

A roadmap for:

June 2009 Issue 1

- 1. The UK, Scottish and Northern Ireland Marine Bills

The UK MPA Network

- 2. New European marine sites (Natura 2000 sites)
- 3. New national Marine Protected Areas (MPAs)

Marine Bills

The aim of the UK, Scottish and Northern Ireland Marine Bills is to create a more strategic and holistic approach to the marine environment.

In England and Wales

The UK Marine and Coastal Access Bill is currently being scrutinised in the House of Lords and will possibly pass into the House of Commons in May.

The Bill focuses on five themes:

- A new Marine Management Organisation
- A new system of marine planning
- A more efficient marine licensing system
- A restructuring of inshore fisheries
- A network of Marine Conservation Zones

In Scotland

In Scotland the 'Sustainable Seas for All' consultation on Scotland's first Marine Bill ended in October 2008. A bill has now been introduced to Scottish Parliament.

In Northern Ireland

The UK Marine and Coastal Access Bill will extend in part to Northern Ireland. A Northern Ireland Marine Bill will be introduced to the Northern Ireland Assembly in 2011 by the Minister of the Environment. It will dovetail with the UK Bill; respect fully the devolution settlement; and meet local needs.

Policy proposals are currently being developed in four main areas:

- Marine planning in NI's inshore region (high water mark out to 12nm)
- Streamlining of marine licensing where it is appropriate to do so
- Marine nature conservation in NI's inshore region
- Options for a mechanism that will deliver those policies.

A public consultation paper on these policy proposals will be issued by the end of April 2010.

1. Progress of the Marine Bills – key dates

UK Marine Bill

The following table describes the legislative path of the UK Marine Bill as it passes through the House of Lords and House of Commons. Examples of how Seafish and the fishing industry have been briefing members of both Houses can be found on the Seafish Marine Bill website page. See: <http://www.seafish.org/b2b/info.asp?p=344>

Legislative path	Timetable
Introduction of UK Marine Bill to Parliament	5 December 2008
<u>House of Lords</u>	
Second reading - The first opportunity for Members to debate and vote on the main principles and purpose of the Bill.	15 December 2008
Committee stage - Detailed examination of the separate parts (or clauses) of the Bill.	January to April 2009
Report stage - An opportunity to consider further amendments to the Bill.	5, 12 and 19 May and 1 June 2009
Third reading - The final review of the contents of the Bill. The Bill then moves to the first reading in the House of Commons.	8 June 2009
<u>House of Commons</u>	
First reading - A formality, no debate.	TBC 2009
Second reading - The first opportunity for Members to debate and vote on the main principles and purpose of the Bill.	TBC 2009
Public Bill committee - Detailed examination of the separate parts (or clauses) of the Bill.	TBC 2009
Report stage - An opportunity to consider further amendments to the Bill.	TBC 2009
Third reading - Final review of contents. Amendments cannot be made to the Bill.	TBC 2009
‘Ping Pong’ - Exchanges between both Houses until agreement is reached on the Bill.	TBC 2009
Royal Assent needed before the Bill becomes law.	Expected Autumn 2009

Marine (Scotland) Bill

In Scotland the 'Sustainable Seas for All' consultation on Scotland's first Marine Bill ended in October 2008. A draft bill has now been introduced to Scottish Parliament.

Legislative path	Timetable
Publication of analytical report of summary responses	23 January 2009
Publication of Bill in Scottish Parliament	30 April 2009
Stage 1 Scrutiny by Rural Affairs and Environment Committee. Call for written views by: Oral evidence Consultation closes	11 June 2009 May, June & Sept 2009 30 October 2009
Stage Debate in Parliament	TBC
Stage Detailed consideration (committee)	TBC
Stage Further detailed consideration (Parliament)	TBC

Northern Ireland Marine Bill

The following table describes the Department of the Environment's project plan (relevant key dates only) for the policy development stage. This will lead to a Northern Ireland Marine Bill being introduced to the Northern Ireland Assembly in 2011.

Policy Development	Timetable
Brief key stakeholders and the Northern Ireland Assembly's Environment Committee on headline policy papers	30 June 2009
Prepare and discuss detailed policy papers and Regulatory Impact Assessment (RIA) with the inter-departmental steering group	31 October 2009
Organise stakeholder event to discuss the policy proposals and RIA	31 January 2010
Prepare and issue a public consultation paper on the policy proposals and RIA	30 April 2010

UK MPA network

The Government has committed to put in place an ecologically coherent network of Marine Protected Areas (MPAs) by 2012. The MPA network will be developed specifically for the conservation and recovery of marine biodiversity and ecosystems. Further information can be found on the Seafish Marine Protected Areas (MPA) website page. See: <http://www.seafish.org/b2b/info.asp?p=345> The new network will comprise:

- Existing and new Natura 2000 sites or European Marine Sites. These cover Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). New inshore and offshore SACs (protecting marine habitats and wildlife) and SPAs (protecting birds and their habitats) around the UK are currently being considered for designation by 2010.
- Nationally important Sites of Special Scientific Interest (SSSI).
- New national MPAs are being proposed under the UK and Scottish Marine Bills and work has started to develop the processes through which they will be identified. Designation will be in 2012.

Developing the MPA network

Defra is producing three key pieces of work in relation to developing the MPA network. Separate guidance is being produced to cover inshore and offshore waters adjacent to Scotland:

<p>Public consultation on draft strategy for MPAs 'Delivering Marine Conservation Zones and European Marine Sites: A draft strategy for marine protected areas.' See: www.defra.gov.uk/corporate/consult/marine-conservation-zones/index.htm Responses to: marinebiodiversity@defra.gsi.gov.uk</p>	<p>20 April 2009 to 13 July 2009</p>
<p>Publication of four revised Defra draft MCZ guidance documents on the Defra website www.defra.gov.uk/:</p> <ul style="list-style-type: none"> - Draft MCZ Site Selection Principles - Duties on public authorities in relation to MCZs - Draft guidance on protecting Marine Conservation Zones from the impacts of unregulated activities and deliberate damage - Draft guidance on SSSIs and National Nature Reserves in the subtidal area 	<p>May 2009</p>
<p>Development of new MCZ technical and governance guidance: This is currently being drafted by Natural England and JNCC and will be consulted upon in September 2009</p>	<p>May to September 2009</p>
<p>Stakeholder workshops Defra will be arranging a short series of workshops with key users of the seas to discuss this strategy. Key individuals and organisations will be contacted. For further information: marinebiodiversity@defra.gsi.gov.uk</p>	

2. Designation of new European marine sites

Designated to protect wildlife and habitats of European importance, a network of European Marine Sites (sometimes called Natura 2000 sites or the Natura network) comprise both Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). European marine sites form part of the Marine Protected Area network.

Specific habitats such as reefs and sandbanks are protected by SACs, whilst SPAs protect areas for birds, such as Puffins, Razorbills and the Common Scoter, a diving duck. There are presently 76 inshore marine SACs with marine components around the UK, 5 candidate offshore SACs and 73 SPAs with marine components covering the coast and open sea - only one SPA in Carmarthen Bay is fully marine (**see the Seafish Guide to Marine Protected Areas at www.seafish.org/sea/sustainability.asp**).

While the Natura network is largely complete on land, work is underway to identify and designate new sites as well as extending existing ones both within UK territorial waters - within 12nm of the UK coast, which are often termed 'inshore' sites and also in UK offshore waters – beyond 12 nautical miles.

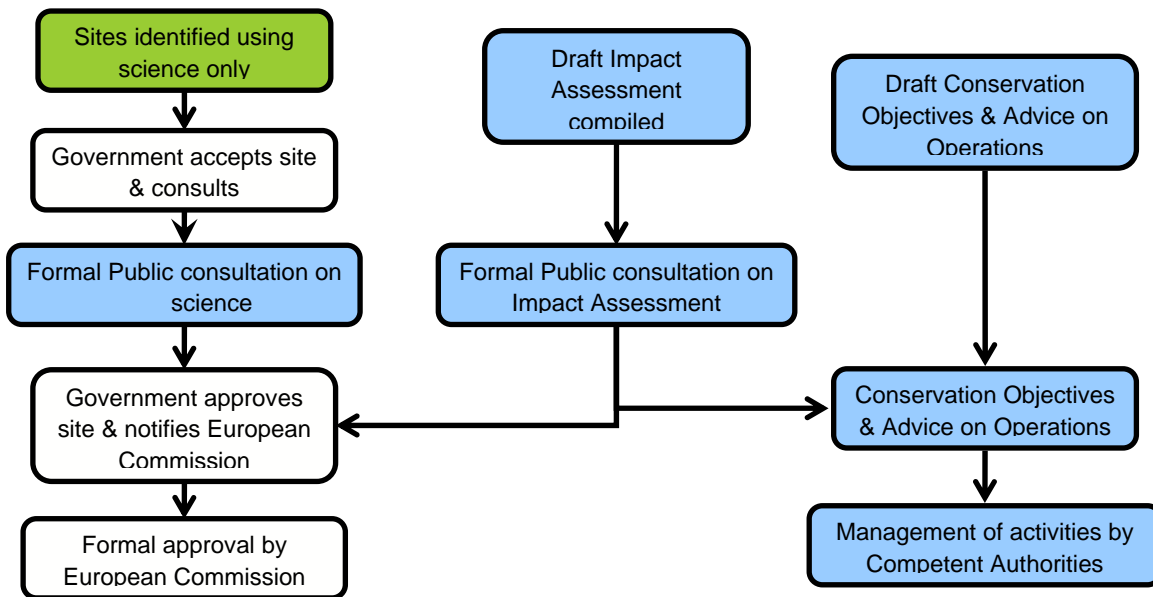
England currently has 45 European marine sites with further inshore SACs and SPAs being considered.

In addition to the existing 34 inshore SACs (including 2 cross border sites) around Scotland, a further two locations (Sound of Barra and East Mingulay) will be considered by the Scottish Government following submission of formal scientific advice. Upon receipt of the formal scientific advice, Scottish Ministers will decide whether to ask SNH to undertake a formal consultation on the scientific basis for both locations being considered as sites of European Importance. In 2008, on behalf of the Scottish Government, SNH also carried out a consultation on proposals to extend 31 existing seabird SPA colonies (eg Puffin, Guillemot and Manx Shearwater) by between one and four km out to sea.

Five offshore SACs were submitted to the European Commission in 2008. Public consultation on the selection of additional SACs in UK offshore waters is being carried out in a series of rounds. JNCC hope to consult on a second round in late 2009 and there will then be subsequent rounds in 2010 and beyond. Following consultation on the science underpinning the site selection during the first round, modifications to some site boundaries were made as more information on habitats came to light, some of which came from the fishing industry.

How can you get involved?

The identification of European Marine Sites is legally required to be a science-led selection process (green box); socio-economic factors cannot influence the initial selection process, or the determination of site boundaries. Nevertheless, the UK Governments actively encourage marine stakeholders to participate directly through consultation or requests for advice, and through the provision of appropriate scientific data (e.g. VMS) during the site selection process. The boxes in blue indicate stages where stakeholders can be involved.



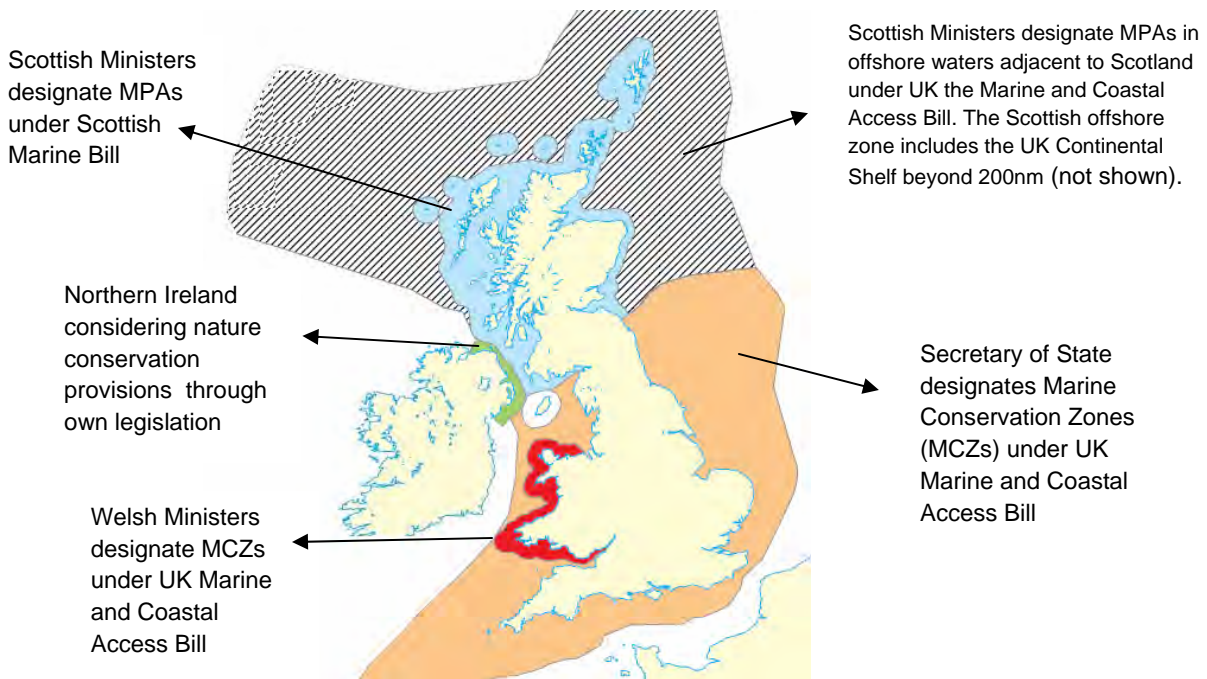
The roadmap for consideration of new European Marine Sites is below:

<u>Inshore European Marine Sites – England</u>	<u>Timetable</u>
<p>New SACs and SPAs are currently being considered.</p> <p>For these sites:</p> <ul style="list-style-type: none"> • Raising awareness with stakeholders about statutory consultation on SACs and SPAs due to start in November. • Statutory consultation • Revision of documentation following formal consultation • Submission of final site recommendations and impact assessments to Defra • UK Government submits recommendations to EC 	<p>July to October 2009</p> <p>Nov 2009 to Feb 2010 February to June 2010</p> <p>June 2010 August 2010</p>
<p><u>Inshore European Marine Sites – Scotland</u></p> <p>Two locations currently being considered:</p> <ol style="list-style-type: none"> 1. Sound Of Barra 2. East Mingulay <ul style="list-style-type: none"> • Informal stakeholder dialogue including initial scientific knowledge of both locations • End of informal stakeholder process. Draft impact assessments • Formal consultation <p>Seaward extension to 31 existing coastal SPAs</p> <p>Progress</p> <ul style="list-style-type: none"> • Formal consultation • Submission of final site recommendations and impact assessments to Scottish Ministers • Scottish Government undertakes further consultation with 	<p>2008 & 2009</p> <p>TBC</p> <p>TBC</p> <p>June 2008 to Sept 2008</p> <p>TBC</p>

<p>stakeholders</p> <ul style="list-style-type: none"> • Scottish Government submits recommendations to UK Ministers • UK Government submits recommendations to EC 	<p>TBC</p> <p>TBC</p> <p>TBC</p>
<p style="text-align: center;"><u>Offshore European Marine Sites</u></p> <p>Candidate sites UK Government has submitted five candidate offshore SACs (outside 12nm) to the European Commission:</p> <ul style="list-style-type: none"> - Braemar Pockmarks - Scanner Pockmark - Haig Fras - Stanton Banks - Darwin Mounds <p>Remain under consideration:</p> <ul style="list-style-type: none"> - Wyville Thomson Ridge - North Norfolk sandbanks and Saturn reef <p>JNCC hope to submit these two sites to the EC as soon as possible.</p> <p>Formal consultation due - subject to government approval Six sites are being considered for consultation (two are joint inshore/offshore sites and have not been listed):</p> <ul style="list-style-type: none"> - Dogger Bank - North West Rockall Bank - Bassurelle Sandbank - Hatton Bank <p>Ongoing JNCC have an ongoing survey programme in UK offshore waters and in subsequent years additional sites will be recommended to Government for designation as SACs.</p>	<p>August 2008</p> <p>December 2007 – March 2008</p> <p>September 2010 TBC</p> <p>November 2009</p>

3. Designation of new national MPAs

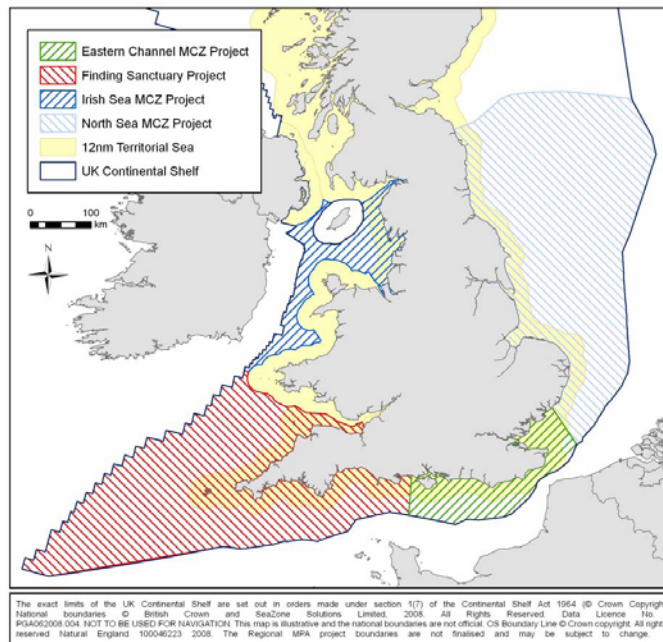
New national MPAs are being proposed under the UK and Scottish Marine Bills. In England and Wales these sites will be known as Marine Conservation Zones (MCZ) and in Scotland Marine Protected Areas.



In English territorial waters and all UK offshore waters apart from Scotland, Defra, Natural England and JNCC have established the “MCZ Project”. The Project Area has been split into four project regions (see map):

- **Eastern Channel MCZ Project***
- **Finding Sanctuary Project**
- **Irish Sea MCZ Project***
- **North Sea MCZ Project***

(Project names are to be confirmed)



Getting involved in identifying Marine Conservation Zones

In contrast to the designation of European marine sites, the draft Marine and Coastal Access Bill states that the designation of MCZs may take account of socio-economic factors. Therefore, the project will aim to maximise environmental, social and economic benefits whilst minimising costs. This approach can only be achieved through the active participation of sea users who can identify where activities are taking place, where they are already managed and what the potential impacts of a new MCZ may be.

With the exception of Finding Sanctuary in the South West which is already well established, the three other Regional Projects are currently being set up. Once the Project teams are in place they will be responsible for contacting sea users to inform them of the MCZ project process and how they can input into the decisions of where MCZs will be located.

Later in 2009 regional stakeholder groups will be established. They will be made up of representatives of all the sea user and interest groups in the region, including commercial fishermen. Based on Defra guidance, the groups will be helped through a process of negotiation to develop recommendations on potential MCZs and their boundaries; the conservation objectives for sites; and the management measures needed to achieve these objectives. Natural England and JNCC will be working with users to identify appropriate management activities to fulfil the conservation objectives for sites.

Each of the regional stakeholder groups will submit their recommendations to JNCC and Natural England in mid 2011. They will collate them into a single document and will not

change the recommendations. However, as the Government’s statutory conservation advisors, they will be required to advise Government on whether the MCZ network fulfils the network criteria.

The recommendations will be submitted to Defra in October 2011 and will be subject to public consultation in 2012.

Key steps in 2009

Three national level activities will occur in 2009.

1. Development of **technical and governance guidance**:

- Network principle and design guidance to ensure we achieve an ecologically coherent network.
- MCZ regional project process and governance

2. Establishment of a **Scientific Advisory Panel** to provide independent scientific advice from specialists to guide the regional MCZ projects in ensuring that their recommendations satisfy network objectives.

3. Consideration of the establishment of **UK level stakeholder forum** with national and international membership to:

- improve information dissemination on the different MPA processes in the UK; direct them to engage appropriately in the processes; and
- provide input into the impact assessment of the UK MPA network, and
- facilitate the identification of opportunities and synergies generated by MPAs

The proposed timescale for the MCZ project is set out below:

Marine Conservation Zone Project	Timetable
<p>The decision making process</p> <ul style="list-style-type: none"> - Consultation on Defra MPA strategy - MCZ Support Group formed to develop the national framework and facilitate coordination across the regional projects. Members include Defra, NE and JNCC. - Formation of Science Advisory Panel to include independent marine scientists. - Deliberation on the establishment of a UK level stakeholder forum to include representative from national and regional stakeholders. 	<p>April to July 2009</p> <p>September 2008</p> <p>Autumn 2009</p> <p>TBC 2009</p>
<p>Proactive stakeholder engagement</p> <ul style="list-style-type: none"> - Ensure your sector is represented in the MCZ recommendation process. - Remain engaged 	<p>Summer 2009 – October 2011</p>

<p>Project delivery – to establish four non-statutory regional MCZ projects.</p>	
<p>Each project will have a governance structure comprising a Project Board, a Stakeholder Group and a Project team.</p>	
<p><u>Finding Sanctuary Project (South West England)</u> Established since 2005. NE and JNCC are currently reviewing the Finding Sanctuary Model to determine the terms of reference, group membership and a decision making framework that should be adopted by all four regional projects.</p>	
<p>Key work & meetings :</p> <ul style="list-style-type: none"> ▪ Publication of ‘Fishermap’ (A protocol for mapping and recording fishermen’s use of the sea). ▪ Steering Group Meeting (Dart’s Farm). ▪ Ports and Harbours Conference (planning for the Water Environment in the South West - Water Framework Directive and Marine Protected Areas). Venue: Manley House, Kestrel Way, Sowton Industrial Estate, EX2 7LQ. 	<p>November 2008</p> <p>11th March 2009</p> <p>20th April 2009</p>
<p><u>Irish Sea MCZ Project</u></p> <ul style="list-style-type: none"> ▪ Advertise for a Marine Conservation Zone project manager. 	<p>February 2009</p>
<p><u>Eastern Channel MCZ Project</u></p> <ul style="list-style-type: none"> ▪ Advertise for a Marine Conservation Zone project manager in post. 	<p>January 2009</p>
<p><u>North Sea MCZ Project</u> Yorkshire and Humber Seafood Group chosen to host the North Sea MCZ project.</p>	<p>2008</p>

Contact details

The Joint Nature Conservation Committee (JNCC) is a statutory adviser to Government on UK and international nature conservation. JNCC delivers the UK and international responsibilities of the conservation agencies for the UK’s devolved administrations: Scottish Natural Heritage, the Countryside Council for Wales, the Council for Nature Conservation and the Countryside in Northern Ireland and Natural England.

This roadmap has been prepared by Mark Gray and Karen Green at Seafish. For further information on the roadmap or to receive a copy contact Mark Gray on T: 01248 605038 or Karen Green on T: 07515 993499.

Government administrations

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MCZ Regional Projects

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