

STATES OF JERSEY



ISLAND PLAN 2022-25: APPROVAL (P.36/2021) – EIGHTY-EIGHTH AMENDMENT MARINE SPATIAL PLAN

Lodged au Greffe on 11th February 2022
by the Minister for the Environment

STATES GREFFE

PAGE 2 –

After the words “the draft Island Plan 2022-25” insert the words “except that within Strategic Proposal 3 – Creating a marine spatial plan for Jersey –

- (a) after the words “Spatial Plan”, there should be inserted the words “before 2025”; and
- (b) after the words “territorial waters”, the word “to” should be replaced with the words “in particular, to develop a network of marine protected areas which will”.

MINISTER FOR THE ENVIRONMENT

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

to approve, in accordance with Article 3(1) of the Planning and Building (Jersey) Law 2002, as amended by the Covid-19 (Island Plan) (Jersey) Regulations 2021, the draft Island Plan 2022-25, **except that within Strategic Proposal 3 – Creating a marine spatial plan for Jersey –**

- (a) after the words “Spatial Plan”, there should be inserted the words “before 2025”; and
- (b) after the words “territorial waters”, the word “to” should be replaced with the words “in particular, to develop a network of marine protected areas which will”.

REPORT

It is appropriate and necessary that the draft bridging Island Plan sets out a planning policy framework for the management of development activity in the island's territorial waters, particularly where this has the potential to affect marine biodiversity.

The plan does this by providing comprehensive and explicit protection for the marine biodiversity in **Policy NE1 - Protection and improvement of biodiversity and geodiversity** (extract below: emphasis added)

Development must protect or improve biodiversity and geodiversity.

All development must ensure that the importance of habitats, designated sites and species is taken into account and should seek to improve biodiversity and geodiversity value and, where possible, to deliver biodiversity net gain.

The highest level of protection will be given to sites of special interest; marine protected areas and Ramsar sites

The preamble to the policy clearly identifies those parts of the marine environment that enjoy specific designations, because of their biodiversity value (i.e. marine protected areas and Ramsar sites; but also sets out the need to ensure that the impact of development proposals on other key marine habitat areas is also considered through the planning process. These other key marine habitats are also identified. An extract from this part of the draft plan is provided at appendix 1.

The Minister, however, recognises that it is not just development activity that would benefit from a policy framework covering the island's territorial waters. There are other activities which take place in, and which are relevant to, the marine environment - including conservation, carbon sequestration, fishing and aquaculture, renewable energy, shipping, leisure, as well as planning for development – which would benefit from consideration in an integrated way, where all of these interests can be considered comprehensively. Out of this can then emerge policies and proposals for the relevant regulatory regimes, including the potential designation of further marine protected areas in the island's waters.

The Minister is firmly of the view that the best way to achieve this is through the development of a marine spatial plan, as soon as possible.

This would enable consideration of how best to, for example, developing a sustainable fishery in Jersey's waters, and would enable engagement with all stakeholders with an interest in these areas, including local and French fishers who currently enjoy access to the island's waters.

The draft plan already contains a proposal to develop a marine spatial plan for the bailiwick. The Minister proposes to make amendment to this, in response to part of the amendment lodged by Senator Farnham ([p.36-2021 amd.\(51\)\(re-issue\).pdf \(gov.je\)](#), specifically part 1(a) and (b)), to add a timescale for the development of a marine spatial plan; and to highlight the potential to develop further marine protected areas. The Minister's detailed response to this matter is set out in his [post-consultation response](#) (see SR53 – Creation of a Marine Park pp.205-212).

The Minister's approach, and proposed changes, are supported by the independent planning inspectors who have examined this matter (see recommendation 27, p.52 of their [report](#)) and who recommend that these changes are made.

The effect of the proposed changes to Strategic Proposal 3 – Creating a marine spatial plan for Jersey, is set out below.

Strategic Proposal 3—Creating a marine spatial plan for Jersey 1

The Minister for the Environment will undertake further work to develop a Marine Spatial Plan ~~before 2025~~ to organise human and marine resources and activities in Jersey's territorial waters ~~and, in particular, to develop a network of marine protected areas, which will~~ ~~to~~ be consistent with overall environmental, economic and social objectives.1

This work will inform the policies of the next iteration of the Island Plan and support coordinated policy development and decision-making on all aspects affecting the marine environment.1

Financial and manpower implications

There are no direct financial and manpower implications.

CRIA statement

The effect of this amendment is in positive alignment with the [Minister's published CRIA](#), to ensure the positive planning and sustainable management of Jersey's territorial waters of benefit to all islanders, including children.

Appendix 1: Marine biodiversity
(extract from draft bridging Island Plan pp. 102-105)

Jersey's marine environment has an incredibly rich biodiversity value of international significance which is represented by four designated Ramsar sites and three marine protection areas (MPA).

The purpose of Ramsar sites is the conservation of wetlands considered to be of international importance and for the wise sustainable use of their resources. Jersey's designated Ramsar sites cover a total of around 190 sq. km of the island's most valuable wetlands at:

- South East Coast of Jersey;
- Les Écréhous and Les Dirouilles;
- Les Minquiers; and
- Les Pierres de Lecq (the Paternosters).

The purpose of MPAs is to protect marine species and habitats considered to be of international importance from potentially destructive fishing practices. There are three MPAs in Jersey waters, covering an area of around 150 sq. km, where such practices are prohibited under Sea Fisheries Law at:

- Les Minquiers;
- Les Écréhous; and
- Inshore waters.

These areas were identified in order to protect key habitats, such as seagrass, maerl and kelp . Although the purpose of these areas is to regulate fishing practices, it is important to recognise the biodiversity value of these areas where they are affected by development proposals.

Work has also been undertaken, and is ongoing, to identify and better understand the value of other key habitats in the marine environment. This is to ensure that there is a sound understanding of the island's key marine habitat areas, and that this information can be used to inform decisions about new development or uses within the marine environment. These habitat areas are shown in figure NE3.

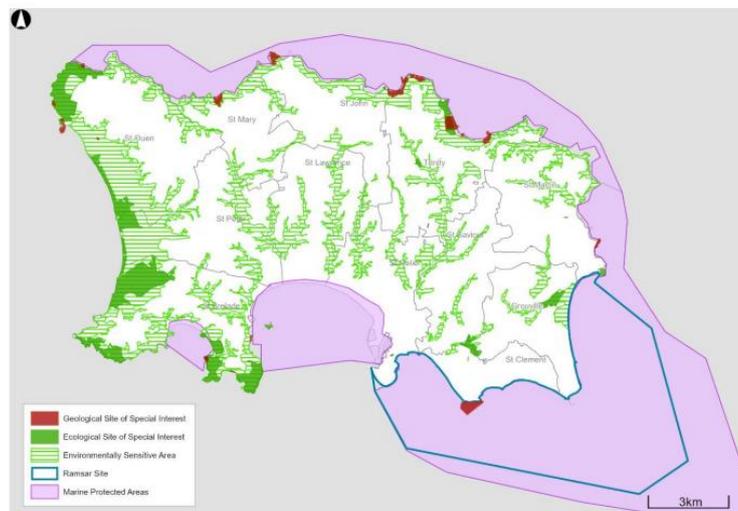


Figure NE1: Biodiversity and geodiversity designations and defined areas (terrestrial)

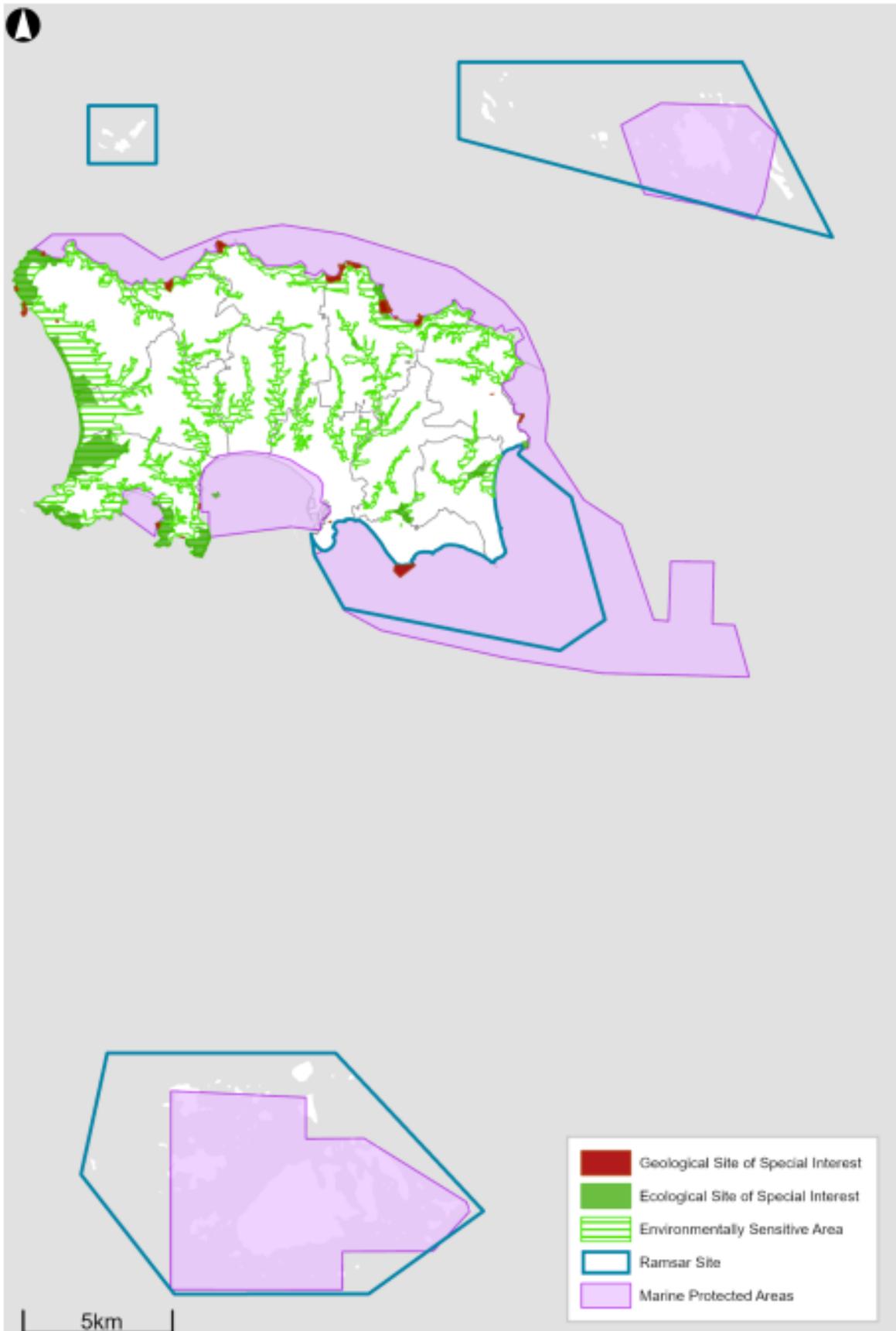
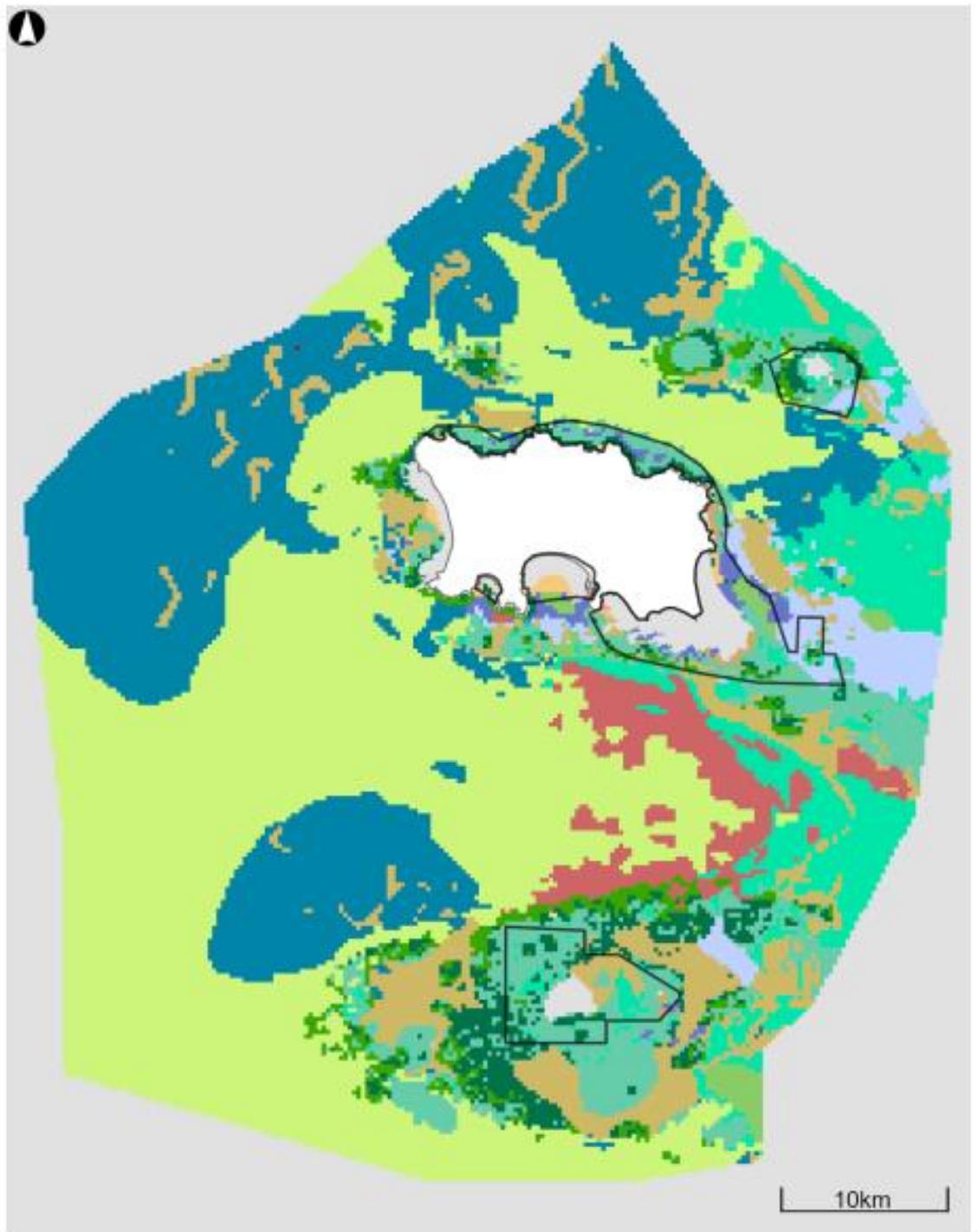


Figure NE2: Biodiversity and geodiversity designations and defined areas (marine)



High Value Marine Habitats

Hard Ground	Kelp Forest	Inshore Fine To Silty Sand	Sandmason Worms
Mobile Sand	Kelp Forest And Park	Fringe Medium And Fine Sand	Seagrass Meadows
Maerl Beds	Basin Gravel And Sand	Offshore Rock With Sand Covering	Shallow Reef With Sand
Slipper Limpets	Offshore Gravel And Sand	Offshore Sand And Gravel	Marine Protected Areas

Figure NE3: High value marine habitats