

Marine management organisation

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Disclaimer

The material contained in this presentation does not constitute legal advice, and should not be relied upon or treated as a substitute for legal advice in relation to individual situations.

What's in a name?

“marine agency”

“marine management organisation”

Examples of labels given to public bodies:

- authority
- board
- commission
- committee
- council
- directorate
- executive
- forum
- office
- panel

When is an agency not an agency?

Public bodies – some information sources

<http://www.civilservice.gov.uk/the_future_of_the_civil_service/agencies_and_public_bodies/index.asp>

Guidance documents, including:

- *Classification of Public Bodies – Guidance for Departments* (August 2005)
- *Non-Departmental Public Bodies – A Guide for Departments* (September 2004)
- *Creation, Review and Dissolution of Executive Agencies* (April 2004)

Databases, including:

- *Public Bodies Database*
- *Electronic List of Ministerial Responsibilities (including Agencies)* – via link

Categorisation of public bodies

Some categories of public bodies:

- **ministerial department**
- **non-ministerial department**
- **executive agency**
- **non-departmental public body (NDPB) – executive or advisory**
- **public corporation**
- **cross-departmental body**

Examples of factors informing categorisation:

- relationship with department
- source and nature of functions

Potential functions of MMO

- (1) **Brand new functions** arising under Marine Bill (e.g. MSP)
- (2) **Existing functions** transferred from existing bodies:
 - identify bodies with a role in the marine environment
 - identify the powers and duties (functions) of each body
 - is there a case for transferring certain functions to the MMO ?

If transfer of some functions is not acceptable, is there a role for the MMO in coordinating the exercise of those functions ?

What are the “existing bodies” ? Take **England and adjacent maritime zones** as an example.

Marine bodies (1/8)

Ministerial departments

[non-exhaustive list]

- **DCMS**
- **Defra**
- **DTI (including OST)**
- **DfT**
- **FCO**
- **Home Office**
- **MoD**
- **ODPM**

Note also relevant ministerial committees:

- Ministerial Committee on Domestic Affairs
- Ministerial Committee on Energy and the Environment
- Sub-Committee on Sustainable Development in Government

Marine bodies (2/8)

Non-ministerial departments

[non-exhaustive list - categorisation based on databases referred to in earlier slide]

- **Food Standards Agency**
- **The Crown Estate**

Marine bodies (3/8)

Executive agencies (including sponsoring department)

[non-exhaustive list - categorisation based on databases referred to in earlier slide]

- **Centre for Environment, Fisheries and Aquaculture Science** - Defra
- **Defence Estates** - MoD
- **Defence Procurement Agency** - MoD
- **Defence Science and Technology Laboratory** - MoD
- **Marine Fisheries Agency** - Defra
- **Maritime and Coastguard Agency** - DfT
- **Met Office** - MoD
- **Pesticides Safety Directorate** - Defra
- **Planning Inspectorate** - ODPM
- **UK Hydrographic Office** - MoD

Marine bodies (4/8)

Executive NDPBs (including sponsoring department)

[non-exhaustive list - categorisation based on databases referred to in earlier slide]

- **Biotechnology and Biological Sciences Research Council** - DTI
- **Engineering and Physical Sciences Research Council** - DTI
- **English Heritage** - DCMS
- **English Nature** - Defra
- **Environment Agency** - Defra
- **Health Protection Agency (notably Radiation Protection Division)**
 - DH
- **Joint Nature Conservation Committee** - Defra
- **National Maritime Museum and Natural History Museum** - DCMS
- **Natural Environment Research Council** - DTI
- **Sea Fish Industry Authority** - Defra

Marine bodies (5/8)

Advisory NDPBs (including sponsoring department)

[non-exhaustive list - categorisation based on databases referred to in earlier slide]

- **Advisory Committee on the Historic Wreck Sites** - DCMS
- **Committee on Radioactive Waste Management** - Defra
- **Renewables Advisory Board** - DTI
- **Royal Commission on Environmental Pollution** - Defra
- **Sustainable Development Commission** - Defra

Public corporations (including sponsoring department)

[non-exhaustive list - categorisation based on databases referred to in earlier slide]

- **Civil Aviation Authority** - DfT
- **Oil and Pipelines Agency** - MoD

Marine bodies (6/8)

Local bodies

[non-exhaustive list]

- harbour authorities
- local authorities
- sea fisheries committees

Marine bodies (7/8)

Some other bodies

- Inter-Agency Committee on Marine Science and Technology [**IACMST**]
- UK Global Ocean Observing System Action Group [**GOOS-AG**]
- UK Marine Environmental Data Network [**UK MED**]
- Marine Data and Information Partnership [**MDIP**]
- UK Climate Impacts Programme [**UKCIP**]
- Marine Climate Change Impacts Partnership [**MCCIP**]
- Marine Pollution Monitoring Management Group [**MPMMG**]
- UK Marine Information Council
- National Biodiversity Network Trust [**NBN Trust**]
- UK National Culture Collection [**UKNCC**]

Marine bodies (8/8)

Some other bodies (continued)

- Marine Pollution Advisory Group [**MPAG**]
- UK Offshore Forum
- UK Offshore Renewables Energy Environmental Forum [**OREEF**]
- Nautical and Offshore Renewables Energy Liaison Group [**NOREL Group**]
- Fisheries and Offshore Oil Consultative Group [**FOOCG**]
- Fishing Liaison for Offshore Wind Group [**FLOW Group**]
- Collaborative Offshore Wind Research into Environment [**COWRIE**]
- Foresight Marine Panel
- Joint Nautical Archaeology Policy Committee [**JNAPC**]
- Trinity House (as GLA for, *inter alia*, England)
- [- regional advisory councils under CFP]

Worked example - Defra

- Defra “itself”
- **executive agencies**, e.g. Cefas, Marine Fisheries Agency, Pesticides Safety Directorate
- sponsored **executive NDPBs**, e.g. English Nature, Environment Agency, Joint Nature Conservation Committee, Sea Fish Industry Authority
- sponsored **advisory NDPBs**, e.g. Committee on Radioactive Waste Management, Royal Commission on Environmental Pollution, Sustainable Development Commission
- **other bodies**

Some other questions

Anticipating new activities / threats

- e.g. marine bioprospecting, carbon dioxide sequestration

Anticipating new legal instruments

- e.g. EC Environmental Liability Directive

Rationalising enforcement resources at sea

- e.g. RN, SFCs, Cefas, HMRC, MoD, MCA, police, GLA

Dispute resolution

- e.g. appeals from government decisions
- e.g. disputes between operators

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