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Community-led conservation – experiences from the Marine Conservation Zone Project

James Marsden, Director Marine, Natural England

I'm grateful for the opportunity to share experience of the challenges and lessons from a pioneering new stakeholder-led approach to establish Marine Conservation Zones (MCZs).

Context

We are trying to deliver in a few years what it has taken six decades to achieve on land.

MCZs are a new approach to marine protection and will contribute towards the Government's commitment to establish a representative and ecologically coherent UK Marine Protected Area (MPA) network by 2012.

England's contribution to the UK MPA network will comprise existing and proposed Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the Habitats and Birds Directives (Natura 2000), Ramsar sites and SSSIs in estuarine and coastal waters, and MCZs – one network, five designations.

Creation of this network will contribute to achieving Good Environmental Status (GES) required by the Marine Strategy Framework Directive (MSFD), and the UK Government's commitments under the OSPAR Convention on the protection of the marine environment in the North East Atlantic, the World Summit on Sustainable Development (WSSD) and the Convention on Biological Diversity (CBD).

Marine Conservation Zones

Unlike Natura 2000 sites - perceived by some as designation by diktat - the location and boundaries of MCZs are being designed by stakeholders through four regional projects:

- Balanced Seas (south-east)
- Finding Sanctuary (south-west)
- Net Gain (North Sea)
- Irish Sea Conservation Zones (Irish Sea)

Each regional project has a stakeholder group made up of representatives of sea users and interested parties, which will recommend MCZs in their area.

There are various sub-regional 'hubs' and focus groups to discuss specific issues, as each regional project has conducted their engagement in a different way to suit the requirements of their stakeholders and regional sea.

We are now two years into the process – and huge progress has been made. The four regional projects published their third iteration reports on 28 February.

These progress reports' set out the supporting evidence, draft site boundaries and conservation objectives to give an indication of where future recommendations are likely to be made - they have been submitted to the independent **Science Advisory Panel** (SAP) for scrutiny, comment and feedback (received at the end of March).

The regional projects are expected to deliver their final MCZ recommendations by 31 August 2011.

Government has charged Natural England and the Joint Nature Conservation Committee to deliver advice on the regional projects' MCZ recommendations with an impact assessment by 30 November 2011. This will enable public consultation on proposed sites next spring, giving stakeholders a further opportunity to express their views.

It will only be after Government has considered the consultation responses that Ministers will determine which MCZs to designate by 31 December 2012.

Stakeholder engagement

There's been an impressive and welcome amount of stakeholder engagement so far and the breadth and number of interests involved is impressive:

- >248,000 stakeholders' interests have been represented in the Finding Sanctuary project; and >430,000 in the Net Gain project;
- The scale of the consultations is unprecedented – thousands of people have been interviewed.
- The total number of people involved is staggering – more than a million people are having their say.

No other country in the world has attempted to engage so many people in developing plans for marine protection on such a large scale before.

Despite this stakeholder-led process, it's been reported that Natural England and JNCC already have a secret map with MCZs plotted on it. **We do not.**

These proposals were not written and shaped in Whitehall, nor by environmental NGOs, but by a combination of fishermen, offshore energy developers and aggregates producers, recreational boaters and conservationists, port authorities, local communities and the public.

This is a big and ambitious project. And it is working.

Over 100 possible MCZs have been identified to date. These are not arbitrary lines on maps of faraway places. They are living systems, places where people work, places on which a vast array of industries and individual businesses depend.

It hasn't always been easy. People don't always agree. And the stakeholder groups deserve huge credit for sticking together through some tough and difficult times.

Their discussions have been open, honest, sometimes heated and have surfaced big issues:

- Stakeholders remain **confused** about different types of MPA and related processes;
- They think all MPAs will be **No Take Zones** (NTZs) and their 'worst case' default position is to assume all sea uses and activities will be banned because management measures are not yet defined;
- They do not understand why all this is happening now and believe the **timetable** for MCZs is unrealistic;
- They worry about **representation** and how this may undermine legitimacy of the stakeholder groups' recommendations - this is felt most acutely by fishing and other UK commercial interests (e.g. offshore renewables). But it's not possible for industry

sectors to have multiple representatives or a majority on the stakeholder groups - the process needs to be equitable. It's not about voting but collaborative decision making;

- There's concern about the quality of the **evidence base**, handling of uncertainty and use of best available evidence;
- And confusion over who will develop and regulate **management measures** – this is compounded by the representation issue, and some sea users have said they fear being outvoted by “tree huggers and sandal wearers”;
- Fishermen **fear for their livelihoods** and cast doubt on whether a handful of MPAs surrounded by a degraded seascape - caused by **displacement** of economic activities - are the best way to deliver *Good Environmental Status* as required under the MSFD;
- They have described the MCZ approach as the **opposite of the Big Society** – superficially democratic and participative but feeling like a juggernaut speeding to a fixed destination; formulaic, despite different regional approaches, because conformity is achieved through Ecological Network Guidance (ENG) to ensure ecological (but not social or economic coherence); and there is a big-government back-stop if the regional projects fail to deliver.

These are tough messages. I'd like to expand on the challenges around evidence base, management measures and impact assessment.

Use of best available evidence

Natural England is under close scrutiny from stakeholders in terms of openness, transparency of process, trust in our evidence and handling of uncertainty.

We're all agreed that decisions must be evidence based, and where there is uncertainty that needs to be made clear. The ENG draws heavily on international good practice and peer reviewed science to inform the proposed approach to MCZ selection.

Finding definitive evidence is expensive, if not impossible at sea – what we can work with is the 'best available evidence' and that includes hard-won local knowledge, as well as that from more formal peer reviewed scientific reports.

But how should 'evidence' subject to different standards of quality assurance and peer review be weighed in the balance when hard choices have to be made by Ministers in the end game? Will scrutiny and QA/peer review processes of socio-economic data be as rigorous as that of ecological data?

To gather the 'best available evidence' it is vital that we understand how near natural systems function without human activity – how they respond when all extractive, depositional or human-derived disturbing or damaging activities are curtailed.

Reference areas (our term for marine reserves), similar to the no-take zones at Lundy and Flamborough Head, which together extend to <5 square kilometres and where nature is left to its own devices, will have an important role to play in the MPA network – broadening everyone's understanding of how the marine environment rebounds.

It is nonsense to suggest that this means closing the sea to industry and other sea users – reference areas will be the exception not the rule and they are not scientific playgrounds.

They will help ensure that decisions about MPA management measures are based on the best available evidence. And the information they provide may well lead to more permissive management regimes in the future.

A new study of European marine reserves by the Partnership for Interdisciplinary Studies of Coastal Oceans shows clear benefits of this type of marine reserve.

Scientists recorded increases in biomass (up by 250%), abundance (126% more abundant), body size (15% bigger) and species diversity (up by 19%):

We've recently published this report on our website.

Management measures

There's widespread agreement that management measures must be reasonable, proportionate and enforceable. And there will be a strong preference for voluntary rather than regulatory management measures.

But there's ongoing debate about the level of evidence required to justify management action by the regulatory authorities - what is reasonable and proportionate, when should a precautionary approach be adopted and can evidence of current activities over known features be used as proxy for feature condition without additional baseline survey?

In just one cSAC, the now infamous Lyme Bay and Torbay site, Natural England has spent £1.4m and the Wildlife Trusts another £0.5m to gather the evidence for protection of internationally important reef habitats – yet more than seven months after Defra submitted the site to the European Commission, no management measures are in place.

Furthermore, it's standard practice for all other industries to pay for their own survey and monitoring costs to demonstrate no adverse effect, but fisheries remains an exception.

So there are very real concerns about management measures – what will be permitted, what will be regulated, what will be prohibited and we are very aware of the implications this may have for those who work and make their livelihoods from the sea.

Where uncertainty remains it might be best to delay progressing management measures – i.e. apply an adaptive management approach as the evidence base and our understanding of pressures and impacts on designated features allows.

Impact assessment

Government is clear that stakeholders need to have the opportunity to influence choices on how sites could be managed to achieve their conservation objectives. The management options identified by stakeholders will inform the IA. The IA will:

- Identify which activities need managing to achieve the conservation objectives;
- Identify the management options to achieve the conservation objectives;
- Provide information that provides assurance that the management options are practical and feasible (e.g. are they enforceable);
- Comment on the likely effectiveness of different management options to achieve the conservation objectives; and
- Assess the potential impact of different management options (costs and benefits).

There may be hard choices to be made about the nature of stakeholder engagement during the IA process – for example, where the balance of stakeholder involvement should lie between identifying what needs to be managed and how the management should be delivered.

The regional stakeholder groups have much to do to respond to the SAP's feedback on their 3rd iterations and submit their final draft recommendations by 1 June. Work on the IA cannot

start in earnest until the site locations and boundaries are fixed, so Natural England is urgently seeking solutions with Defra and the JNCC to make best use of stakeholders' time and expertise, and increase the chances that the IA can be delivered within the agreed timeline.

Opportunities to influence choices to be made

The Government will decide on which MCZs are designated and wants to know what choices are available to achieve their conservation objectives.

Within that context stakeholders have opportunities to:

- Apply the network design principles and criteria to identify possible MCZs in different ways - for example, with lots of smaller sites or fewer larger ones;
- Choose between alternative sites available to represent a particular feature;
- Decide where to co-locate MCZs with existing MPAs and socio-economic activities;
- Identify the location and size of reference areas;
- Determine the conservation objectives and management options to inform the IA.

All this means that stakeholders can be as spatially efficient as they like and minimize the impact on their activities where there are options about site locations.

Between the end of August and November 2011, Natural England and JNCC will not change the stakeholder recommendations, but we will consider what further advice may be needed to meet the ENG criteria. Stakeholders might ask why our advice or Government's decisions could be different from the regional projects' recommendations.

So the next few months will be critical and stakeholders still have real opportunities to shape the final recommendations. I hope they take them because - to quote the Chairman of an Inshore Fishermens Association - "local knowledge honestly given is vital to implementing sensible protection for marine habitats and species".

Thank you