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# STATES OF JERSEY



## REVIEW OF THE MARINE SPATIAL PLAN (S.R.6/2024): RESPONSE OF THE MINISTER FOR THE ENVIRONMENT

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Presented to the States on 28th November 2024  
by the Minister for the Environment

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STATES GREFFE

**REVIEW OF THE MARINE SPATIAL PLAN (S.R.6/2024): RESPONSE OF  
THE MINISTER FOR THE ENVIRONMENT**

<b>Ministerial Response to:</b>	S.R.6/2024
<b>Ministerial Response required by:</b>	28th November 2024
<b>Review title:</b>	Review of the Marine Spatial plan
<b>Scrutiny Panel:</b>	Environment, Housing and Infrastructure Scrutiny Panel

**FINDINGS**

	<b>Findings</b>	<b>Comments</b>
1	The development of an MSP began to appear on the political agenda in about 2020/2021. Information had been collected for the development of a Marine Spatial Plan by Marine Resources Officers over a period of years in the knowledge that similar plans were being developed elsewhere in line with directives from the European Union and following guidelines and standards set out by U.N.E.S.C.O.	Agreed
2	Information for the development of a Marine Spatial Plan had been an aspiration of officers prior to its appearance on the political agenda.	Agreed
3	The political timing and approach taken was dictated by the States Assembly approval of Strategic Proposal 3 of the Bridging Island Plan 2022 – 2025.	Agreed
4	The compression of the timeline of the MSP delivery stems from the delivery date of 2025 stated in the Bridging Island Plan and to which both Ministers and the Marine Resources team are tied.	Disagree – Development of the MSP was mandated and via SP3 in the Bridging Island Plan. A timeline was set out in 2023 and has been broadly achieved. The term compression does not fit.

	<b>Findings</b>	<b>Comments</b>
5	The extension of the consultation period and the delivery of the Business Impact Assessment of the proposed Marine Protected Area network on the mobile gear fishing fleet in the period between the end of the consultation and the lodging of the final plan indicates that the original timescale had not been long enough to complete all necessary actions.	Disagree – The consultation period was extended to allow additional response time following a change in government.  Also the BIA was conducted at the planned point in the process and in good time.
6	The approaches taken by France and England in the development of MSPs were scalable and could therefore be applied to small marine areas.	Noted
7	Taking a more European approach to the planning process would have aligned it more with neighbouring MSPs and created better understanding and synergies with neighbouring countries, especially France.	Noted
8	The development of Marine Protected Areas was central to the Government's concept of an MSP.	Agree
9	The stated intention of the MSP is to provide direction for the preparation of future legislation and policy and that the MSP would be a non-statutory document.	Agree
10	Firmer and clearer objectives would have provided better direction for current and future Government and for partners and stakeholders and a better flow between goals and actions.	Noted
11	The vision and aims are clearly written and the aims are used to provide a clear link through the different chapters of the report allowing for themes to be followed easily through the document.	Agree
12	The MSP is a readable and relatable document.	Agree (thanks)

	<b>Findings</b>	<b>Comments</b>
13	The political timeframe did not provide a period within which an iterative process could be undertaken.	Disagree – This is the first iteration of the MSP, as stated in every consultation this document will evolve through new iterations over the coming years.
14	The completion and direction of the Marine Spatial Plan process was impacted by the successful Vote of No Confidence – Chief Minister and consequent change in Government and Ministerial lead which took place at the beginning of 2024.	Partially Agreed – small impact of a few weeks on timing but not on core direction.
15	The decision to reduce the MPA area from the 27% of territorial waters allocated in the original consultation draft to the 23% allocated in the final document was a political one.	Agreed
16	The MSP provides a direction of travel for the use of Jersey’s marine space and was welcomed by some stakeholders.	Agreed
17	The MSP provides a clear rationale for the retention and the expansion of MPAs.	Agreed
18	The rationale provided indicates that a precautionary approach adopted in the development of the MSP and the MPAs and was in line with Jersey’s obligations as a signatory to international conventions.	Agreed
19	The Business Impact Assessment on the impact of the MPAs on mobile gear fishers was conducted following the consultation period and was an influencing factor on the decision to reassess the areas which had been designated.	Disagree – BIA was conducted after new MPA areas were set.
20	An economic impact assessment will be carried out following the adoption of the MSP to consider economic support for diversification in parts of the fishing fleet.	Agreed – but note that the EIA will consider wider economic issues than fishing.
21	The redrawing of the designation for MPAs may put areas of habitat at risk	Agree

	<b>Findings</b>	<b>Comments</b>
	if the further research and review is not prioritised.	
22	The Minister for the Environment has not provided sufficient detail on the evidence that has been used to inform a decision to move away from the precautionary approach which appears to have been used to develop the MSP.	Noted
23	The views expressed on the expansion of the MPAs are entrenched and unlikely to change without a strong participatory approach to future development of the MPAs and MSP.	Noted
24	The Minister's statement that the '30 by 30' target agreed at the 2022 Kunming-Montreal Global Biodiversity Framework is not a priority undermines the goals and targets of the MSP.	Noted
25	There was a clear intention on behalf of the Marine Resources team and the consultants assisting the process to be inclusive and to hear the voices of all stakeholders.	Agree
26	The timeframe for the delivery of the MSP was too short and did not allow for the level of participatory engagement which could have led to a shared vision.	Disagree – The timeframe was appropriate to the scale of the plan and the resources available.
27	The public consultation response document provided an excellent summary of the process, responses and actions and every comment was well recorded with an explanation of how it was addressed.	Noted
28	Government did not set out a clear policy statement about priorities for other marine sectors, especially the fishing industry, which would have helped the Marine Resources team, and other decision-makers, to consider the trade-offs between different stakeholder viewpoints.	Noted

	<b>Findings</b>	<b>Comments</b>
29	Using a well-recognised decision support and/or spatial analysis tool, or alternatively running a Business Impact Assessment at the same time as the MPA GIS spatial analysis, would have enabled the officers to test different spatial scenarios alongside fishermen to find the most acceptable trade-off between conservation objectives and livelihoods.	Noted
30	It may have been useful for the government and/or officers to apply an external process to 'stress-test' the efficacy of the plan before releasing the final draft of the MSP for public consultation.	Noted
31	The MSP contains 91 actions. 29 are in progress, 53 require funding and 9 already have funds secured.	Agree
32	It is not clear from Appendix A or elsewhere in the MSP how those actions will be driven forward by the current and successive Governments as part of a clearly structured implementation framework.	Agree
33	There is an objective in place to have the MSP ready 18 months to 2 years ahead of an Island Plan cycle, so that it can inform the delivery of next Island Plan.	Agree
34	Concerns have been reported about the ability of Government to police existing protected areas.	Noted
35	Concerns have been reported that pollution incidents have not been dealt with and reported by the Infrastructure and Environment Department.	Noted

## **RECOMMENDATIONS**

	<b>Recommendations</b>	<b>To</b>	<b>Accept/ Reject</b>	<b>Comments</b>	<b>Target date of action/ completion</b>
1	The objectives should be reframed to provide a clearer flow of government intent from vision through to actions in an updated iteration of the MSP to be provided prior to the next Island Plan debate. This will provide a framework for successful monitoring of the MSP.	ME NV	Reject	The MSP will not be fully updated ahead of the next BIP but an implementation timeline will be delivered as per the Scrutiny amendment.	
2	The Minister should establish a framework which defines the MSP objectives, goals, principles, planning approach, timelines, governance structure, high level implementation and monitoring framework. Such a framework could clarify the relationship between the MSP and the Island Plan or set out a new approach entirely. It will also provide greater clarity for MSP officers and transparency for stakeholders.	ME NV	Accept	Please see R1 answer	May 2025
3	The Minister should give clear timeline on the delivery of the full economic impact assessment and ensure that there is meaningful engagement with those directly impacted.	ME NV	Accept	Timeline to be confirmed post framework delivery	May 2025
4	The MPA network should be amended to include immediate	ME NV	Reject		

	<b>Recommendations</b>	<b>To</b>	<b>Accept/ Reject</b>	<b>Comments</b>	<b>Target date of action/ completion</b>
	protection for areas currently designated for further research and areas which are to be phased into the MPA network.				
5	The Minister should provide a timeframe for designation of confirmed new MPAs, and future work on areas for further survey for future MPA designation should be made publicly available as a matter of urgency.	ME NV	Accept		May 2025
6	As a matter of priority, the Minister and Marine Resources should provide clarity on the development of fisheries management planning and must support industry to explore sustainable fishing methods.	ME NV	Accept	Priority FA5 in the JMSP.	Ongoing
7	Marine Resources should continue to seek ways to work with fishers to ensure that their data is included in planning and development.	ME NV	Accept	Recruitment of data officer underway	Ongoing
8	The Minister for the Environment should reaffirm his commitment to the "30 by 30" initiative agreed at COP15 and to the aims of the OSPAR Convention.	ME NV	Accept	Commitment made in MSP States debate	Done
9	The Minister and Marine Resources should	ME NV	Accept	Will be done in line with development of next iteration	TBC



	<b>Recommendations</b>	<b>To</b>	<b>Accept/ Reject</b>	<b>Comments</b>	<b>Target date of action/ completion</b>
	investigate models for participatory engagement for all future iterations of the MSP so that development promotes ownership of the scheme by all stakeholders.				
10	The Minister and Marine Resources Officers should investigate the use of Sustainability Appraisals used by the Marine Management Organisation in their marine plan process to independently assess the economic, social and environmental sustainability of the plan.	ME NV	Accept	Will be done in line with development of next iteration	TBC
11	A clearly articulated set of anticipated outcomes and indicators to measure them should be developed to provide more clarity of the benefits of the MSP.	ME NV	Accept	Part of ongoing work by Marine Resources Officers.	October 2026 onwards
12	A clear implementation framework and timeline should be developed as soon as possible after the adoption of the MSP.	ME NV	Accept		May 2025
13	A tracker of the MSP framework should be delivered and maintained by Marine Resources. The tracker should be updated on a quarterly basis providing the progress on the actions contained within the MSP.	ME NV	Reject	Annual reporting from October 2026 onwards.	October 2026

	<b>Recommendations</b>	<b>To</b>	<b>Accept/ Reject</b>	<b>Comments</b>	<b>Target date of action/ completion</b>
14	The Minister should establish an MSP working group with the external bodies with actions contained in the MSP to seek and publish the assurances of their ability and resourcing to carry out the actions assigned to them in the MSP and to ensure accountability is maintained.	ME NV	Reject	Officer lead delivery with appropriate internal and external bodies will be ongoing from 2025.	October 2025
15	The Minister should explore with the Marine Resources Team how policing of all the different areas of designation, including the No Take Zones, Ramsar sites and MPA network, is managed and whether a more effective solution is required. This action should be raised at the Marine Resources Panel and the outcomes minuted for publication.	ME NV	Accept	This will form part of the existing programme in place to enhance and develop remote electronic monitoring of fishing activity in support of regular marine patrol work.  MSP is a regular Marine Panel item.	Ongoing
16	The Minister should provide clarity on the reporting of breaches and how they are dealt with by all teams concerned and how this is regulated internally to ensure that no conflicts arise in relation to enforcement for senior officers.	ME NV	Reject	This is an operational function of government and not political. Reporting will be through established department processes.	Ongoing
17	Information should be published – or direction provided to publication – on the number of	ME NV	Reject	This is an operational function of government and not political. Reporting	Ongoing

	<b>Recommendations</b>	<b>To</b>	<b>Accept/ Reject</b>	<b>Comments</b>	<b>Target date of action/ completion</b>
	pollution incidents recorded, how these were dealt with and whether they constituted a breach of treaties and conventions to which Jersey is a signatory.			will be through established department processes.	

### **CONCLUSION**

The Minister thanks the EHI Scrutiny panel for their comprehensive review, and their attention to detail, in their findings and recommendations.

As always, the Minister is keen to work together alongside the EHI Panel, and ensure that works delivered meet the expectation of the Panel, the Assembly and islanders. The Minister would like to remind the Panel that officers are more than happy to provide briefings and updates on specific subject matters, if the panel feel that they require them, and hopes that his responses meet with the Panel's satisfaction.