008.¹⁰

⁸ <http://www.publications.parliament.uk/pa/jt200708/jtselect/jtmarine/159/15902.htm>.

⁹ <http://www.defra.gov.uk/marine>.

¹⁰ <http://www.defra.gov.uk/marine>.