



House of Commons
Environmental Audit Committee

**Marine Protected Areas
Revisited: Government
Response to the
Committee's Tenth
Report of Session
2016–17**

**Second Special Report of Session
2017–19**

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Environmental Audit Committee

The Environmental Audit Committee is appointed by the House of Commons to consider to what extent the policies and programmes of government departments and non-departmental public bodies contribute to environmental protection and sustainable development; to audit their performance against such targets as may be set for them by Her Majesty's Ministers; and to report thereon to the House.

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Committee staff

The current staff of the Committee are David Slater (Clerk), Nina Foster (Second Clerk), Tom Leveridge (Senior Committee Specialist), Ian Cruse, (Committee Specialist), Ameet Chudasama (Senior Committee Assistant) and Baris Tufeki (Committee Assistant).

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Second Special Report

The Environmental Audit Committee published its Tenth Report of Session 2016–17, on [Marine Protected Areas Revisited](#), HC 597 on 25 April 2017. The Government’s response was received on 13 July 2017 and is appended to this report.

Appendix: Government response

Her Majesty’s Government thanks the committee for its report ‘Marine Protected Areas Revisited’ which focused on the Government’s progress on implementing a network of Marine Protected Areas (MPAs) around the UK, since its last inquiry in 2014 and progress of the domestic network of Marine Conservation Zones (MCZs) around England, as well as creating a “Blue Belt” of marine protection around the Overseas Territories.

Marine conservation measures are important to protect our seas, preserve underwater habitats and help sea life flourish. As the custodians of the fifth-largest marine estate in the world, the UK and the Overseas Territories acknowledge our responsibility to protect these unique and fragile environments, and have been keen to demonstrate leadership with ambitious policies such as the Blue Belt. This has been further demonstrated recently with our commitments at the UN Ocean Conference in June, which included a voluntary commitment on MPAs, and highlighted the UK’s international leadership to protect the marine environment.

The suite of MPAs is designed to protect and enhance the marine environments of the Overseas Territories and around the UK coast, whilst supporting the sustainable use of its resources. The Blue Belt programme in UK Overseas Territories, together with domestic designations of MPAs, will significantly contribute to the UK fulfilling its international commitments under the Convention on Biological Diversity, which include a target of 10% of global waters protected by 2020.

The UK is at the forefront of designating marine sites. We have 296 MPAs in UK waters, which make up over half of all MPAs within the north east Atlantic network. In English waters there are currently 50 MCZs, which alone protect over 20,000km². In addition we have 43 Special Protection Areas for seabirds and 39 marine Special Areas of Conservation in England, covering approximately 61,000km².

We expect to consult on a third tranche of MCZs in the next year with the aim of completing our contribution to an ecologically coherent network of MPAs by 2019.

We are currently on track to deliver over 4 million km² of protected ocean around the UK Overseas Territories by 2020, and are working with the relevant Territories to ensure these areas are effectively managed and enforced.

To deliver conservation benefits, effective management of MPAs is necessary. For inshore fisheries activities in England Inshore Fisheries and Conservation Associations (IFCAs) and the Marine Management Organisation (MMO) had identified all management measures for Tranche 1 sites by the end of 2016. The regulators working with fisheries and other marine interests have been very thorough in ensuring that measures are applied on a case-by-case basis, in a proportionate and effective way.

There are now 29 new and 25 legacy byelaws in place to provide protection inshore with a further 21 expected in 2017. In addition there are 15 new voluntary agreements in place and 2 new Regulatory Orders. For offshore waters the Government is currently developing fisheries management measures for 17 MPAs.

Designating and effectively managing MPAs is just one tool that we can use to protect the marine environment. We also have a first-class marine licensing system and are rolling out an effective system of Marine Plans.

Within the UK Overseas Territories the MMO and the Centre for Environment, Fisheries and Aquaculture Science (Cefas) have begun working with Territory Governments to develop and implement effective and efficient marine management frameworks supported by a robust scientific understanding of the marine environment.

Response to the EAC recommendations

1. *The Government should not make perfection the enemy of the good by using a lack of ‘perfect data’ as an excuse to delay the designation of sites. The Government must adopt a precautionary principle approach to Tranche 3 site selection and designations should be made using ‘best available’ data. (paragraph 18 of the report).*

The Regional Projects used the best evidence available to them when developing their recommendations for MCZs. Whilst much of what they provided informed the assessment of the importance of the site to the network, in some cases further work was required to establish whether the features that make the site important are there and to what extent.

It is vital that there is an adequate evidence base for each individual site to ensure we have successful, well-managed MCZs. For a site to be designated, and subsequently managed, there needs to be certainty that the feature is present on the site and of its extent. This is a reasonable evidence base to support decisions that may have economic impacts on peoples’ livelihoods and result in enforcement and monitoring costs that fall on the tax payer. We have taken a more precautionary approach towards some higher risk features and designated these with less supporting evidence.

The Government has been addressing the weakness of the evidence base through a programme of surveys. This has improved our understanding on the location and type of features within proposed MCZs. Direct total expenditure by Defra on survey work since 2011/12 exceeds £17m and surveyed 59 MPA sites, covering an area of approx. 50km², to improve our confidence of the scientific evidence.

2. *In selecting the third tranche of MCZs, Defra Ministers must take note of the statutory nature conservation bodies’ ‘gap analysis’ and ensure it fills all the gaps identified. This must include designation of sites to protect both sand and mud habitats and sites for mobile species. (Paragraph 18 of the report).*

To support the selection of sites we have been working with the Joint Nature Conservation Committee (JNCC) and Natural England to take stock of the habitats and species protected in existing and planned MPAs. We commissioned analysis by the JNCC to identify gaps within the network and this analysis is the basis on which we are considering potential sites for inclusion in the third tranche.

The gap analysis covers features that JNCC and Natural England advised were important to the integrity of the marine network and will be considered. These are mostly seabed habitats, which include sand and mud, and the species that live on and in them, plus some low-mobility species that have been identified as being particularly at risk.

Highly-mobile species are already well represented in our MPA network: there are 104 Special Protection Areas for seabirds and 44 marine Special Areas of Conservation in UK waters, protecting mobile species such as bottle nosed dolphin, seals and otters. This includes 5 sites recently proposed for harbour porpoise, awaiting European Commission approval.

MCZs for highly-mobile species are not appropriate if they are already well-represented in the MPA network, or where it is considered that spatial protection measures are not the most effective means of conserving the species. In 2010 the JNCC and Natural England recommended that the only highly-mobile species for which MCZs may be suitable were undulate ray, smelt and European eels. Since then, updated advice is that for European eels, and smelt in the offshore region, it is unlikely that MCZs provide any additional protection over and above other conservation mechanisms, due to the variability in the sites they use. Smelt and black sea bream are however, protected in some existing MCZs.

Other measures such as fisheries management, by-catch mitigation measures and protected species licensing, are likely to provide better conservation for such species, meaning further MCZs for mobile species will be the exception rather than the rule.

As with other MCZs, we will also consider the benefits of designation and likely socio-economic implications. We will seek to strike the right balance between effective conservation of the species and the social and economic costs associated with designation. Stakeholders will have the opportunity to comment on any sites for highly mobile species included in the third tranche consultation.

3. *The third tranche must be considerably more ambitious and larger than the two previous tranches, bringing the total number of MCZs much closer to the 127 zones originally recommended. (Paragraph 18 of the report.)*

As set out in the manifesto, we are committed to continuing our work to conserve the marine environment off the coast of the United Kingdom. As part of that commitment, we are aiming for the third tranche of MCZs to complete our contribution to the international ecologically coherent network in the north east Atlantic and our domestic obligation to form a network of sites which protect the range of features in the UK marine area. Filling all the gaps essentially means making sure a suitable proportion of all our habitats and species are included in MPAs, in the regions where we have evidence of their occurrence.

For this final tranche of MCZs we will have considered the merits of all sites proposed by the Regional Project, but we do not expect all of them to be suitable or needed to complete the network.

4. *Given the time that has elapsed since the 127 zones were identified, we are concerned by the delay in designating all the sites that will be required to achieve an Ecologically Coherent Network. The Government has indicated that the timescale for the third tranche may slip even further. We think this is unacceptable, and call on the Government to bring forward proposals as soon as possible. (Paragraph 18 of the report.)*

The Government agrees that it is important to designate suitable sites as quickly as possible but it is also important to get it right. It is vital that there is an adequate evidence base for each site to ensure successful, well-managed MCZs. We will not make rushed decisions, nor make decisions which are not based on evidence. Some MCZs may have potentially significant impacts on sea users so it is right that we take the time necessary to consider options to best reduce any impacts, whilst still delivering the sites' conservation aims.

5. *Whilst designating MPAs is important, their benefits will only be realised if they are effectively managed. Once a site is designated as an MPA, the MMO and the IFCAs should make this the primary consideration in management and decision-making. It is essential that the Government put in place strong monitoring and surveillance regimes to deter illegal activity. The Government must establish a fully integrated monitoring and surveillance regime. To achieve this, the management organisations should approve an inshore vessel monitoring system suitable for tracking smaller vessels. The Government should also consider investing in aerial and seaborne drones. The Government should integrate intelligence from inshore VMS into the current VMS hub, so that all information can be viewed centrally. (Paragraph 22 of the report).*

The Government is considering options for the effective monitoring of fishing vessels through the Vessel Monitoring Working Group. Part of this project is looking at how best to integrate vessel monitoring intelligence into the Vessel Monitoring System (VMS) hub. Once proposals have been developed they will be subject to Government regulatory scrutiny and public consultation.

Assessment of MPA site condition is undertaken by the statutory nature conservation agencies, supported by survey monitoring provided by CEFAS and a range of other sources on a rolling programme and the first monitoring reports are coming through now for sites designated in Tranche 1.

Natural England is working with the IFCAs and the MMO to capture the existing management measures already in place to protect designated sites and features. Data collated by MMO and IFCAs is currently being loaded into a test Designated Sites System. The aim is to allow examination of the existing condition of features and threats or pressures relating to them together with management measure in place to protect them. This work should be completed by spring 2018.

Further investment in monitoring systems and technologies will be for regulators to consider and may well form part of fisheries management following the UK's exit from the EU.

6. *In response to this report, the Government should provide its assessment of any additional budget and resources that will be provided to the MMO and the IFCAs to enable them effectively to manage the third tranche of MCZs and designated MPAs. The Government should look at using revenues raised by the aggregates levy to fund marine protection. If the Government is not prepared to provide extra resources, it should set out what consultation it has had with these bodies and provide evidence which shows that the considerable additional responsibilities can be met within existing budgets. The Government should also ensure all IFCAs receive the full funding they are entitled to*

and that the MMO's budget is not cut further. The Government should commit to make up any loss of EU funding to the MMO as a result of Britain's exit from the European Union. (Paragraph 28 of the report.)

The Government expects the UK's MPAs to be effectively managed and for existing and future protections to be enforced by regulators. Future resourcing for marine regulators will take this expectation into account. Funding is a decision for Ministers and various options for supporting this enforcement work after the UK leaves the EU are under consideration.

7. *The Government should recognise that reference areas are an essential component of any ecologically coherent and well-managed network of MPAs. Therefore, to complete the network, the Government must commit to establishing reference areas within MPAs in each biogeographic region, using best available evidence assessed against the Ecological Network Guidance criteria. The Government must consult those likely to have an interest in the sites selected.*

Reference areas provide the Government with a means to assess how well the MPA network is performing and help them to understand the potential for recovery in the absence of human activities. This data should then be utilised to provide management targets for other sites. Given the problems with the current MPA communications strategy, reference areas must be utilised to showcase the potential benefits of MPAs. We believe that these areas should be called 'recovery areas' rather than 'reference areas' to more accurately reflect the conservation objectives of these sites.

The Government must publish the outcomes of the CEFAS study and, if it chooses not to proceed with reference areas, it must outline what other forms of data will be used to assess progress against conservation objectives. (Paragraphs 36, 37 and 38 of the report).

Reference Areas were a highly controversial aspect of the Regional Projects' recommendations, with differing levels of stakeholder engagement within each Regional Project as the recommendations were developed. The fundamental question is whether the added conservation value of Reference Areas, compared to other MPAs, outweighs the additional impacts they will have on sea users. Many stakeholders did not support the final recommendations. Subsequent scientific advice, from JNCC, Natural England and the independent Science Advisory Panel, was that the specific proposals in the original stakeholder engagement were too small to provide the necessary benefits.

8. *The Government should ensure that all European Marine Sites are transferred into English law via the Great Repeal Bill and that reporting, monitoring, evaluation and enforcement structures are preserved and set out in a new Environmental Protection Act, or Fisheries Act. To contribute to the health of the marine environment as a whole, the Government must continue to designate sites to protect habitats and species of both European and national importance. Designation does not guarantee protection so the Government should ensure that this is carried out in such a way that retains or improves upon the level of environmental protection and enforcement currently provided in the EU. The Government must work with other member states to ensure that management recommendations are in place for all designated MPAs before the UK leaves the EU. It must ensure that the process of exiting the EU does not create paralysis in establishing effective management measures in MPAs beyond 6 nautical miles. If the Government*

withdraws from the Common Fisheries Policy, it should recognise that there are likely to be significant changes to the management of offshore MPAs. In light of this, it should undertake a review of current management arrangements, with a view to creating a less complex management system. (Paragraph 47 of the report).

The UK has a strong track record on protecting our environment. The Repeal Bill will make sure that the whole body of existing EU environmental law continues to have effect in UK law and current environmental protection will continue.

Our fishing communities are immensely valuable and supporting them will form an important part of our exit from the EU. The Fisheries Bill will enable the UK to take responsibility for access to and management of our fishing waters. Setting our own quotas when we leave the EU will help ensure prosperity for a new generation of fishermen as well as preserve and increase fish stocks. We will be listening to fishermen, trade organisations, producers and the public as this Bill progresses. Devolved Administrations will remain fully engaged in the process and we will work with them to deliver a deal that works for the whole of the UK.

9. To gain support from stakeholders, the Government needs to implement a robust communications strategy that aims to raise awareness of the MPA network amongst businesses and the general public. This improved communications strategy should be implemented alongside consultations for the third tranche of MCZs. The Government must develop a consolidated central source of MPA information and be more creative in the ways that it communicates information about the network. The Government should ensure that its plans for marine protection are fully set out in its forthcoming 25 year plan for the environment. The IFCAs and the MMO should work together with Natural England to provide information about MPAs along the entire length of the Coastal Path. The Government must ensure it consults with stakeholders at a local level to secure widespread support for designations. (Paragraph 52 of the report).

Stakeholders have been involved from the very beginning. The Regional Projects were one of the most ambitiously extensive processes of stakeholder engagement that Defra has ever undertaken. The consultations on the first and second tranches received around 40,000 and 10,000 responses, respectively. We note that some of those giving evidence to the Committee have praised the stakeholder engagement both for designations and through the management process.

The Government accepts that there is always more that could be done to improve communications. For the third tranche we have been focusing our stakeholder engagement on the more controversial sites.

In preparation for the third tranche consultation:

- Natural England is implementing a stakeholder engagement and ‘visualisation’ project to build understanding and support for key inshore third tranche MCZs amongst partners and stakeholders. This is being supplemented by short video clips that improve the audiences’ understanding of particular features, exhibitions, posters and infographics. For example, Natural England and the JNCC are planning an interactive exhibition on the value of MPAs at the Plymouth aquarium from the end of July until end September.

- When the consultation document is published it will include site fact sheets which will provide a simplified and visual representation of the proposed sites, as well as providing access to the detailed information needed by some stakeholders.

For sites already designated:

- The IFCAs, MMO and Natural England continue to work closely together on all aspects of inshore MPA management. The regulators will continue to input to Natural England's engagement work. Additionally Eastern and Sussex IFCAs have trialled a new approach called Community Voice Projects to capture views on inshore marine protected areas. This approach provides an opportunity to capture the values that local people attach to the marine environment and identify the best ways to further promote MPAs.

10. *To gain support for the MPA network, the Government must ensure that it consults more effectively and transparently with Governments and local communities in the Overseas Territories. It should ensure that any concerns of the UKOTs are given due consideration before designating MPAs in their waters. (Paragraph 56 of the report).*

The Governments of the UK Overseas Territories (UKOTs) are constitutionally responsible for environmental and marine management in their own territories, including the designation of protected or well-managed marine areas. Mindful therefore of this constitutional relationship, the UK Government is working in partnership with the Territories to identify appropriate solutions to ensure the long-term protection of these environments, whilst fully taking into account traditional marine usages and the contributions of the marine environment to the economic diversity and prosperity.

The UK Government has sought regular engagement with the UKOTs on the Blue Belt policy development, including:

- during 2015/16 the Government developed an overarching policy position, consulting and taking on board UKOT comments;
- during 2015/16 the FCO undertook a review of the level of marine protection in consultation with the UKOTs to identify any gaps and understand the priorities of the UKOTs;
- the FCO held a series of meetings with key stakeholders throughout 2015–16, including London based UKOTs representatives, NGOs and UKOT Government officials (via the telephone);
- in 2016 the FCO assisted in the implementation and delivery of large scale managed and protected areas working closely with relevant UKOT Governments and Administrations; and
- in 2016 the FCO consulted the UKOTs regarding the Blue Belt Programme funding, and continues to give regular updates on progress of implementation.

Seven UKOTs have committed to implementing large-scale MPAs or commitments to internationally recognised marine managed areas. Two Defra agencies – Cefas and the MMO - are now working with and in support of UKOT Governments and local communities to implement the Blue Belt.

Cefas and the MMO have established regular contact with the UKOT Governments from Governor/CEO to technical staff levels. Wherever possible opportunities to meet UKOT Government staff visiting UK have been taken, and this has included visits to the partner organisations. A series of iterative conversations and information sharing has taken place to develop a joint plan for projects and technical support for each of the priority UKOTs. The establishment of these close working relationships has already led to a number of successes, from provision of legal advice, real-time surveillance reports, and on the ground training for UKOT government staff.

Engagement and joint working will remain a priority throughout the Blue Belt programme in order to deliver sustainable and long lasting approaches to marine management which are supported by UKOT Governments and contribute to wider international commitments on marine protection.

As part of this joint working a communications and engagement plan has been produced which includes mapping of stakeholders, communications channels and networks relevant to the UKOTs. This is being iteratively developed and dedicated resource is currently being put in place to carry out this work. Stakeholder engagement activities have begun with the early cohort of UKOTs. This includes:

- A fisheries officer from the MMO carrying out a face to face engagement and fact-finding mission in Tristan da Cunha; and
- Developing relations with New Zealand Royal Navy, culminating in aerial surveillance activity over the Pitcairn Islands.

The MMO is continuing to develop surveillance and monitoring strategies for the Territories and is currently evaluating a wide range of existing and new technology platforms which could provide efficient and importantly cost effectively, monitoring of the UKOTs marine area. This work includes creating:

- a ‘toolbox’ of surveillance options which will allow OTs to adopt the most appropriate and cost effective solutions for their specific OT; and
- a central hub for intelligence and surveillance which will provide intelligence and tasking guidance to the OTs.

During the consultation on Blue Belt policy development, the UK Government listened to the responses of some Territories, which indicated that they did not wish to put in place large scale marine managed areas, particularly where there is already a thriving and well-managed marine economy. For those Territories who prefer to focus on local marine priorities, the UK Government has provided additional funding through the Overseas Territories Environmental and Climate Fund (known as Darwin Plus) to support development of smaller-scale, bespoke marine management solutions.

11. *The Government must provide support to the UKOTs to help them properly detect and deter illegal activities. The Government must explore ways of strengthening surveillance and monitoring, to help detect illegal fishing activities in resource-poor UKOTs. (Paragraph 61 of the report).*

Noting that the global loss to Illegal, Unreported and Unregulated (IUU) fishing has been estimated to be upwards of USD\$23 billion annually, and seriously undermines

conservation measures, the Government has prioritised this in support of the UKOTs. Monitoring and enforcement of MPAs can be challenging, particularly in remote parts of the world, where there is a lack of capability to effectively patrol waters with traditional assets such as ships or planes.

Understanding the potential level and impact of IUU activity around the UKOTs is necessary to enable development of appropriate, and cost effective, enforcement strategies. In many of the UKOTs maritime zones the level of IUU activity was unknown, with little or no surveillance having been undertaken previously. The Government has therefore begun exploring the use of new and emerging technologies such as satellite surveillance and remote monitoring vehicles, which will improve our understanding of the threat of IUU activity and potentially improve the UKOTs ability to manage these vast and often remote areas.

The Blue Belt programme has so far undertaken trials of satellite technology over an 18 month period covering the maritime zones of British Indian Ocean Territory, South Georgia & the South Sandwich Islands, British Antarctic Territory, Pitcairn, St Helena, Ascension and Tristan da Cunha to provide baseline information on the areas and timeframes within which each Territory is most likely to be at risk from IUU fishing. The results from this trial, together with increased understanding of fish stock migration patterns, historical fishing vessel movements and integrated local knowledge will provide the basis for the development of comprehensive surveillance and enforcement plans.

The MMO, which is assisting the UKOTs to develop surveillance and enforcement strategies, have also initiated a number of projects which will aim to address this concern including:

- Additional enforcement staff - to provide remote surveillance coverage for all the OTs to build up a picture of IUU fishing;
- Identifying cost effective remote monitoring opportunities – the MMO, through Defra Earth Observations Centre for Excellence and UK Space agency, are working to secure agreement to realign European satellites to take images over the OT marine areas. These images had only previously been available for Antarctic territories. If this realignment was to go ahead it could significantly reduce the cost of future satellite surveillance to the UKOTs;
- Development of a risk based, intelligence led compliance and enforcement frameworks within each OT to ensure limited resources are used effectively;
- Training and support for OT fishery officers to carry out effective enforcement; and
- Developing and utilising the capability of the National Maritime Information Centre (NMIC) to support UKOTs with analysis of threats and real-time surveillance information.

12. We recommend that the Government commits to replacing BEST funding after we leave the European Union. The UK Government should explore and promote opportunities for the UKOTs to access funding sources from environmental initiatives, NGOs, conservation groups and charities for environmental projects in the UKOTs. This

should be used as an additional source of funding for projects in the UKOTs and not be utilised as an excuse to replace any existing sources of funding. This would help the Government contribute to achieving the Global Goal 14 ‘Life Below Water’. (Paragraph 68 of the report).

The UK Government has a strong commitment to marine conservation and ensuring the UK and UKOT waters are managed and used in a sustainable way. We contribute towards the International Sustainable Development Goal 14: Life Below Water through the implementation of Aichi Biodiversity targets including the target to conserve 10% of coastal and marine areas by 2020 and are on course, through the Blue Belt programme, to deliver over 4 million square kilometres of protected maritime areas by 2020.

Defra is working closely with the Foreign & Commonwealth Office and DExEU in considering how Gibraltar and the other Overseas Territories will be affected by the UK’s withdrawal from the EU. We will ensure the views and priorities of their governments are understood and taken into account as we work to get the best possible deal for the whole UK and the territories associated with it, in negotiations with the EU.

Leaving the EU means we will want to take our own decisions about how to deliver the policy objectives previously targeted by EU funding. We will consult closely with stakeholders, including the governments of the Overseas Territories, to review all EU funding schemes in the round and ensure that any ongoing funding commitments in the OTs represent value for money, while ensuring appropriate investor certainty.

13. The UK Government must assess the likely impact of leaving the EU on Gibraltar’s Marine Protected Areas. In response to this report, it must set out what additional support it intends to provide to Government of Gibraltar to prevent incursions in their territorial waters. It must set out in the Great Repeal Bill and any new Fisheries or Environmental Protection Act how the funding, monitoring and evaluation of Gibraltar’s MPAs will proceed to minimise any future difficulties with Spain over management measures. (Paragraph 70 of the report).

Gibraltar’s environment, including British Gibraltar Territorial Waters (BGTW), is the responsibility of the Government of Gibraltar. Nevertheless, the UK Government remains committed to fully involving Gibraltar as the UK prepares to leave the EU to ensure that their interests are properly taken into account.

The UK Government sees the value of dialogue and co-operation, which the Trilateral Forum of Dialogue between the UK, Gibraltar and Spain was designed to facilitate, and would like to see co-operation continue in some form. It remains the long term aim of the UK and Her Majesty’s Government of Gibraltar to return to the Trilateral Forum for Dialogue between the UK, Spain and Gibraltar.

The Royal Navy challenges all Spanish State vessels whenever they make maritime incursions into BGTW. The UK Government also makes formal diplomatic protests to the Spanish Government about all incursions. The MOD’s assessment is that the assets, structure and procedures of the Royal Navy Gibraltar Squadron are commensurate with their tasking. Government continually monitors the situation and routinely adjusts the force posture and resources as appropriate. Additional maritime assets may not in

themselves prevent incursions by Spanish State vessels into BGTW. Incursions are a violation of sovereignty, not a threat to it. They do not weaken or undermine the legal basis in international law for British sovereignty over Gibraltar, including BGTW.

However, neither the Site of Community Importance listing, nor any Spanish legislation, can confer any legal rights on Spain within BGTW. Spanish Government vessels may enter BGTW only for innocent passage as defined in the UN Convention on the Law of the Sea, or if they are given express permission.

The Government is fully involving Gibraltar as preparations get underway to leave the EU. This includes technical engagement on the Repeal Bill.

Gibraltar is covered by the EU funding guarantees made by the Treasury in August and October 2016. Leaving the EU means the UK Government will be able to take decisions about how policy objectives previously targeted by EU funding are delivered. Over the coming months the UK Government will consult closely with stakeholders to review all EU funding schemes, thereby ensuring that all funding commitments serve the UK's national interest.