

Marine Conservation Zone Project

Delivering the Marine Protected Area Network

Project Delivery Guidance on the process to select Marine Conservation Zones



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Drafted by Natural England and JNCC

Introduction and status

This is draft guidance for the Marine Conservation Zone (MCZ) Project, known as the 'Project Delivery Guidance'. It is provided to the regional stakeholder groups, regional MCZ project teams and other stakeholders to enable them to understand the framework for selecting Marine Conservation Zones (MCZs). It does not cover the criteria for the identification of MCZs¹. It remains subject to change, particularly to reflect developing policy.

On 11 March 2010, two months after commencement of Part V of the Marine and Coastal Access Act the Minister made a statement to Parliament setting out how the nature conservation clauses of the Act will be implemented (Defra 2010a). Following this statement, Natural England and the Joint Nature Conservation Committee (JNCC) have chosen to share this draft Project Delivery Guidance prior to its finalisation in May 2010.

When finalised, the Project Delivery Guidance will be Natural England's and JNCC's advice on the process to select MCZs and is informed by the existing and draft Government policy, this includes the Ministerial Statement, Draft Marine Protected Area strategy and Guidance Notes. The draft guidance does not bind Defra in terms of future changes to the Act, Defra Guidance Notes or the Ministerial statement. The guidance will be changed to reflect any legislative or policy changes agreed by Government.

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¹ For more information on the criteria for identifying MCZs, see the 'Ecological Network Guidance'.

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1 Establishing Marine Conservation Zones

The UK MPA network will fulfil the following international commitments for the protection of marine biodiversity through MPA networks: the OSPAR Convention; the World Summit for Sustainable Development (WSSD); and the Convention on Biological Diversity. It will also assist in the achievement of Good Environmental Status under the EU Marine Strategy Framework Directive and Favourable Conservation Status for Annex I habitats and Annex II species under the Habitats Directive and Annex I species under the Birds Directive.

The Government is committed to 'creating a UK-wide ecologically coherent and well-managed network of MPAs as a key element of its wider work to recover and conserve the richness of our marine environment and wildlife'. For English territorial waters and UK offshore waters adjacent to England, Wales and Northern Ireland (the Defra area). MCZs contributing to the network will be identified on a regional basis by four regional MCZ projects.

In the Defra area the MPA network will comprise existing and new MPAs including European marine sites (SACs and SPAs) and the marine components of SSSIs and Ramsar sites; and MCZs designated under the Marine and Coastal Access Act (MCAA). Each regional MCZ project will recommend to the Joint Nature Conservation Committee (JNCC) and Natural England the MCZs for their respective project area, eventually contributing to the Defra area MPA network.

1.1 Background

This guidance aims to provide clarity to all those involved in the selection of MCZs and to explain the roles and responsibilities of the organisations involved. This guidance is specifically targeted at those organisations and individuals who may be engaged in the four regional MCZ projects and involved in identifying and recommending MCZs.

Every effort will be made to ensure that the overall process outlined in this document is operated in a fair and equitable manner giving all interested parties an opportunity to participate in the process.

The process identified in Chapter 3 outlines eight stages that the regional MCZ projects must complete. However, it is recognised that the implementation of the stages will vary between regional MCZ projects depending on regional circumstances.

The engagement of stakeholders is a core principle of the MCZ recommendation process. A stakeholder is defined as *an organisation, regulator, interest group or individual whose activities could be affected by MCZs*.

Stakeholders will play a clear role in the decision-making process for identifying MCZs. The process outlined in this guidance has been developed from:

- Lessons learned from previous designation processes (terrestrial and marine).
- International research and MPA network planning.
- Lessons learned from the 'Finding Sanctuary' pilot project.

- Consulting with key stakeholders and through public participation research².

Government is encouraging stakeholders to contribute to the decisions about the selection and location of MCZs and to work together in identifying the conservation objectives and potential impacts of the proposed sites. In this way, the identification of MCZs will be different from that for European Marine Sites (EMS).

In contrast to the designation of EMS, the Marine and Coastal Access Act 2009 states that the designation of MCZs *may have regard to any economic or social consequences*. This guidance sets out how this will be undertaken (Chapter 4). Providing the resulting network is ecologically coherent and meets the design principles as set out in the Ecological Network Guidance³ then social and economic consequences may be taken into consideration.

There is a wide range of stakeholders with an interest in the development of the MCZs. These range from individual fishermen operating small inshore vessels and recreational users, through to multi-national companies, conservation bodies and international organisations.

Four regional MCZ projects have been established to identify MCZs, which in turn will contribute to the wider MPA network. These regional MCZ projects will also identify conservation objectives for each site to protect the feature(s) for which the site is established. Each regional MCZ project will develop an impact assessment for their proposed regional series of sites. The impact assessments will identify potential environmental, social and economic impact (both positive and negative) of the management measures that are likely to be needed for each of the sites in order to achieve the recommended conservation objectives.

The impact assessment will be included in the package of recommendations from each regional MCZ stakeholder group to Natural England and JNCC. These impact assessments will set out how social and economic consequences have been considered and will help inform the Secretary of State's decision to designate MCZs (see Chapter 4 for further details).

Natural England and JNCC will develop monitoring systems and advise regulatory authorities on management measures, for example licensing and regulation. They will formulate this advice alongside the work of the regional MCZ projects.

Although the MCZ recommendations will be developed regionally, the MCZ Project will provide at national level the required guidance, technical support, research, governance, planning, communications, national stakeholder engagement and reporting to facilitate regional delivery. The MCZ Project will be implemented through a partnership between Natural England, JNCC and Defra.

1.2 National legislation and policy framework

The policy framework is set by the (draft) Defra MPA Strategy⁴ and Guidance⁵ to accompany Part 5 of the Marine and Coastal Access Act 2009. The MPA Strategy outlines the Government's vision for MPAs in English territorial waters and all UK offshore waters. The MPA Strategy explains the differences in the MCZ and EMS processes and how the different designations will form the MPA network. It explains the international commitments and targets and the role that

² Adopting effective stakeholder engagement processes to deliver regional Marine Protected Area (MPA) network. Natural England NECR008

³ Delivering the Marine Protected Area Network: Ecological Guidance to Regional Stakeholder Groups on identifying Marine Conservation Zones (Working Draft), August 2009. Natural England and JNCC.

⁴ <http://www.defra.gov.uk/corporate/consult/marine-conservation-zones/>

⁵ <http://www.defra.gov.uk/environment/marine/legislation/key-docs.htm>

the regional MCZ projects will play in contributing towards delivering these targets as part of the UK MPA network.

The Marine and Coastal Access Act 2009 sets out a legal duty to designate MCZs as part of a network of MPAs and provides the tools needed to designate and protect MCZs.

Defra and the Welsh Assembly Government (with advice from the Statutory Nature Conservation Bodies (SNCBs)) have produced a series of (draft) guidance notes to accompany the Act.

These comprise:

- Draft guidance on selection and designation of MCZs (Note 1).
- Duties on public authorities in relation to MCZs (Note 2).
- Draft guidance on protecting MCZs from the impacts of unregulated activities and intentional/reckless damage (Note 3).
- Draft guidance on SSSI and National Nature Reserves in the subtidal area (Note 4).

These notes provide high level guidance on the interpretation and details of the MCZ provisions and are available from the Defra website⁴, but do not detail what needs to be protected or how MCZs should be identified. That is the aim of this project delivery guidance document and the separate Ecological Network Guidance, also being prepared by Natural England and JNCC for publication in 2010.

Defra Ministers will be responsible for the designation of MCZs, using advice provided by the regional MCZ projects, the Science Advisory Panel (SAP) (see section 2.3.1 below) and the SNCBs.

1.3 Guidance objectives

The objective of this guidance is to provide clarity on the **process** for selecting MCZs, principally to those who will have a significant role in the delivery of the regional MCZ projects.

The Project Delivery Guidance will:

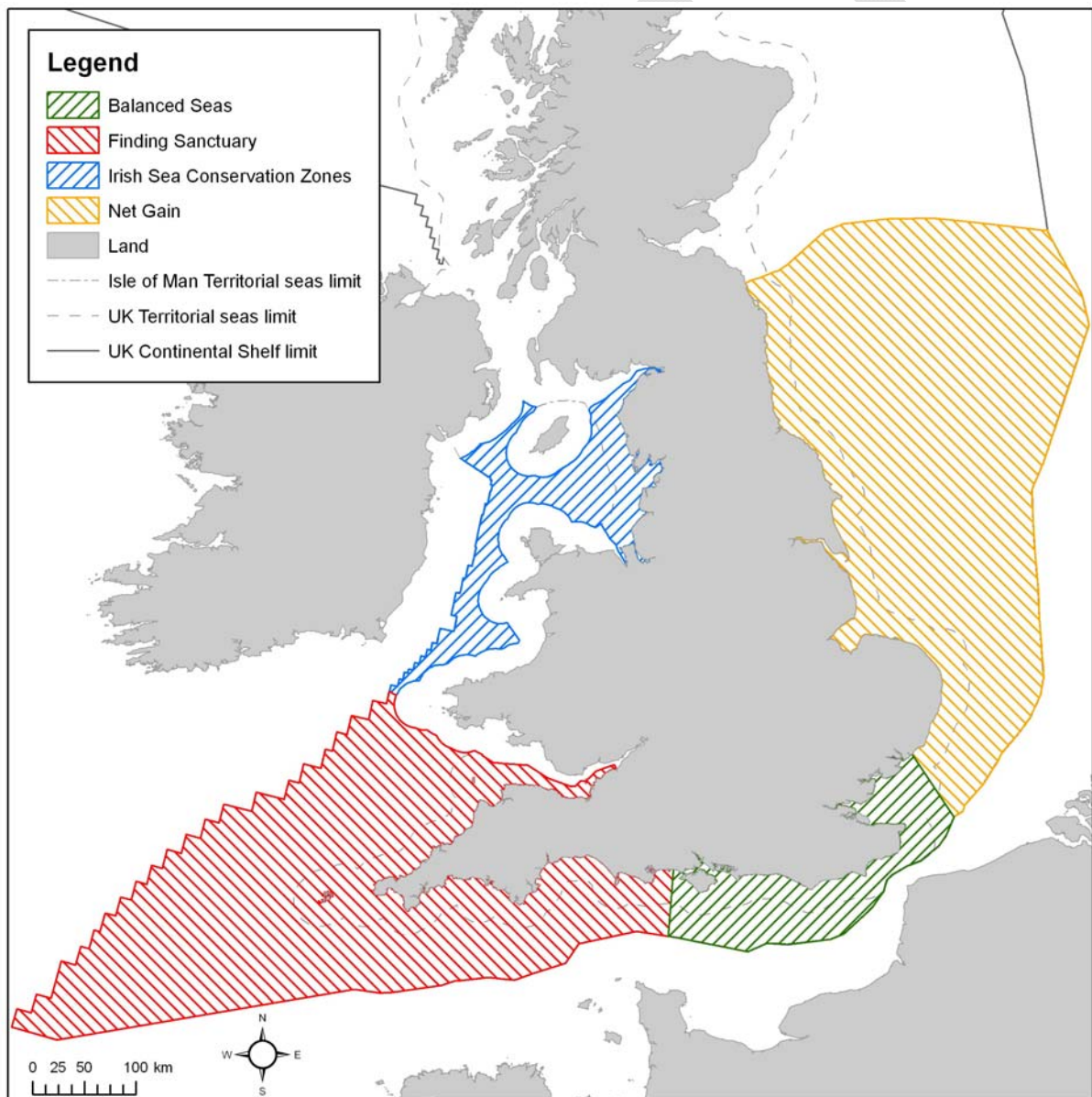
- Identify and explain the roles and responsibilities of the organisations involved in the process.
- Explain the decision-making structures and organisational accountability.
- Set out the stages and the timetable for the decision-making process.
- Explain how and by whom recommendations and decisions on MCZ locations, habitats, species and geological and geomorphological features are to be made.
- Explain how socio-economic considerations will be taken into account in the process.

This guidance does not detail the selection criteria for MCZs, or how to develop MCZ conservation objectives. These will be set out in the Ecological Network Guidance.

1.4 Geographical scope

MCZs will be identified within four regional MCZ projects whose boundaries are identified in the map below (Figure 1). This scale was chosen to reflect the ecological, social, economic and political differences between regional seas in England. The four projects cover English territorial waters and UK offshore waters adjacent to England, Wales and Northern Ireland (the Defra marine area), and are:

- Net Gain (the North Sea marine area).
- Irish Sea Conservation Zones (ISCZ).
- Balanced Seas (the regional project for the South East marine area).
- Finding Sanctuary (the South West marine area).



The exact limits of the UK Continental Shelf are set out in orders made under section 1(7) of the Continental Shelf Act 1964 (© Crown Copyright). World Vector Shoreline © US Defense Mapping Agency. UK Limits provided by UKHO Law of the Sea Division (© Crown Copyright). Map copyright JNCC 2009. BS 17/06/2009.

Figure 1 Geographical scope of the MCZ Project in England and UK offshore waters.

Regional MCZ projects will be expected to engage the appropriate Governments of any neighbouring areas, including devolved administrative areas (including Northern Ireland, Wales, Scotland and the Isle of Man) and European Member States (including Republic of Ireland, France, Belgium etc). Wales, Scotland and the Isle of Man are progressing with separate MPA planning projects.

JNCC will facilitate liaison between regional MCZ projects and adjacent Governments through established UK MPA groups and by facilitating the organisation of meetings as required. The regional MCZ projects should co-ordinate with JNCC to engage with international stakeholders who have resource access arrangement within offshore areas.

1.5 Timetable – major milestones

Table 1 The timetable and major milestones in the proposed process. A more detailed timetable is given in Chapter 3.

Stage	Timetable	Milestone
1	Start - January 2010	Project preparation and establishment of Governance structures
2	February - March 2010	Regional stakeholder group formation and information collation
3	April 2010	Draft regional profile produced
4	May - August 2010	Explore MCZ Options – 1 st MCZ Iteration
5	September - Dec 2010	Regional profile finalised Explore MCZ Options – 2 nd MCZ Iteration Data collection to cease October 2010
6	Jan – mid April 2011	Explore MCZ Options – 3 rd MCZ Iteration
7	Mid April – May 2011	Finalise MCZ recommendations
8	June 1 st 2011	MCZ recommendations submitted to Natural England and JNCC (as endorsed by SAP)
9	November 1 st 2011	Natural England and JNCC submit MCZ recommendations to Defra

2 Process Governance

This chapter describes the organisations and structures involved in the planning and decision making process for MCZs.

2.1 Role of Defra, JNCC and Natural England in delivering MCZs

Natural England and JNCC have agreed to work in partnership to recommend MCZs across the Defra marine area⁶ to Government by November 1st 2011⁷.

MCZs will be identified through the four regional MCZ projects. Natural England, JNCC and Defra have established the Governance framework (Figure 2) to enable the regional MCZ projects to deliver. At a national level JNCC and Natural England have also provided a:

- MCZ Technical Support Group
- MCZ Project Team

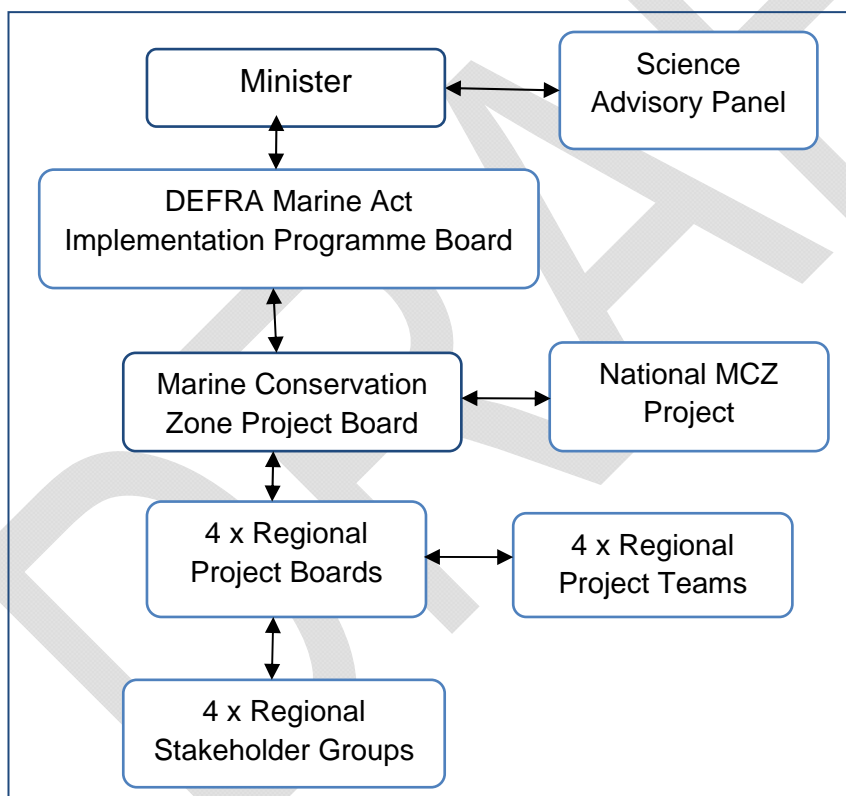


Figure 2 Governance of the MCZ Project in England and Defra marine area.

The role and responsibilities of these groups are provided in [Annex 1](#).

2.2 Regional organisation and project structures

⁶ English territorial waters and offshore waters adjacent to England, Wales and Northern Ireland.

⁷ As described in Draft guidance on selection and designation of Marine Conservation Zones (Note 1) <http://www.defra.gov.uk/environment/quality/biodiversity/marine/documents/guidance-note1.pdf>

The regional MCZ projects have been established to deliver MCZ recommendations to Natural England and JNCC prior to their submission to Ministers. The regional MCZ projects will be required to follow the process detailed in this guidance document in order to identify prospective MCZs in conjunction with stakeholders.

JNCC and Natural England have developed regional partnerships⁸, including local hosting arrangements, to support the delivery of the MCZ Project. Three distinct structures have been established within each regional MCZ project area (see Figure 2) to ensure the delivery of MCZ recommendations:

- Regional project board
- Regional stakeholder group
- Regional project team

These three structures are described in more detail below.

2.2.1 Regional Project Boards

Responsibility:

Regional Project Boards are responsible for the effective delivery of MCZ recommendations and accompanying impact assessment by the regional stakeholder groups to Natural England and JNCC by June 2011, both within the project budget and adhering to national MCZ guidance.

Board members will not be directly involved in, and will not influence, the MCZ recommendations. Each Board will be responsible for the development of their Terms of Reference, which will reflect the procedures and requirements laid out in the Memorandum of Agreement (MOA) drawn up between the partners responsible for delivery of each regional MCZ project.

Membership:

Regional project boards will comprise at least the regional project manager, project host⁸, Natural England Regional Director (or representative), JNCC and other partners as appropriate. Defra may attend meetings as observers.

Prospective member organisations of the regional Project Board were initially identified by Natural England and JNCC. regional Project Boards should ensure their membership has the necessary experience, knowledge and skills to deliver the project's outputs. Where gaps are identified, appropriate new members should be sought.

Board Management:

Regional Project Board members will select a Chair to promote the board's independence.

The regional project manager will provide the secretariat for the board.

⁸ Finding Sanctuary: South West Food and Drink; Balanced Seas: University of Kent; Net Gain: Yorkshire and Humber Seafood Group; Irish Sea Conservation Zones Project: EnviroLink Northwest.

Financial Accountability:

The regional MCZ projects will be largely funded by Natural England and JNCC with contributions from other partners. To ensure appropriate accountability, the relevant Natural England Regional Director will assume responsibility for the financial management of the projects in liaison with the regional Project Boards.

Planning and reporting:

As laid out in the MOAs between the parties of each regional MCZ project, regional Project Boards are required to sign off project plans, oversee the commitment and spend of budget and provide progress reports to each MCZ Project Board meeting using a standard template (that includes reporting on the risks and issues being experienced by the project). The regional project manager will produce reports for sign-off by the regional Project Board.

2.2.2 Regional stakeholder groups

A regional stakeholder group is a key element within each of the four regional MCZ projects. Each regional Project Board will decide on a name for their respective stakeholder group (but this document will use the generic term “regional stakeholder groups”).

Each regional project team will contract an independent facilitator (see section 2.2.3) who will design and run workshops to deliver MCZ recommendations and support the selection of the stakeholder group.

Responsibility:

Regional stakeholder groups are responsible for providing MCZ recommendations to Natural England and JNCC (and copied to Defra) by June 2011 including:

- ◆ Recommended MCZ sites for their regional project area that deliver the requirements of the Ecological Network Guidance and that are endorsed as doing so by the Science Advisory Panel (SAP) (see section 2.3.1).
- ◆ The conservation objectives for MCZ sites (which will inform the level and nature of protection necessary for their constituent features).
- ◆ A draft impact assessment for the regional MCZ series to be submitted to the SNCBs that is of sufficient quality for formal public consultation and external review (see Chapter 5 below).

The regional project teams will provide the support to the regional stakeholder groups in achieving their responsibilities.

Regional stakeholder groups should liaise with and seek advice from the SAP in developing the MCZ recommendations.

Membership:

The regional stakeholder group will comprise representatives from all appropriate sectors that have an interest in the development of the regional MCZ recommendations. To ensure a fair and transparent process, this should include representatives from all significant sectors and may mean the regional stakeholder

group could exceed 50 members. Members of the group must represent and liaise with their stakeholder sector outside the meetings to ensure everyone's views and concerns are raised. Selected members shall represent the views of their stakeholder sector as a whole, because it will not be possible to have every individual stakeholder on the stakeholder group.

It is recognised that some sectors may, despite best efforts, be unable to provide a representative that can engage in the regional stakeholder group meetings, for example due to time or other constraints. These sectors will have the option of having a representative nominated as a 'Named Consultative Stakeholder'. These representatives will not attend the meetings but will be consulted through other means, thereby retaining a high level of influence in the development of recommendations. In consultation with the national MCZ Project team, regional project teams and their facilitators will determine how named consultative stakeholders input is integrated appropriately into the process.

Natural England and JNCC, as the Statutory Nature Conservation Bodies, will have representatives on each of the regional stakeholder groups. They will work alongside other stakeholders, providing information, technical expertise, and actively participating in the MCZ planning process.

The Marine Management Organisation⁹ (MMO), as marine managers and the lead enforcement agency, will be expected to have impartial representation on each of the regional stakeholder groups. It will work alongside other stakeholders to provide information, management and enforcement expertise, but may prefer to facilitate rather than actively participate in MCZ site selection.

Government Departments¹⁰ have decided not to be represented on each of the regional stakeholder groups. Departments have chosen to engage through the UK Marine Biodiversity Policy Steering Group.

The regional stakeholder groups could, if necessary, establish smaller sectoral subgroups or advisory groups to help deliver broader stakeholder engagement throughout the region making use, for example, of existing structures such as county groups or Coastal Partnerships. These smaller groups could provide local or sectoral advice to the regional stakeholder group on possible site recommendations or the effects of proposed MCZs (see section 2.3.4).

The regional project teams and their facilitators (see section 2.2.3) will work with the regional stakeholder groups to develop an effective decision-making process. Each regional MCZ project will determine the details of this process, but all final decisions and MCZ recommendations must be made or endorsed by the regional stakeholder group. Where there are outstanding disagreements over the final recommendations of sites and/or conservation objectives, these should be highlighted and logged as part of the package of recommendations.

Representation on the regional stakeholder group and members' roles:

Members of the regional stakeholder group should have a good knowledge of the sector they are representing. Their role will be to work positively with the other members of the group in order to develop the final recommendations by June 2011.

⁹ Presently The Marine & Fisheries Agency (MFA) and the Inshore Fisheries and Conservation Authorities (IFCAs, presently the Sea Fisheries Committees (SFCs).

¹⁰ To include the Department for Energy and Climate Change and Department for Transport.

They should also be willing to actively speak about the interests of their stakeholder sector in discussions and engage positively in the process and the workshops associated with it.

Between workshops, group members supported by the regional and national project teams should liaise with the sector they are representing in order to:

- ◆ Provide information on potential environmental, economic, and social effects of the proposed MCZ options (see Chapter 4). This will include information on the potential for sectors to adapt their activities where necessary to achieve the conservation objectives for features in the proposed MCZs.
- ◆ Disseminate information on the MCZ recommendation process and workshop outputs to their sector.
- ◆ Act as the point of contact for establishing a two-way dialogue to ensure their sectors' aspirations for the MCZs are represented at workshops.

Becoming a member of the regional stakeholder group:

The regional project teams will work with regional stakeholder group facilitators to secure appropriate membership of the group including by conducting a stakeholder analysis. The regional MCZ projects should work flexibly with the facilitators to ensure transparency, awareness amongst stakeholders, and fair representation of all interests in the group. This could be done by:

- ◆ Raising awareness of the regional MCZ project through media, open meetings and targeted meetings.
- ◆ Publicly advertising opportunities to join the regional stakeholder groups via relevant media. JNCC will co-ordinate with the regional MCZ projects to recruit national and international stakeholders to minimise duplication.
- ◆ Identify stakeholder groups that have not responded and invite them to join.
- ◆ Invite all interested parties to a facilitated workshop to explain the role of the regional stakeholder group and identify sectoral representatives.
- ◆ Make final decisions on group membership using an impartial process with the stakeholder group facilitator.

Regional stakeholder group management:

Each regional stakeholder group will decide whether a Chair to be is appointed and if so what their role should be.

The regional project manager will be responsible for the secretariat of the group. Travel costs incurred by stakeholders attending meetings may be covered on an individual basis as decided by the regional MCZ projects.

2.2.3 Group Facilitator

Each regional project team will contract an independent facilitator, referred to in this document as the regional stakeholder group facilitator.

Responsibility:

The regional stakeholder group facilitator will be responsible for working with the regional project team to design and run a stakeholder engagement process to deliver MCZ recommendations by June 2011. Based on the framework and parameters developed nationally, the regional stakeholder group facilitator should:

- ◆ Develop a detailed decision making process in close collaboration with each regional MCZ project manager. This process should have clear and planned sequencing, stages and levels of involvement and should be based on principled negotiation and consensus building during a series of inclusive workshops.
- ◆ Carry out a stakeholder analysis to identify sectors that should be represented on the regional stakeholder group. This will need to take place firstly at a generic level to identify sectors and secondly at a more detailed level to identify individuals. It should ensure that the stakeholder groups are balanced and inclusive.
- ◆ Prepare, facilitate, and report for workshops with regional stakeholder groups.
- ◆ Carry out training as required for project staff and other relevant support staff.
- ◆ Ensure that decisions and discussions make best use of data, information, decision support tools and other available technology, particularly Geographic Information Systems (GIS).
- ◆ Advise and participate in events with regional stakeholder group members to develop group dynamics and improve working.
- ◆ Manage and resolve particular disputes to ensure that MCZ recommendations are well supported.

The regional stakeholder group facilitator may require support from other trained facilitators to run workshops. It will be the responsibility of the regional stakeholder group facilitator to identify and support staff requirements.

Recruitment:

Each regional Project Board will be responsible for contracting their facilitator. To promote continuity throughout the process, facilitators are expected to be contracted until June 2011. Appointments should be undertaken following each of the regional host organisation's⁸ procurement process.

2.2.4 Regional Project Teams

Regional project teams will provide technical expertise to support the regional stakeholder groups in developing the MCZ recommendations and will manage the project as directed by the regional project board.

Defra, through Natural England and JNCC, will provide funding to recruit appropriate staff to the regional project teams. The regional project board will select the appropriate staff to deliver the project. An appropriate project partner will employ these staff.

The regional project teams should have professional skills in project management, marine protected area planning, marine ecology/science, GIS, stakeholder liaison, economics, social science and communications.

The regional project teams should also ensure that they proactively communicate with adjacent regions and devolved administrations.

2.3 Other players in the process

2.3.1 Science Advisory Panel (SAP)

Background and purpose:

MCZs will be selected using the best available evidence. The Science Advisory Panel (SAP) is an independent national panel consisting of well-respected UK and international scientists. Their participation will enhance the independent scientific expertise and advice available to the regional MCZ projects. The SAP is appointed by the Secretary of State (SoS). It includes eight members with a broad range of experience and scientific expertise at national and international levels. Its Chair, who may be a non-specialist, has expertise and experience in leading and facilitating expert groups.

Role and responsibilities:

The SAP will provide scientific knowledge, advice, and judgement to assist the regional MCZ projects in identifying MCZs and the SoS in designating these sites. The SAP will be required to provide a view on the MCZ recommendations for each of the four project areas, and as part of the wider UK MPA network.

Principally the SAP will:

- ◆ Provide expert scientific advice and address scientific questions raised by the regional MCZ projects and their stakeholder groups.
- ◆ Provide feedback to the regional stakeholder groups on the quality of the environmental (but not the economic or social) aspects of the impact assessments.
- ◆ Provide quarterly reports on its work to the MCZ Project Board.
- ◆ Assist the regional MCZ projects in working to consistent standards and to ensure regional MCZ recommendations meet the criteria set out in the Ecological Network Guidance.
- ◆ Advise the regional stakeholder groups, Natural England, JNCC, and the SoS, as to whether successive iterations of the regional MCZ recommendations meet the criteria in the Ecological Network Guidance and, in combination with other MPAs, contribute to an ecologically coherent network at the UK level.

The Chair and Members of the SAP have collective responsibility for the operation of the panel. They must:

- ◆ Engage fully and positively in the collective consideration of the issues, taking into account the full range of relevant scientific factors and in particular working within the guidance issued by Defra, Natural England, and JNCC.

- ◆ Whilst recognising the policy aims of the MPA network, the SAP will ensure information and advice they provide is pragmatic, based on the best available science, and is of a standard that will stand the test of scientific peer review.
- ◆ Ensure that the Code of Practice on Access to Government Information is adhered to and that minutes and other relevant documents are made publicly available.
- ◆ Ensure the evidence used to make the recommendations by the regional MCZ projects is scientifically robust.
- ◆ Ensure the SAP fulfils but does not exceed its remit.

The SAP Chair will have responsibility for communication with the SoS through Defra. The SAP Chair will also report to the MCZ project board after each iteration report has been completed. This should be carried out through the regional project stakeholder group chair and supported by the regional project team and Natural England/JNCC where required.

It is expected that the regional project teams will have sufficient expertise to handle in-house most scientific issues raised by the regional stakeholder groups. However where the expertise is not available within the projects, or an independent view is considered necessary, the regional stakeholder groups can seek advice from the SAP.

The SAP and its members will not be involved in making any policy judgements. The SAP commenced its work in November 2009 and will complete its work in late 2011.

2.3.2 External economic and social science expertise

To help assess the potential socio-economic consequences of the proposed MCZs, the regional MCZ projects and regional stakeholder groups will be able to seek advice from external economic and social science experts. Each regional project will employ an economist; this advice will provide external support to their role. Their main purpose will be to provide:

- ◆ Technical advice on data and methods used to assess impacts.
- ◆ Quality assurance on data and methods used to assess impacts.
- ◆ Quality assurance of the estimates of social and economic impacts that are made in the impact assessments.

The MCZ Project Board will arrange for this independent advice to be provided through a national call-off contract.

2.3.3 Economists from Defra

Economists in Defra (with support from economists in Natural England and JNCC) will provide support to regional economists by providing:

- ◆ Advice on how to produce impact assessments for the network of MCZs. As part of this, Defra economists will comment on a sample of impact assessments at various stages in their development (as discussed in Chapter 4).

- ◆ Advice on whether the impact assessments are of sufficient quality to be submitted for formal public consultation (as discussed in Chapter 4). This will be provided by a senior economist in Defra.
- ◆ If necessary, technical advice on data and methods used to assess impacts that are additional to the advice provided by the external experts.

The regional MCZ projects and regional stakeholder groups will also be able to seek advice on how to assess and present socio-economic consequences. Economists in Defra (with support from economists in Natural England and JNCC) will provide technical advice to regional economists on data and methods used to assess environmental, social and economic impacts.

2.3.4 Local stakeholders

Since the regional MCZ projects cover large areas it may be necessary to sub-divide the project regions and run participatory workshops to capture the knowledge and views of stakeholders at a more local level. These stakeholders may have interests closer to shore for example: shell fishers, recreational interests, and Local Authority activities (i.e. navigation).

Regional MCZ projects should utilise the existing knowledge and partnership working of existing coastal fora and protected sites fora (SACs/SPAs) that cover large areas (e.g. The Solent Forum, Devon Maritime Forum or the Wash Partnership). Regional MCZ projects should ensure that there is the ability for advice from these fora and from local stakeholders to be included in the process.

2.3.5 National and International stakeholder engagement

A national stakeholder is a stakeholder who has a UK wide or whole country remit (including various UK country sea regions).

International stakeholders are an overseas organisation, regulator or interest group from a single country or with a wider European or global remit.

These definitions cover UK Government agencies, including Environment Agency, English Heritage and the newly formed Marine Management Organisation and Inshore Fisheries and Conservation Authorities. All MCZ recommendations will be made by the regional stakeholder groups. Therefore national and international stakeholders should ensure they are able engage in the process to select MCZs.

Some national and international stakeholders may not have the resources available to engage with all four regional MCZ projects. Where this is the case, JNCC will support the regional project teams to enable these stakeholders to input their data and advice as MCZ iterations are developed.

JNCC will employ staff to work with the European fishing sector through the Regional Advisory Councils to promote their representation on the regional stakeholder groups. This will promote dialogue with the European Commission and progress the management of fisheries activities within MCZs.

The JNCC will run a national stakeholder forum to inform national and international stakeholders of MPA developments throughout the UK. This forum will have no role in developing or commenting on MCZ iterations as they are published. JNCC are leading the organisation of these meetings in the Spring of 2010.

Sectors with extensive marine planning experience can offer advice and support to the regional MCZ projects to prevent the duplication of work carried out elsewhere. JNCC will lead collaborative efforts to maximise opportunities for synergies with other European Member States (e.g. France) that are also developing MPAs.

The national MCZ Project partners may organise workshops to support national and international stakeholder engagement in the process. This will be done when needed and will not be a formal part of the decision-making process. All national and international engagement outside of the regional stakeholder groups will be advisory in its capacity.

DRAFT

3 Identifying MCZs - the process

3.1 Background

This chapter provides more details of the process for identifying the potential MCZs and recommending them to the Government.

Each regional MCZ project will need to develop detailed project plans for their area outlining the regional implementation timetable. These project plans need to integrate with the national plan to ensure consistency across the four regions. Timetables should be developed in consultation with other regional MCZ projects to avoid duplication for example in timing of meetings.

The regional stakeholder group, as outlined in Chapter 2, will be responsible for identifying and recommending the regional series of MCZs to Government. This will take place through a series of structured facilitated workshops.

3.2 The eight-stage process

The four regional project teams are responsible for managing stages 1-8 of the MCZ recommendation process as outlined in Table 1. Table 2 and Figure 3 provide a more detailed breakdown of these eight stages, as expanded below.

3.2.1 Stage 1: Project preparation

In this period, the MCZ Project Board will:

- ◆ Secure funding to implement the MCZ Project.
- ◆ Finalise a project plan (to cover the period up to October 2011).
- ◆ Develop the governance and reporting structure for the MCZ Project.
- ◆ Recruit the MCZ Project team.
- ◆ Establish the regional project boards.

The MCZ project team will:

- ◆ Develop the MCZ Ecological Network Guidance.
- ◆ Develop the MCZ Project Delivery Guidance.
- ◆ Support the recruitment of the regional project teams.
- ◆ Familiarise regional project team members with the MCZ Project, its objectives and how it will be delivered.
- ◆ Facilitate a co-ordinated and consistent approach to the MCZ recommendation process across the four regional MCZ projects.
- ◆ Support a national data gathering exercise.

Table 2 Overview of the eight-stage regional MCZ process

Stage	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Stage 6	Stage 7	Stage 8
Activity	Project Preparation	Stakeholder Group Formation and Information collation	Regional Profile	Explore MCZ Options: 1st MCZ iteration	Explore MCZ Options: 2nd MCZ iteration	Explore MCZ Options: 3rd MCZ iteration	Finalise MCZ recommendations	Submission to JNCC and Natural England
Recommended Timetable	Start – January 2010	February – March 2010	April 2010	May – August 2010	September - December 2010	January – mid April 11	Mid March - May 2011	June 2011
Project Team	Establish project Governance structures. Produce project, communications and project delivery plans Undertake liaison meetings. Regional data collation.	Undertake liaison meetings. Regional data collation. Develop draft regional profile and circulate to stakeholders.	Produce regional profile and circulate to stakeholders.	Produce required analysis. Initiate the development of the impact assessment. Update regional profile.	Produce further analysis as required. Continue development of draft Impact Assessment (IA) and initiate assessment of cumulative impacts. Complete data collation October 2010. Update regional profile.	Produce further analysis as required. Refine analysis in Impact Assessment (IA) and analysis of cumulative impacts. Update regional profile.	Produce further analysis as required. Produce draft recommendation dossier. Review and finalise draft Impact Assessment following feedback from Defra economists, and social scientists and SAP.	Collate: MCZ recommendation dossier. Impact Assessment. SAP Opinion. List objections.
Regional Stakeholder Group Phases (Stakeholder Group Phases in bold)	Advertise for regional stakeholder group.	Appoint stakeholder group. Phase 1 – briefing. Phase 2 – develop shared understanding.	Stakeholder group members to liaise and inform their sectors of the MCZ identification process. Liaise with Defra economists to review social and economic information.	Phase 3 – develop 1st MCZ iteration. Liaise with wider sector. Phase 4 – Finalise 1st MCZ iteration by 30th June 2010. Liaise with wider sector.	Phase 5 – Review 1st iteration following SAP, Defra economists and stakeholder advice. Phase 6 - targeted meetings as required to refine recommendation. Phase 7 – finalise 2nd MCZ iteration by 31st October. Liaise with wider sector.	Phase 8 – Review 2nd iteration following SAP, Defra economists and stakeholder comment. Phase 9 - targeted meetings as required to refine recommendation. Phase 10 – finalise 3rd MCZ iteration by 28th Feb 2011. Liaise with wider sector.	Phase 11 – Review 3rd iteration following SAP, Defra economists, external economists, social scientists and stakeholder comment. Phase 12 – final meetings to agree final recommendation.	Submit MCZ recommendations to Natural England and JNCC by 1 st June 2011.
Local, national and international Stakeholder advice	Undertake stakeholder analysis.	Stakeholders to meet with their stakeholder group representatives as appropriate. Provide data as requested.	Stakeholders to meet with their stakeholder group representatives to build understanding. Provide data as requested.	Stakeholders to comment and feedback advice to stakeholder group representatives on 1 st iteration.	Stakeholders to comment and feedback advice to stakeholder group representatives on 2 nd iteration.	Stakeholders to comment and feedback advice to stakeholder group representatives on 3 rd iteration.		
Science Advisory Panel	Recruit panel. Inaugural meeting to finalise Terms of Reference and working method.	Meet Project Managers - develop shared understanding. Review the draft Ecological Network Guidance.	Review the Regional Profile.	1 st Iteration to be received on 1 st July 2010. Review 1 st iteration by 31 st July 2010. Provide advice and support to regional MCZ projects.	Review 2 nd iteration and draft impact assessments, to be received by 1 st Nov 2010. Review 2 nd iteration by 15 th November 2010. Provide advice and support to regional MCZ projects.	Review 3 rd iteration and draft impact assessments, to be received by 1 st March 2011. Review 3 rd iteration by 15 th March 2011. Provide advice and support to regional MCZ projects.		Review of final MCZ submission for Natural England and JNCC (June/July 2011).
Socio-economic review		On request, advise on data that have been collected and methods used.	Review social and economic information in regional profile.	Comment on socio-economic information provided by stakeholders and initial qualitative assessments.	Provide advice to regional MCZ projects on strengthening IAs to satisfy necessary standards.	Provide advice to regional MCZ projects on strengthening IAs to satisfy necessary standards.	Review of final regional IA for final recommendation phase (12).	Review of final MCZ IA submission for Natural England and JNCC.

The regional MCZ project boards will:

- ◆ Sign a MOA committing them to the delivery of MCZ recommendations within the required timetable
- ◆ Develop the governance and reporting structure for the regional MCZ projects
- ◆ Appoint their regional project team and regional project manager

The regional project teams will:

- ◆ Develop regional project and communication plans and have them signed off by the regional project board. An external review may be required.
- ◆ Contract a professional stakeholder group facilitator (see section 2.2.3).
- ◆ Build capacity to undertake the project e.g. secure technical equipment, licences and website.
- ◆ Undertake a detailed stakeholder analysis with the stakeholder group facilitator (see section 2.2.3).
- ◆ Communicate the MCZ Project to marine users and interest groups in their region to raise awareness and understanding of its objectives and the importance of stakeholder representation.
- ◆ Invite relevant stakeholders to the first regional stakeholder group meeting to explain the MCZ recommendation process, initiate selection of representatives to the group and initiate provision of data by stakeholders.

3.2.2 Stage 2: Regional stakeholder group formation and information gathering

Phase 1: Briefing and scoping for regional stakeholder group.

The regional project team, supported by the regional stakeholder group facilitator, should:

- ◆ Explain the MCZ recommendation process (to include information about the MCZ Ecological Network Guidance) and explain clearly all roles and responsibilities within the project.
- ◆ Explain and initiate selection of representatives to the stakeholder group as detailed in Chapter 2.
- ◆ Explain the expected responsibilities of the stakeholder group and propose draft Terms of Reference.
- ◆ Initiate provision of information by stakeholders.

Data gathering and liaison

MCZs will be identified based on best available scientific and socio-economic data. Specifically these should include:

- ◆ Biological and physical data.
- ◆ Geological and geomorphological data.

- ◆ Social and economic data (referred to this guidance as socio-economic data).

The regional stakeholder groups will require these data to identify sites that fulfil the Ecological Network Guidance. The regional stakeholder group will also use this data, with support from the regional project team, to conduct an impact assessment, considering the potential environmental, economic and social impacts of the proposed MCZ sites.

Defra has let several national data contracts¹¹ to provide additional biophysical and socio-economic data to help inform the MCZ recommendation process. JNCC will coordinate the dissemination of these data as soon as they are available to the regional MCZ projects. These contracts will not gather all existing local datasets. The regional project teams should investigate and collate these data as required.

To collect fine-scale data, regional project team members will proactively encourage stakeholders to provide the data they have about the marine environment and its use. The regional project team will communicate information needs at the first regional stakeholder group meeting and coordinate data collection from local and regional stakeholders. The regional project team should undertake data analysis to identify any regional data gaps and priorities for data collation.

During this period the regional project team through their liaison officers will establish partnerships with external regional groups (e.g. coastal fora, federations, clubs etc) to explain the MCZ recommendation process and to initiate the collection of information needed to inform the site selection process. The *Finding Sanctuary* project will provide advice on such data collation based on their experience in the south-west.

Progress to the next stages of the process should not be delayed if data do not become available in stage 2. Regional project teams should investigate the use of all tools to collate datasets such as WebGIS (as developed by *Finding Sanctuary*).

Where necessary, external experts will advise the regional stakeholder groups and regional MCZ projects on the certainty and quality of the economic and social science information collected by the national data gathering exercise (see section 3.2.1), by the regional MCZ projects, and data supplied by stakeholders.

Phase 2: Develop shared understanding

The regional project team, supported by the regional stakeholder group facilitator, should:

- ◆ Agree and finalise regional stakeholder group membership (see section 2.2.2) and Terms of Reference.
- ◆ Explain the detail of the Ecological Network Guidance and its regional significance.
- ◆ Develop a broad and shared vision of the role that proposed MCZs will have in the regional project area.
- ◆ Explore the opportunities and challenges of this approach for all stakeholders;
- ◆ Enable stakeholders to start working on collating the information they will need to inform their discussions including information:

¹¹ To be completed largely by Spring 2010, with additional funding from the Devolved Administrations and SNCBs, Defra reference MB102, MB106 etc

- About the natural environment:
 - The important habitats and species from economic or social perspectives.
- About human activities:
 - The type, location and level of human activities taking place within the project area.
 - The existing management, zoning, or restricted areas already in place within the project area (or in the process of being agreed) and how they might meet MCZ objectives.
 - The impact of human activities (both positive and negative) on habitats and species plus geological and geomorphological features in the project area (national guidance will be provided on this issue). This will inform identification of sites and their conservation objectives.
 - Interactions between different human activities that might cause an impact on the features in the project area.
 - Where activities impact on features that will be conserved, identify ways in which the activities could be modified or mitigated to reduce their impact and thereby achieve the conservation objectives. This will inform assessment of the economic impact of MCZs.
- ◆ The regional project team should outline available tools for decision-making and data analysis (e.g. Marxan) (see section 4.4) to help the regional stakeholder group prepare for the next phase. Regional stakeholder groups should suggest what analysis (if any) should be undertaken by the regional project team.

3.2.3 Stage 3: Compilation of the regional profile

The regional project team should collate all data supplied by the regional data gathering, stakeholders and the national data contracts into a regional profile. This will be the basis for deciding where to locate the recommended MCZs. The profile should include:

- ◆ Distribution and nature conservation importance of species and habitats, highlighting the locations of rare, vulnerable or threatened features to be conserved by the recommended MCZs.
- ◆ Information on the sensitivity of the identified habitats, species and communities to human activities in the project area.
- ◆ Information on the vulnerability of the identified habitats, species and communities to particular pressures or activities in the project area;
- ◆ Distribution of geological and geomorphological features.
- ◆ Description of human activities including:
 - Maps of where activities take place.
 - Facts and figures for each human activity, where available, including the level of activity and its importance to the economy and to society at a local, regional and national scale.

- Perceived trends and changes in the ecosystem and in human activities.
 - Perceived impacts of human activity on the environment (both positive and negative). This will be supported by a compatibility use matrix which will set out which human activities are compatible with or do not negatively impact particular species or habitats.
 - Existing management areas and/or regimes.
- ◆ Regional interpretation of the Ecological Network Guidance.

The SAP should review the environmental information within the regional profile and the economic and social science experts should review the economic and social information within the regional profile. Any recommendations from the SAP and the external economic and social science experts should be incorporated into the final version of the profile. The regional project teams and facilitators should support the regional stakeholder group in presenting the regional profile to their sector/organisation for comment. Any additional information generated by those sectoral discussions should be collated into the regional profile.

3.2.4 Stage 4: Exploring options

At this stage the first decisions (referred to in this guidance as iterations) on the location of possible MCZs will be made.

Phase 3: Develop 1st MCZ iteration

In this Phase the regional project team, supported by the regional stakeholder group Facilitator, should develop the first MCZ iterations.

The regional project team must ensure that the regional stakeholder group takes account of the Ecological Network Guidance. The regional stakeholder group facilitator with regional project team support will:

- ◆ Explore ideas as to where the MCZs might go. This should include ideas that may have come from local groups outside the regional stakeholder group.
- ◆ Identify current and planned human activities in areas where MCZs might be located; where possible identify the level of activity.
- ◆ Identify possible sites for MCZs that are compatible with current and planned human activity, sites that are completely incompatible with those activities and sites where some modification of the activity might be needed.
- ◆ Present and explain any analysis undertaken by the regional project team.
- ◆ Decide upon a first iteration of regional MCZ options which will meet the Ecological Network Guidance requirements and will be clarified in Phase 4.
- ◆ Identify conservation objectives associated with the features of each MCZ identified.
- ◆ If possible, identify likely management measures that might be needed for the sites. Likely management measures will need to be assessed in order to identify

the potential impacts on human activities, which will inform both network design and the impact assessment.¹²

- ◆ Document the support of each stakeholder on each of the proposed MCZs, especially where consensus cannot be reached, logging the objections.

Regional project teams, facilitators, and JNCC should support the regional stakeholder group in presenting the first regional MCZ iteration to their sector/organisation for comments. This needs to be carried out at the appropriate local, regional, national and international scales.

It is recognised that at this stage in the process different sectors and individuals may develop differing MCZ options. It is accepted that there may need to be more than one meeting to develop the first iteration(s).

Throughout the regional MCZ planning process, relevant staff in Defra, JNCC and Natural England will provide support to the regional stakeholder groups and regional MCZ projects in developing their qualitative assessments of the environmental, economic and social impacts of the proposed MCZs.

Phase 4: Finalise 1st MCZ iteration by 30th June 2010

In this Phase, the first MCZ iteration will be finalised taking into account comments from local, national and international stakeholders. The outputs of this Phase will be to:

- ◆ Identify and agree the first iteration of the regional MCZ recommendations.
- ◆ Produce draft conservation objectives for the features of each proposed MCZ.
- ◆ Identify current and planned activities that are likely to not be compatible with the suggested MCZs and activities that may need to be modified and the level of these activities.
- ◆ Identify the likely management measures that may be needed for the sites.
- ◆ Identify where consensus has and has not been achieved, logging all objections.

The four regional MCZ projects should submit their initial assessments of human activities in areas where MCZs might be located, compatibility of the activities with the MCZs and the management measures that may be required to Defra's economists by 1st July 2010 for review. These outputs will form the 'initial' impact assessment.

At the end of this Phase the first iteration of the regional MCZ recommendations should be submitted to SAP for review by the 1st July 2010.

Phase 5: Review 1st iteration following SAP and stakeholder comment.

The SAP will provide their review of the 1st iteration by the 31st July 2010. This phase should support the regional stakeholder group to understand and evaluate the advice from the SAP and identify areas where the MCZs need to be amended to progress towards meeting the Ecological Network Guidance.

Defra's economists will also provide their review by 31st July 2010. This feedback will help inform continued development of the impact assessment. The regional MCZ

¹² Advice on the management required to deliver the conservation objectives will be provided by JNCC and Natural England working closely with the Regional MCZ Projects.

projects should share their experiences in making the initial assessments, the feedback they receive and lessons learned.

3.2.5 Stage 5: Explore MCZ Options: 2nd MCZ iteration

At this stage the MCZ recommendations will be refined and reviewed to address outstanding issues from the SAP as well as local, national and international stakeholders.

The regional project team will integrate any new information into the Regional Profile.

Phase 6: targeted meetings as required to refine recommendation

The regional project team and facilitator following feedback from the SAP and Defra economists should undertake targeted meetings as required with specific stakeholders to address issues raised. The aim of these meetings is to address and progress issues raised before the next meeting of the regional stakeholder group. This is an opportunity to discuss this at a more local level as well at a national and international level through the relevant fora.

Phase 7 – Finalise 2nd MCZ iteration by 31st October 2010

The outputs of this Phase will be to:

- ◆ Refine and agree recommendations to be sent to the SAP based on any guidance or additional information received building on negotiations and discussions in phases 5 and 6.
- ◆ Develop draft conservation objectives for the features of any new sites identified or modified sites as appropriate.
- ◆ Refine identification of current and planned human activities in areas where MCZs might be located and identification of the level of activity.
- ◆ Refine identification of possible sites for MCZs that are compatible with current and planned human activity, sites that are completely incompatible with those activities and sites where some modification of the activity might be needed. Identify how activities might be modified or mitigated.
- ◆ Refine identification of likely management measures that may be needed for the sites.
- ◆ In collaboration with the other stakeholder groups and regional projects, describe the baseline (the situation that would arise if the sites are not designated) that will be used in the impact assessment. This should include description of current and future human activities and the environmental conditions of features in the area if the MCZs are not designated.
- ◆ Make initial estimates of the positive and negative environmental, social and economic impacts of the MCZs compared with the baseline. These should be quantitative where possible (qualitative if quantitative estimates cannot be made).
- ◆ In collaboration with the other stakeholder groups and regional projects start to identify cumulative impacts of the four regional networks of MCZs (impacts that are over and above the sum of the impacts of the four networks).
- ◆ Identify where consensus has and has not been achieved, logging all objections.

At the end of this Phase the second iteration of the regional MCZ recommendations should be submitted to SAP and the draft impact assessment should be submitted to Defra economists for review by 1st November 2010.

Phase 8: Review 2nd iteration following SAP and stakeholder comment.

The SAP will provide their review of the 2nd iteration by the 15th November 2010. Defra will provide socio-economic review by 30th November. In this Phase the regional project team will help the regional stakeholder group to understand and evaluate the advice from the SAP and identify areas where the MCZs need to be amended to progress towards meeting the Ecological Network Guidance.

3.2.6 Stage 6: Explore MCZ Options: 3rd MCZ iteration

Phase 9: targeted meetings as required to refine recommendation

The regional project team and facilitator following feedback from the SAP and Defra economists should undertake targeted meetings as required with specific stakeholders to address issues raised. The aim of these meetings is to informally address and progress issues raised before the next meeting of the regional stakeholder group. This is an opportunity to discuss this at a more local level as well as at a national and international level through the relevant fora.

Phase 10: Finalise 3rd MCZ iteration by 28th February 2011.

The outputs of this Phase will be to:

- ◆ Refine and agree recommendations based on any guidance and additional information received and taking into account comments from SAP, local, national and international stakeholders.
- ◆ Develop draft conservation objectives for any new sites identified or modified sites as appropriate.
- ◆ Identify where consensus has and has not been achieved, logging all objections.
- ◆ Continue to develop the assessment of the potential environmental, economic and social impacts of the proposed MCZs and the presentation of these in the impact assessment document.

At the end of this Phase the third MCZ iteration should be submitted to the SAP for final review by 1st March 2011. The draft impact assessment should be submitted to Defra's economists, the external economists and social scientists and the SAP by 1st March 2011 for final review. The SAP should also be asked to comment on the draft impact assessment document. The SAP submission and review period should be used to gather wider stakeholder comments on the final submission to SAP through relevant fora.

Phase 11 – Review 3rd iteration following SAP and stakeholder comment.

The SAP will provide their review of the 3rd iteration by the 15th March 2011. Defra's economists and the external economists and social scientists will provide their review of the 3rd iteration by 30 March 2011. This Phase should support the regional stakeholder group to understand and evaluate the advice from the SAP and identify areas where the MCZs need to be amended to reach the final recommendation stage.

3.2.7 Stage 7: Finalise regional MCZ recommendations

At this stage, the regional project team will take into account all responses to the wider stakeholder consultation and any remaining issues identified by the SAP in preparation for Phase 12.

Phase 12: Finalise the regional MCZ recommendations.

The outputs of this Phase will be to:

- ◆ Finalise the MCZ recommendations based on any guidance and additional information received through the wider stakeholder consultation.
- ◆ Finalise draft conservation objectives for all sites.
- ◆ Identify where consensus has and has not been achieved, logging all unresolved objections.
- ◆ Finalise assessment of the potential environmental, economic and social impacts of the regional MCZ recommendations.
- ◆ In collaboration with the other stakeholder groups and regional projects, finalise assessment of the cumulative impacts of the four regional networks.

3.2.8 Stage 8. Submit regional MCZ recommendations

At this stage (1st June 2011) the regional stakeholder groups will need to submit their final recommendations to Natural England, JNCC, the SAP and Defra.

The MCZ recommendations dossier will need to include as a minimum:

- ◆ A map showing the recommended regional MCZs.
- ◆ Specific recommendations for each MCZ site to include:
 - Proposed name for the site.
 - Descriptions of the habitats, species and geological and geomorphological features of each site.
 - Boundary co-ordinates.
 - Conservation objectives.
- ◆ The impact assessment for each regional package of MCZ recommendations and assessment of the cumulative impacts will be assessed by a senior economist in Defra who will ascertain whether it is of sufficient quality for formal public consultation.
- ◆ A consensus log for each site, indicating any outstanding objections from the regional stakeholder group members including:
 - Name of organisation/stakeholder group.
 - Reason for the objection (e.g. there are other options for the location of this MCZ for specific species/habitat, is not required to deliver Ecological Network Guidance, and is an important area for a particular activity).

The regional project team will compile the MCZ recommendations dossier which will then be signed off by the regional stakeholder group. Once complete, the regional MCZ project board - with advice from the regional project manager and the stakeholder group chair (where applicable) - will verify that due process was followed and formally submit the regional MCZ recommendations dossier.

We acknowledge that in some cases, not all MCZs recommended will have full stakeholder support. To make a decision about designating a site the SoS will want a clear explanation of any objections stakeholders may have to a site, alongside clear statements of support. Stakeholders will have the opportunity to detail any specific objections or indicate levels of support to sites within the MCZ recommendations dossier. The impact assessments should include information on the costs, benefits and uncertainty associated with sites that do not have full stakeholder support.

3.3 The role of the regional stakeholder groups

The regional stakeholder groups will have a central role in planning MCZs.

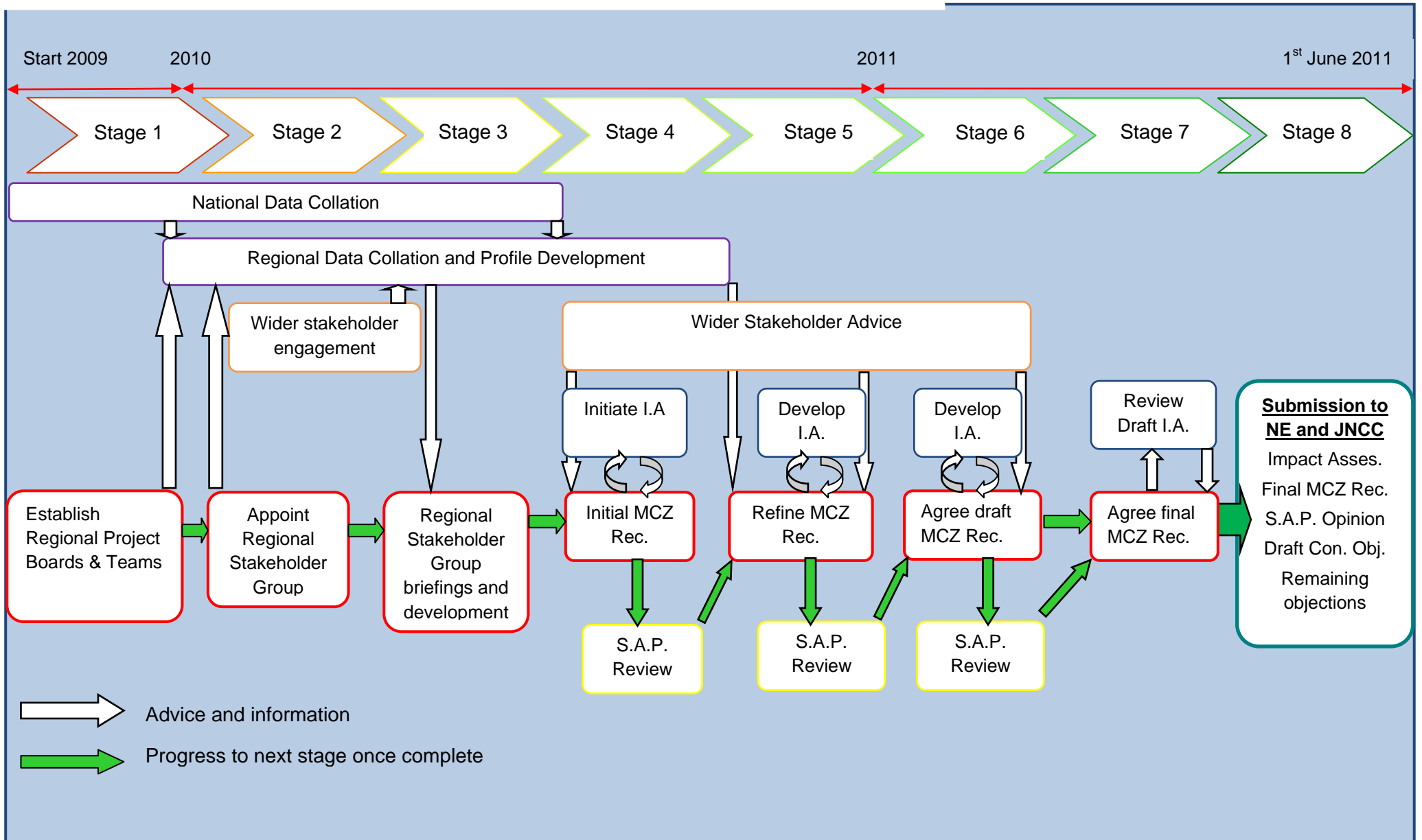
In accordance with the Ecological Network Guidance, the regional stakeholder groups will plan and recommend:

- The location, size and shape of MCZs.
- The features to be protected within the MCZs.
- The conservation objectives of the MCZs. (Natural England and JNCC will provide guidance on the format and likely management implications of these conservation objectives).
- An assessment of environmental, economic and social impacts of the proposed regional MCZs, presenting the results in a formal impact assessment document. The group will contribute to these assessments and support the overall quality assurance of this document.

The following are fixed parameters that the regional stakeholder group will work within:

- Date by which recommendations have to be submitted to Natural England and JNCC (June 2011). This is to allow for their collation into the single national MCZ recommendation as part of the overall MPA network.
- The regional MCZ project boundaries which have been delineated by the MCZ Project based on bio-geographic regional seas and political boundaries. Regional MCZ projects will need to plan with adjacent project areas.
- The location and features of existing and proposed Natura 2000 sites (Special Areas of Conservation and Special Protection Areas).
- The overall purpose of MCZs and the Ecological Network Guidance.
- The advice of the SAP and economics and social science experts.

Figure 3 Overview of the eight stages in the MCZ process.



3.4 Further details of the regional MCZ recommendation process

The regional project teams will work with their facilitators to support regional stakeholder group members through the eight-stage process to develop the regional MCZ recommendations. The regional MCZ projects must complete each stage of the process. However, JNCC and Natural England recognise the need for regional variation in the implementation of each of the stages.

Additional phases may be needed beyond those outlined above in order to progress to the next stage in the process. Regional stakeholder groups will be able to submit regional MCZ iterations or request guidance from the SAP throughout the process. As the SAP will meet on an intermittent basis, Natural England will coordinate the liaison between the regional stakeholder groups and the SAP to promote efficiency. The regional stakeholder groups and regional projects will be able to seek advice on how to undertake impact assessments from the Defra economists throughout the process. Technical advice on data and methods that can be used in the assessment of social and economic impacts will be available from external economists and social scientists and also from experts in Defra (and Natural England and JNCC) if required.

The regional project teams and project boards are responsible for ensuring the regional process follows the timetable and budget. Any risks to the delivery of the regional MCZ projects must be reported through the formal progress reporting process to the MCZ Project Board. This will enable the board to manage and mitigate risks to delivery.

The regional MCZ planning process will be delivered in a way that is transparent and fair, allowing stakeholders to have tangible influence and for all opinions to be documented. The regional MCZ projects aim to generate the greatest level of support through a negotiated process between stakeholders within the required timeframe.

This will be achieved by taking the regional stakeholder group through a specifically designed and facilitated approach which aims to help multiple stakeholders, with wide ranging interests undertake 'principled negotiation' on issues and move towards actively seeking mutual benefit and identifying win/win situations where possible. The process will strive to help people share information, explore options and common ground, generate creative ideas and shortlist the best sites for designation.

If objections are made and no alternative options can be agreed, the objections should be logged along with the reasons and implications of the objections. This should be done on a site-by-site basis and submitted with the MCZ recommendations. Natural England, JNCC and Defra recognise the likelihood that not all stakeholders will be able to endorse the final recommendation in its entirety, and any such objections will need to be appropriately communicated. Substantive objections to the *best overall MCZ recommendations* will not prevent progress to the next stage in the process if all reasonable options have been explored and negotiated.

The MCZ recommendations will be submitted once there is agreement in the regional stakeholder group that one of the following points has been reached:

- The proposed MCZs meet the Ecological Network Guidance. All stakeholders support the proposed sites and the contents of the impact assessment.
- The proposed MCZs meet the Ecological Network Guidance and have secured the greatest level of support possible within the timeframe available. Not all stakeholders support the MCZ recommendations but the effects of the recommendations are detailed in the impact assessment and any outstanding objections have been logged.

3.5 Conservation objectives and management measures

The regional MCZ projects will be responsible for developing draft conservation objectives for all proposed MCZs. Natural England and JNCC will provide further guidance and information on how

this should be achieved. The framework for conservation objectives is provided in the Marine and Coastal Access Act 2009 Guidance Note 1¹³. The chapter on '*Levels of Protection*' in the Ecological Network Guidance describes the conservation objective framework to be used in the MCZ recommendation process.

The regional MCZ projects will submit draft conservation objectives as part of their MCZ recommendations to the relevant SNCB. Care will be required to draft the objectives so that public authorities and other stakeholders are clearly able to understand the desired outcomes, and are therefore able to develop appropriate management measures.

Conservation objectives will be included as part of the designating order for each MCZ. Public authorities will have a duty to further the conservation objectives of MCZs and to ensure that activities and developments requiring their consent do not hinder the achievement of these objectives (with limited exceptions in the public interest). Natural England and JNCC will provide advice to public authorities, including those who will be responsible for implementing the required management through byelaws.

The likely management measures that are used to inform the impact assessments will be developed with advice and guidance from the SNCBs and should be a realistic assessment of the measures that are likely to be required. Public authorities will require clear information on how activities taking place within MCZs (or nearby) need to be managed in order to further the conservation objectives of each site. It will be the responsibility of the SNCBs to advise public authorities of the management measures required to do so. This advice will be produced by SNCBs at the same time as the draft conservation objectives are being drafted.

Existing sectoral spatial closures may contribute to the conservation of MPA network features. Within the MCZ project area, only SACs, SPAs, MCZs, and the marine areas of SSSIs and Ramsar sites will formally constitute part of the MPA network as defined in the Marine &CA Act. The regional projects are advised that other areas subject to other regulatory measures (heritage sites, safety exclusion zones around offshore installations, military closed areas, fisheries management areas, for example) should be considered as eligible for designation as MCZs where this would help to contribute efficiently to meeting overall MPA network objectives. Regional project stakeholder group supported by the Project Team should work with the relevant stakeholders that have an interest any area to ensure that the conservation objectives for any proposed MCZ integrate with the existing or propose spatial closure objectives.

3.6 National network integration and ecological coherence assessment process

Recommendations for MCZs from the regional stakeholder groups will be formally submitted to Defra by Natural England (for sites 0-12nm) and JNCC (for sites beyond 12nm) as described in the accompanying guidance to the Marine Coastal and Access Act.

Natural England and JNCC consider that there are appropriate safeguards within the process to ensure that MCZ recommendations will meet the policy aims of the Marine and Coastal Access Act 2009 / MPA network. In addition, any objections will be recorded appropriately and either addressed through the regional stakeholder group or logged with the final regional MCZ recommendations.

Natural England and JNCC will support the regional stakeholder groups in interpreting the Ecological Network Guidance so its requirements can be met ahead of a formal submission to the SAP. In doing so, the SNCBs will act initially as members of the regional stakeholder groups, rather than through any separate process. Regional stakeholders can fully consider any proposals from the SNCBs to address possible shortfalls.

¹³ <http://www.defra.gov.uk/environment/quality/biodiversity/marine/documents/guidance-note1.pdf>

At the end of the process, Natural England and JNCC, informed by the advice of the SAP, will advise Ministers on whether the MCZ recommendations contribute sufficiently to an ecologically coherent MPA network.

Natural England and JNCC will submit the following documentation in the final MCZ recommendation:

- The proposed sites, within their respective geographic responsibilities, as recommended by the four regional MCZ projects.
- Impact assessments of these proposed regional MCZs and an assessment of their cumulative impacts for formal public consultation.
- Site dossiers for each recommended MCZ, including draft conservation objectives and SNCB management advice¹⁴.
- An assessment of the level of support for each MCZ highlighting where agreement could not be achieved. Outstanding objections should be included, along with an explanation as to why resolution has not been possible and why the particular MCZ is deemed necessary to fulfil the Ecological Network Guidance.
- An ecological coherence assessment which will place the regional MCZ project recommendations within the context of the UK MPA network as well as advice on the nature and extent of any ecological shortfalls, this will be undertaken by JNCC.
- Natural England and JNCC will undertake an ecological coherence assessment over the Defra marine area and provide advice on whether the recommendations are adequate. If the recommendations are not adequate advice on how best to address any outstanding ecological shortfalls which remain will be submitted alongside the regional recommendations.
- Any further information necessary for Defra to complete legal requirements of other legislation as required. This may include information for Appropriate Assessments and Strategic Environmental Assessments.

Formal recommendations and accompanying information will be made publicly available on the relevant websites.

As part of the submission, a senior economist from Defra will be asked to give their formal view as to whether the impact assessments are of sufficient quality to be used for formal public consultation.

Natural England and JNCC will make formal MCZ recommendations to Defra by November 1st 2011.

¹⁴ Section 127 of the Marine and Coastal Access Act states that *the appropriate statutory conservation body may give advice and guidance as to—*

(a) the matters which are capable of damaging or otherwise affecting any protected feature or features;
(b) the matters which are capable of affecting any ecological or geomorphological process on which the conservation of any protected feature or features is (wholly or in part) dependent;
(c) how any conservation objectives stated for an MCZ may be furthered, or how the achievement of any such objectives may be hindered;
(d) how the effect of any activity or activities on an MCZ or MCZs may be mitigated;
(e) which activities are, or are not, of equivalent environmental benefit (for the purposes of section 126(7)(c)) to any particular damage to the environment (within the meaning of that provision).

4 Considering the environmental, economic and social impacts of marine conservation

4.1 Background

The UK's marine environment plays an important role in our economy and society. The MCZs proposed by the regional stakeholder groups will impact - positively and negatively - on different aspects of this role.

This chapter gives an outline of the socio-economic aspects of the selection of the MCZs and provides guidance for regional project teams and regional stakeholder groups in preparing the impact assessments.

The Marine and Coastal Access Act 2009 specifies that *In considering whether it is desirable to designate an area as an MCZ, the appropriate authority may have regard to any economic or social consequences of doing so* (Section 117(7)). The Explanatory Notes 335 and 336 on the Act expand on this further:

- *335. Subsection (7) allows Ministers to take account of the economic or social consequences of designation. This ensures MCZs may be designated in such a way as to conserve biodiversity and ecosystems whilst minimising any economic and social impacts. Where an area contains features that are rare, threatened or declining, or forms a biodiversity hotspot, greater weight is likely to be attached to ecological considerations. Where there is a choice of alternative areas which are equally suitable on ecological grounds, socio-economic factors could be more significant in deciding which areas may be designated as an MCZ.*
- *336 Subsection (8) clarifies that the reference to “social” consequences of designating an MCZ includes any consequences of doing so for sites of historic or archaeological interest.*

Although Natural England, JNCC and Defra recognise the importance and advantages of taking economic and social consequences into consideration the overall priority remains the delivery and recommendation of an ecologically coherent network of MCZs.

4.2 Impact assessment process

Impact assessments involve a continuous process that will help the regional stakeholder groups supported by the regional projects to fully consider and understand the potential environmental, economic and social consequences of the MCZs that they propose. The impact assessment guidance provided by the Better Regulation Executive¹³ provides a tool to help with this process. In addition, the four regional MCZ projects should also follow the guidance in this chapter when preparing their impact assessments.

The impact assessment will be an integral part of the formal evidence produced by the stakeholder groups on which the regional MCZ recommendations are based. The assessment will include a comparison of what is likely to happen if the MCZs are designated compared with what will happen if the MCZs are not designated (the baseline scenario). The assessment will estimate the environmental, economic and social impacts (both positive and negative) of the proposed regional MCZs. Each proposed MCZ site should be clearly justified and the level of analysis should reflect the degree of consensus amongst stakeholders on the designation of the site. The anticipated positive and negative impacts of sites that do not have full stakeholder support should be set out for individual sites or groups of sites as appropriate.

Each stakeholder group, supported by the regional project, will produce an impact assessment for the MCZs that it recommends. The four stakeholder groups and four regional projects will also collaboratively produce an assessment of cumulative impact of the four regional MCZ recommendations. This will set out impacts of the four regional MCZ recommendations that are likely to occur over and above the sum of their individual impacts.

4.2.1 Development of the impact assessment

Development of the impact assessment is embedded within the eight-stage iterative process (see section 3.2) of recommending the regional MCZs. It will be informed by:

- ◆ The regional stakeholder group's knowledge of the area and existing activities.
- ◆ Data provided by stakeholder representatives.
- ◆ Data and analyses provided by the regional MCZ project (e.g. the regional profile and analysis of GIS data layers).

It is anticipated that initially a number of potential site recommendations will be discussed. At this stage the initial impact assessment will identify human activities that overlap with potential site recommendations, the compatibility of these activities with conserving features in the site and likely management measures that may be required. As the plans progress, the regional stakeholder groups will focus on developing site recommendations that meet the Ecological Network Guidance and gradually refine their assessments of the environmental, social and economic impacts (positive and negative) of those sites. These assessments will in turn help inform refinement of the network of sites. As more information becomes available, the impact assessment will provide quantitative (rather than qualitative) estimates of the impacts.

Throughout the process members of the stakeholder group will liaise with the sector that they represent, obtaining feedback on the potential impacts estimated in the analysis. Stakeholders with an interest in more than one regional MCZ project will be asked to identify additional impacts that would arise from designation of all four regional MCZ recommendations which will be used to inform the cumulative assessment. Feedback from sectors will be considered as the analysis is refined. It is required to ensure that the impact assessment provides an accurate representation. This needs to be established prior to the formal consultation, working towards a version that will be submitted with the MCZ recommendation for formal public consultation (see section 4.3.2).

In preparing the impact assessment the regional MCZ projects should consult and seek the advice of:

- ◆ Stakeholders, to add further information and refine the assessment of the environmental, social and economic impacts.
- ◆ Defra economists, who will provide advice at various stages on the quality of the impact assessment and guidance on how emerging issues should be addressed (for example, concerning the methods used, gaps in the data, quality of the data, conflicting information and uncertainty). Economists from JNCC and Natural England will also be available to provide advice throughout the process.
- ◆ Other regional MCZ projects to ensure that learning is shared and a consistent approach adopted.
- ◆ The SAP, to provide comments on the environmental aspects of the impact assessment.
- ◆ External economists, to the extent necessary and in accordance with the established call off contract.

4.2.2 Impact assessment for formal public consultation:

An impact assessment will accompany each regional MCZ recommendation put forward for formal public consultation undertaken by Defra (see Chapter 5).

In the best case scenario, each regional MCZ project will put forward for formal public consultation a single recommendation for sites that satisfies the Ecological Network Guidance, has regard to economic and social consequences, and has the full support of stakeholders. If that cannot be achieved, the regional MCZ projects will put forward alternative scenarios along with details of ongoing disagreement amongst stakeholders.

Each regional stakeholder group, supported by the regional MCZ project should provide an impact assessment for formal public consultation that provides:

- ◆ A summary of key information presented in a prescribed template¹⁵.
- ◆ The supporting evidence base. This should specify the sources of information used, details of the calculations made and highlighting areas where consensus has not been reached. It should be written in plain English so that a lay audience can understand it.

The impact assessments submitted for formal public consultation will draw on best available evidence at the time. Costs and benefits should be valued if possible. In the absence of quantitative data, impacts should be described quantitatively, or assessed qualitatively. Evidence should be presented transparently, with ranges used to reflect risk and uncertainty. Any unknown elements should be addressed in the analysis.

If the regional MCZ projects have been effective, there should be no major gaps in the impact assessment at this stage. This is because the assessment, and its evidence base, should be the culmination of work carried out to inform iterations throughout the development of MCZ recommendations. The full range of perspectives should have been considered and thus there should be no surprises to stakeholders arising from the formal public consultation.

The regional MCZ projects should adopt a consistent approach in the consideration of the environmental, social and economic impacts of their proposed MCZ recommendations although they may choose to employ different analytical techniques to inform their impact assessments. Where possible, there should be consistency in the impacts that are considered (if they occur).

It is recognised that the significance of particular impacts on a sector may differ between regions. Therefore, the level of detail considered for each impact should be relative to the magnitude of that impact in particular regions. The regional projects will need to ensure consistency in application of this proportionate approach.

Process for submission of impact assessments

The impact assessments for formal public consultation will be part of the final outputs submitted by the four regional MCZ projects to JNCC and Natural England (copied to Defra). The responsibility for impact assessments will then transfer to SNCBs.

The SAP will submit its advice on the regional MCZ recommendations to JNCC, Natural England and Ministers. Subsequently, JNCC and Natural England will submit their advice on the regional MCZ recommendations to Ministers in Defra alongside the

¹⁵ The template is available at <http://www.berr.gov.uk/whatwedo/bre/policy/scrutinising-new-regulations/preparing-impact-assessments/page44077.html>.

recommendations and impact assessments. The impact assessments will be subject to peer review prior to sign off by a senior Defra economist, after which the recommendations will transfer in ownership and responsibility to Defra. Ministers will need adequate time to consider the recommendations and impact assessments and seek Cabinet Committee approval prior to formal public consultation.

Draft designation orders and impact assessments for the four regional MCZ recommendations will be submitted to formal public consultation along with an analysis of the potential cumulative impacts.

4.2.3 Final impact assessment:

Defra will finalise the MCZ recommendations and make any revisions to the impact assessments that are required in light of responses to the formal public consultation. Ministers will sign off the impact assessment when making the designation order and in doing so confirm that they are satisfied (on the available evidence) that it represents a reasonable view of the likely impacts. Cabinet Committee approval will be sought before the designation orders and impact assessments are finalised.

4.3 **Decision support tools**

The regional stakeholder groups, with support from the regional MCZ projects, are encouraged to draw on a variety of tools to enable them to assess the social and economic consequences of the proposed MCZs. Fundamental to this will be facilitated deliberation by the regional stakeholder groups and consideration of information in the regional profiles. A Defra research project (MB104) will suggest decision support tools that may be useful. Initial findings suggest that these tools are likely to include cost benefit analysis, multi-criteria analysis, social impact analysis and design tools. The regional stakeholder groups and regional MCZ projects are also encouraged to identify other techniques that are likely to help them carry out the impact assessment. They should be aware of the advantages and shortfalls of the tools used and where appropriate, consideration of the shortfalls should be noted in the reporting of the findings.

4.4 **Data**

Defra, JNCC and Natural England are collating GIS layers of socio-economic data that can be used by the regional stakeholder groups and regional MCZ projects to inform their assessment of potential impacts. Non-spatial socio-economic information will also be needed to inform their analysis.

The regional MCZ projects have been provided with funding to undertake targeted short term data collection to provide additional data that are required. For example, *Finding Sanctuary* has used this funding to undertake the 'Fishermap' project, which has provided detailed information on fishing activity in the south-west. This approach is being developed and implemented across all four regional projects.

Stakeholders can supply their own datasets to inform the planning if these are available within the allocated timeframe. External economics and social science experts will be available to provide advice on how issues that may arise in using this data (for example, differences in the quality of data, incomplete data sets and conflicting information).

5 Formal Public Consultation and Designation Process

This chapter provides a summary of the formal public consultation and designation process that will be carried out when MCZ recommendations are submitted, via the SNCBs, to Ministers for consideration. For full details of this process see Defra Guidance Note 1¹⁶.

- On receiving regional MCZ recommendations Ministers will consider how well they meet the relevant statutory considerations (e.g. Sections 117-118 and Section 123), national policy objectives, and any international commitments taking into account the advice of the SAP and the SNCBs.
- Although not bound by the recommendations of the regional MCZ projects, Ministers will attach considerable weight to them and take account of the accompanying impact assessments especially where recommendations are based on consensus between participating stakeholders. Lack of consensus should not prevent regional MCZ projects from submitting recommendations to the SNCBs, nor prevent Ministers designating sites.
- Once proposed MCZ sites have been considered by Ministers, wider Government approval will be sought before commencement of the formal public consultation. There will be a 12 week formal public consultation period following the Government Code of Practice on Consultation.
- If the regional MCZ projects have worked as intended, new issues or objections are unlikely to be raised at this consultation stage although any unresolved concerns are likely to be reiterated as formal objections. In special circumstances, such as the significance or complexity of a case, Ministers may decide to hold a hearing.
- The Impact Assessments will be submitted to Defra alongside the recommendations once they have been approved by senior economists. The impact assessments may need to be revised to incorporate significant new data or issues that were submitted in responses to the formal public consultation.
- Ministers will designate MCZs by orders. These will identify the boundaries of the MCZ, list the protected feature(s) and set out the conservation objectives for the MCZ (Section 117 of the Marine and Coastal Access Act). It is intended that MCZs will be designated by late 2012.

¹⁶ <http://www.defra.gov.uk/marine/biodiversity/marine-bill/guidance.htm>

Glossary

Common Fisheries Policy (CFP): The Common Fisheries Policy (CFP) is the European Union's instrument for the management of fisheries and aquaculture.

Conservation Objective: Conservation Objectives aim to define the desired outcome(s) of designating the area as an MCZ on an individual site level and part of the wider MPA network.

Department for Environment, Food and Rural Affairs (Defra): The UK Government department responsible for the environment, for food and farming, and for rural matters.

EC Birds Directive: The Council Directive 79/409/EEC on the conservation of wild birds (PDF 209KB) (the 'Birds Directive') provides a framework for the conservation and management of, and human interactions with, wild birds in Europe. Through this Directive, the European Community meets its obligations for bird species under the Bern Convention and Bonn Convention.

EC Habitats Directive: The EC Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora) aims to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species at a favourable conservation status, introducing robust protection for those habitats and species of European importance.

Ecological Network Guidance: Guidance produced by JNCC and Natural England that sets out the ecological framework within which regional stakeholder groups will identify Marine Conservation Zones (MCZs) to contribute to the establishment of an ecologically coherent Marine Protected Area (MPA) network.

European marine site (EMS): Natura 2000 sites in the marine environment.

Feature: A species, habitat, geological or geomorphological entity for which an MPA is identified and managed.

Impact assessment: An Impact Assessment is a process for analysing and selecting policy options and a tool for communicating how preferred options have been chosen. It articulates the anticipated environmental, economic and social costs, benefits and impacts of a proposed policy or range of policies. These impacts are assessed against a baseline of the proposed policy interventions not taking place.

Joint Nature Conservation Committee (JNCC): The statutory adviser to Government on UK and international nature conservation. Its specific remit in the marine environment ranges from 12-200nm. JNCC delivers the UK and international responsibilities of the four country nature conservation agencies of the devolved regions, including Natural England.

Marine Conservation Zone (MCZ): A new type of Marine Protected Area (MPA) to be designated under the Marine and Coastal Access Act 2009. MCZs will protect nationally important marine wildlife, habitats, geology and geomorphology and can be designated anywhere in English and Welsh inshore and UK offshore waters.

Marine Conservation Zone (MCZ) Project Board: Provides strategic direction in the management of the MCZ project, ensuring there is cross-partner organisational agreement on project planning, management and delivery of products at a MCZ project geographical scale.

Marine Conservation Zone (MCZ) Project Team: A national project team established to support Government in the delivery of the MCZs. This project team is being managed through a partnership between Natural England, JNCC and Defra.

Marine Conservation Zone (MCZ) Recommendation: Dossier to be submitted by regional stakeholder groups to Natural England and JNCC, in which proposed Marine Conservation Zones (MCZs) within their region are outlined, along with an impact assessment of the proposed region and conservation objectives.

Marine Conservation Zone (MCZ) Technical Support Group: A forum to consider and provide relevant technical scientific, economic, social science and policy support to the regional MCZ projects and MCZ project board.

Marine Protected Area (MPA): A generic term to cover all marine areas that are 'A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values' (Dudley 2008). MPAs may vary in their objectives, design, management approach or name (e.g. marine reserve, sanctuary, marine park) (IUCN-WCPA 2008). See also 'Protected Area' and 'OSPAR MPA'.

Marine Protected Area (Scotland): A marine protected area designated under the marine (Scotland) Bill in the territorial waters adjacent to Scotland. These MPAs may be Nature Conservation MPAs, Demonstration and Research MPAs or Historic MPAs.

Marine Protected Area (MPA) Network: A system of individual MPA operating cooperatively and synergistically, at various spatial scales, and with a range of protection levels, in order to fulfil ecological aims more effectively and comprehensively than individual sites could acting alone. The system will also display social and economic benefits, though the latter may only become fully developed over long time frames as ecosystems recover.

MMO: Marine Management Organisation

Natura 2000 (N2K): The European network of nature protection areas (classified as SPAs and SACs) established under the 1992 Habitats Directive.

Natural England: The statutory advisor to Government established to conserve and enhance the natural environment, for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings. Natural England has a statutory remit for England out to 12 nautical miles offshore.

OSPAR: The Convention for the Protection of the Marine Environment of the North-East Atlantic (<http://www.ospar.org>).

OSPAR MPA: An area within the OSPAR maritime area for which protective, conservation, restorative or precautionary measures, consistent with international law have been instituted for the purpose of protecting and conserving species, habitats, ecosystems or ecological processes of the marine environment (OSPAR 2003 Annex 9 A-4.44a).

Principled negotiation: A form of negotiation that emphasises interests rather than problems. It uses objective criteria and seeks options for mutual gain.

Protected Area: A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values (Dudley 2008)

Regional Advisory Council (RAC): A stakeholder-led advisory body created to give the fishing industry and other interested parties a greater say in the way fisheries are managed in the geographical areas they

cover. The RACs provide a permanent framework linking stakeholders at the regional and local level and the European Commission and the Member States concerned. There are seven RACs covering the Baltic Sea, Mediterranean Sea, North Sea, North Western Waters, South Western Waters, pelagic stocks and high seas/long distance fleet.

Regional Marine Conservation Zone (MCZ) Project: A project established by Defra, Natural England and JNCC to identify and recommend MCZs to Government. The MCZ project will be delivered through four regional MCZ projects covering the South-West, Irish Sea, North Sea and South East and will work with stakeholders to identify MCZs.

Regional Project Board: Is responsible for the effective delivery of MCZ recommendations and accompanying impact assessment by the stakeholder group to Natural England and JNCC by June 2011.

Regional Stakeholder Group: Comprises representatives from regional, national and international sectors (where appropriate) that have an interest in the development of the MCZs within the geographical scope of the specific regional MCZ project. They are responsible for working together to agree marine conservation zone recommendations for their region, conservation objectives and complete the impact assessment.

Regional Project Team: Provides technical expertise to support the regional stakeholder groups in developing the MCZ recommendations and will deliver management of the regional marine conservation zone project as directed by the regional project board.

Science Advisory Panel (SAP): The SAP will provide the scientific knowledge, advice and judgement necessary to assist the regional MCZ projects in identifying MCZs and the Secretary of State in designating these sites as a contribution to an ecologically coherent network. Members and chair of the SAP will be appointed by Defra.

Site of Special Scientific Interest (SSSI): Sites designated under the Wildlife and Countryside Act 1981 (as amended 1985, and by the Countryside and Rights of Way Act 2000 and the Nature Conservation (Scotland) Act (2004).

SNCB: Statutory Nature Conservation Body (Natural England or JNCC).

Special Areas of Conservation (SAC): Protected sites designated under the European Habitats Directive for species and habitats of European importance, as listed on Annex I and II of the Directive.

Special Protection Areas (SPA): Protected sites designated under the EC Birds Directive, for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.

Stakeholder: An organisation, regulator, interest group or individual whose activities could be affected by MCZs.

UK Marine Protected Area (MPA) Network: A UK-wide network of MPAs comprising Marine Conservation Zones (MCZs), marine Natura 2000 Sites (SACs and SPAs), Sites of Special Scientific Interest (SSSI) and MPAs designated through the Marine (Scotland) Bill.

UK Marine Biodiversity Policy Steering Group: UK Government cross Departmental steering group on marine biodiversity policy (includes MPAs).

Annex 1:

National Organisation and Project Structures

The delivery of the MCZ project will be focused through the regional MCZ projects. The project partners, Defra, Natural England and JNCC, have agreed to establish the following project structures to support the implementation and management of the project.

Marine Conservation Zone (MCZ) Project Board

Purpose:

The MCZ project board is responsible for providing strategic direction in the management of the MCZ Project and ensuring there is cross-partner agreement on project planning, management and delivery of products across the full geographic scale of the MCZ project.

The MCZ Project Board's Terms of Reference are:

- Government policy is to meet its international obligations in relation to the establishment of an ecologically coherent network of MPAs by 2012.
- The Board will strive to support the implementation of this obligation in line with the current framework of government policies and guidance.
- The Board agrees that this obligation will be best implemented through a process of cooperation and constructive dialogue involving regional stakeholder groups from the outset.
- The Board will deliver the project aims as defined in the MCZ Project plan, taking technical guidance from the MCZ technical support group.
- The Board will take direction from and report to the Marine Act Implementation Programme Board
- The Board will ensure that the identification of MCZs is integrated with the other MPA programmes in the UK in order to contribute to an ecologically coherent UK MPA network.

MCZ Project Board role and responsibilities:

The general responsibilities of the MCZ project board include:

- Providing strategic guidance for the management and delivery of the MCZ project within the current policy framework
- Approving MCZ project plans
- Authorising any major deviation from agreed MCZ project plans
- Signing-off the completion of each key stage and major product
- Ensuring that the necessary resources are committed to the MCZ project
- Authorising the implementation of any contingency plans and funds
- Arbitrating on any conflicts within the MCZ project
- Negotiating a solution to any problems between the MCZ project and external bodies
- Ensuring that risks are being tracked and mitigated as effectively as possible
- Championing and communicating MCZ project issues to the wider stakeholder community, particularly across Government and relevant agencies
- Ensuring progress on the MCZ project is properly communicated to all relevant personnel
- Overseeing the MCZ project to ensure it delivers quality assured products.

Membership:

MCZ project board membership will comprise the following representatives from the two national partner organisations (JNCC and Natural England):

- Marine Director, Natural England – Chair
- Marine Director, JNCC – Deputy Chair
- MPA Team Leaders, JNCC & Natural England
- Project Managers, JNCC & Natural England

Other persons may attend the meeting with the agreement of the Directors from the two partner organisations. Defra are a MCZ project partner and attend Board meetings but are not a member of the project board.

Secretariat:

The national MCZ project manager will provide the secretariat for the board, to include organising the meeting programmes, collating and distributing papers and taking minutes of the meetings. Minutes of the meetings will be disseminated to the four regional MCZ projects.

Marine Conservation Zone (MCZ) Project Team

Purpose:

A national project team has been set up to support Government in the delivery of the MCZs. This project team is being managed through a project partnership between Natural England, JNCC and Defra. Each partner organisation has identified responsibilities to deliver on behalf of the project.

Specifically its roles are to:

- Support the MCZ project board in the delivery of its responsibilities.
- Support the MCZ technical support group in the delivery of its responsibilities.
- Develop and implement the national MCZ project plan and secure required resourcing.
- Lead on the required national work streams including data collation, research, project management, communication, national and international stakeholder liaison and national MCZ planning responsibilities.
- Provide the technical resources to support Defra in the development of the policy guidance that provides the framework for the delivery of the MCZs.
- Support the regional stakeholder groups to develop MCZ recommendations that satisfy the Ecological Network Guidance by:
 - Coordinating the provision of broad scale data to underpin MCZ site selection.
 - Providing technical support on the use of bio-physical and socio-economic data provided by stakeholders.
 - Work alongside other stakeholders within the regional stakeholder groups to provide information, technical expertise, and to negotiate and influence the outcome.

Marine Conservation Zone (MCZ) Technical Support Group

Purpose:

This is a forum to consider and provide relevant technical scientific, economic, social science and policy support to the regional MCZ projects and MCZ project board. Specifically its current Terms of Reference are:

- In the light of the policies of the UK Government and Devolved Administrations, provide advice to the regional MCZ projects and the MCZ project board on the implementation of MCZs;

- Facilitate integration between the MCZ project and the marine Natura 2000 programme¹⁷ to contribute to the creation of an ecologically coherent UK MPA network.
- Report to the MCZ project board.

In particular, the group will advise on the technical implementation of the MCZ project by:

- Producing generic Terms of Reference for the implementation of the MCZ project through the four regional MCZ projects.
- Advising on the production of detailed guidance to support implementation of the MCZ project, both nationally and through the regional MCZ projects.
- Providing a technical advisory forum for the MCZ project, with a particular focus on coordination between the regional MCZ projects on technical aspects of delivery.
- Advising on the structures and arrangements necessary to support MCZ project implementation.
- Co-ordinating the data requirements of the regional MCZ projects.
- Advising relevant organisations on the co-ordination of research and evidence needed to facilitate the implementation of the MCZs.
- Assisting the co-ordination of stakeholder liaison between regional, national and international processes for MCZ identification.
- Providing input to the national MCZ communications and awareness programmes, particularly with respect to the impact of national work on the regional MCZ projects.
- Supporting and guiding the development and implementation of the regional MCZ projects in accordance with national timetables for the MPA network delivery.
- Identifying opportunities for integration with other relevant marine programmes.
- Ensuring that the regional MCZ projects have necessary awareness of relevant policy developments with respect to MPA programmes in other UK administrations and adjacent EU Member States.

Membership:

Membership of the group will comprise representatives of each of the regional MCZ projects, Defra, Natural England, and JNCC. Other organisations will be invited to attend meetings or to contribute to the work of the group as necessary. Since this is a technical support group, the representation at each meeting may be adjusted according to the specific agenda items.

The group will be chaired by Natural England or JNCC; the chair will alternate between organisations as required.

¹⁷ Regional projects will ensure that stakeholder groups take into account the features present in existing Natura 2000 sites when identifying MCZs to avoid unnecessary duplication within the UK MPA network.

Marine Conservation Zone Project



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