

REVIEW OF MARINE NATURE CONSERVATION

SPECIFICATION FOR REGIONAL SEAS PILOT SCHEME

1. Introduction

The Interim Report of the Review of Marine Nature Conservation (RMNC) Working Group was submitted to Ministers in March 2001. One of the key recommendations of the Working Group was the promotion of a pilot scheme, at the regional sea scale, to demonstrate the application of the regional seas concept and examine how far the conservation management needed within the pilot area could be delivered through existing systems. Ministers subsequently agreed the preparation of a draft specification for a regional seas pilot scheme.

DEFRA commissioned the JNCC to lead a group to prepare a specification for a pilot scheme based on objectives and advice provided by the RMNC Working Group.

The RMNC Working Group has subsequently considered and endorsed this specification.

Objectives

The aims of the pilot scheme will be to:

- test ways of integrating nature conservation¹ into key sectors in order to make an effective contribution to sustainable development on a regional basis;
- test the framework proposed by the paper “*An implementation framework for the conservation, protection and management of nationally important marine wildlife in the UK*”;
- determine the potential of existing regulatory and other systems for delivering effective marine nature conservation, and identify any gaps;
- recommend measures to fill the gaps identified.

The specification for the pilot scheme:

- identifies what needs to be done, why, how it should be done and by whom;
- seeks to engage all relevant interests fully (including the devolved administrations in Scotland, Wales and Northern Ireland) and to achieve a common understanding and agreement;
- outlines a timetable and action plan for the implementation of the pilot scheme;

¹ For the purpose of this specification, nature conservation should be taken as including commercially-important species, and the specification text construed accordingly.

- identifies the lead partners responsible for taking forward each aspect of the scheme;
- costs each aspect of the scheme separately;
- considers the feasibility and desirability of involving other EU Member States and the extent to which they could be involved;
- identifies candidate geographic areas within which to run the pilot scheme, sets the pros and cons of each, and recommends that the Irish Sea be selected for this purpose.

2. **Relationship to the Government's Marine Stewardship Report**

In March 2001, the Prime Minister announced that the Government was to launch measures to improve conservation of the marine environment in the United Kingdom and abroad, including the preparation of a series of marine stewardship reports. Subsequently, work was initiated within Government to prepare the Marine Stewardship Report which is intended to set out the Government's vision and goals for integrated and sustainable management of the marine environment across the range of marine sectors. The Report is intended to provide a comprehensive analysis of the progress made in implementing current policies and will set out the future policy framework. The Report will be a UK-wide document and will recognise devolved issues and issues relating to the Overseas Territories.

The initial draft of the Marine Stewardship Report is being prepared within Government, and being co-ordinated by DEFRA. The Department has produced a summary document and a series of workshops were arranged at which stakeholders discussed, and provided comments on, the strategy outlined in the summary document.

While, the final text of the Marine Stewardship Report is not available, it is expected that it will provide the overall marine environmental strategy and sustainable development context within which the pilot scheme will work. If adjustment to the specification of the pilot scheme is required to accommodate the policy set out in the Marine Stewardship Report, the necessary adjustments will be made.

3. **Relationship to regional sustainable development strategies**

In the event that an initiative is developed, or already underway, to develop a sustainable development strategy relating to the Regional Sea selected for the pilot scheme, and, assuming that the initiative is compatible with, or flows from, the policies set out in the Government's Marine Stewardship Report, then every endeavour will be made to ensure that the work undertaken through the Pilot Scheme is complementary to that initiative.

4. **Pilot Scheme management**

The Regional Seas Pilot Scheme will be run as a project overseen by a Steering Group chaired by DEFRA. The Chair of the Steering Group will determine representation on the Group, taking account of the need to involve key Government Departments, devolved administrations, and sectoral interests, including representatives of the pilot area selected. While being as inclusive as possible, the Steering Group will need to be kept to a manageable size.

The Steering Group may appoint sub-groups to advise on particular issues (e.g. legal, sectoral or local community issues).

The day to day running of the project will be the responsibility of a Project Manager, who will be provided with the necessary staff support. Preferably, the Project Team would be 'hosted' by a relevant public body close to the Regional Sea selected for the Pilot.

In carrying out the project, the Project Manager will aim to involve the relevant stakeholders as much as possible. These will include regional representatives of national stakeholders, and also relevant regional and local stakeholders. The Project Manager may make recommendations to the Steering Group on any issues where there may be benefit in establishing a sub-group of the Steering Group, and on the membership of the sub-group.

Steering Group will prepare a report on progress of the Pilot Scheme for circulation prior to each meeting of the RMNC Working Group as a whole. The report will be discussed at the meeting of the Working Group, and conclusions arrived at communicated to the Steering Group. Products from the Pilot Scheme will be submitted to the Working Group prior to wider dissemination.

Products delivered under the pilot scheme will be finalised and disseminated by DEFRA.

5. **Involvement of the European Commission and other EU Member States**

The European Commission will be briefed on the objectives of the Pilot Scheme and will be kept informed of progress.

Member States which border on the Regional Sea selected for the Pilot Scheme will be invited to participate in the Scheme under such terms as may be negotiated with them. The involvement of other EU Member States at the policy level is seen as desirable, but the work to be carried out to meet the objectives set out in the Terms of Reference is detailed, and is best carried out primarily within UK waters. The level of involvement of other Member States should not be such as to constrain or delay this detailed work.

However, other Member States, Norway and the OSPAR Commission will be informed about the Pilot Scheme and its conclusions, and the Pilot Scheme will include a process to ensure that conclusions appropriate to other sea areas are effectively communicated.

6. Scope of the Pilot Scheme

In addition to the work on the Marine Stewardship Report referred to above, a considerable amount of work is currently being undertaken in relation to the marine environment which is highly relevant to the pilot scheme. Strategic approaches are being developed within Europe and the UK in relation to the sustainable development and protection of the marine environment. More specifically, with regard to nature conservation, a great deal of work has been, and continues to be, undertaken to implement the EU Birds and Habitats Directives, with regard to Annex V of OSPAR and as a part of the review of the Common Fisheries Policy. The Regional Seas Pilot Scheme is set within the context of this other work, and will utilise the decisions and outcomes that derive from it.

The Regional Seas Pilot Scheme will take as its starting point the approach set out in *“An implementation framework for the conservation, protection and management of nationally important marine wildlife in the UK”* which was produced and discussed through the RMNC Working Group process. Simply expressed, the 'Implementation Framework' envisages the seas of the UK continental shelf (and more widely) as comprising:

- the whole sea area, from high tide to the limits of UK jurisdiction, and, insofar as is appropriate and through negotiation with other countries, adjacent sea areas;
- within this, a series of 'Regional Seas', defined primarily on physical and biological parameters, but including human dependencies on the natural resources and services provided by the sea;
- within each Regional Sea a series of ecological units characterised by their seabed landforms, or water column, features;
- within each Regional Sea, priority areas (designated nature conservation areas, and other areas necessary for the conservation of nationally important marine habitats and species) for which more stringent conservation measures will be needed.

For each of these types of sea area, objectives will be set appropriate to the type of area concerned and which appropriately take into account the needs of national stakeholders and local communities.

The Pilot Scheme will operate on the starting premise that it is trialing a framework for marine nature conservation within the context of the wider needs of society in relation to the Regional Sea selected. In doing so, it will examine the degree to which this framework can contribute to a framework for wider sustainable development for the whole of the marine environment. In particular, the trial will investigate the manner in which nature conservation objectives could be integrated into the objectives of other marine interest sectors (fisheries, oil and gas, shipping etc) in practice. This will require discussions with those sectors, the identification of practical solutions, and the reporting on difficulties encountered in this.

7. **Products from the Pilot**

Products from the pilot are likely to be in two main forms: a) documents containing conclusions and recommendations and, b) changed perceptions of people engaged with the process. Of the document products, the following are proposed:

- a plan of the Regional Sea selected subdivided as set out in the 'Implementation Framework', with objectives proposed for the various subdivisions;
- a report on how effectively current legislation, enforcement or governance systems to implement these objectives are likely to be, and recommendations for any necessary improvements;
- a refined 'landform classification', and suite of habitats and species for conservation action within the pilot area;
- a 'pilot-tested' revision of the 'Implementation Framework' document;
- a revised specification for future Regional Seas projects;
- identification of possible applications for (e.g. EC) grant to implement the Regional Seas approach in the pilot area or elsewhere;
- an assessment of whether, and the degree to which, the nature conservation framework can be incorporated within a framework for sustainable development for the marine environment (including mainstreaming nature conservation objectives within sectoral objectives);
- an assessment of the costs of further work needed to finalise the nature conservation strategy for the selected Regional Sea;
- an evaluation of the extent to which perceptions of the people engaged in the process have been changed by it, and of any constraints in relating the conclusions of the pilot scheme to other Regional Seas.

Document products should identify difficulties encountered with the various elements of the 'implementation framework' or other relevant mechanisms and processes, together with recommendations for addressing these.

8. Candidate areas

The number and boundaries of the 'Regional Seas' are matters for discussion and negotiation. There is a need to have regard to existing regional seas classifications, e.g. ICES, as well as to biogeographic information, and the needs of national, regional and local stakeholders.

As required by the 'Next Steps' in the Interim Report of the RMNC Working Group, English Nature has considered how its work on 'Natural Areas' can best be incorporated into the Regional Seas context and, in collaboration with JNCC and the other country agencies, has tentatively identified Regional Seas across the UK 'Designated Area' of the continental shelf. While these areas and boundaries need further discussion with stakeholders, as mentioned above, they can serve, for the time being, for the consideration of Candidate Areas within this draft specification. A map showing these 'tentative' Regional Seas is given at Annex 1. The further definition of these areas will need to take account of the work of any parallel initiatives developed through other relevant fora, including initiatives comparable to 'Natural Areas' being undertaken in other parts of the UK or elsewhere.

Three of the Regional Seas outlined on the map at Annex 1, appear to be the strongest candidates for the Pilot Scheme. These are: the Irish Sea, the southern North Sea, and the northern North Sea. The pros and cons of each are considered briefly below:

- a. **Irish Sea** - from Islay or Mull of Kintyre south to Pembroke (and Antrim south to Waterford)

Advantages: would engage all UK Governmental administrations and conservation agencies (thus promoting the Regional Seas concept in the UK), and another Member State (Ireland), and the Crown Dependency of the Isle of Man; has a range of natural resources and sectoral interests; is varied in nature conservation terms and seabed morphology, including some habitats not covered by the Habitats Directive e.g. deepwater sealochs; has existing community engagement. It is large enough for the purpose of the trial, but not so large that the trial would incur excessive costs. The complication of negotiation with a range of other Member States is avoided.

Disadvantages: lack of engagement of continental Member States could limit the promotion of the Regional Seas concept more widely in the EU.

- b. **Southern North Sea** - from Flamborough Head south to Dungeness (and, potentially, Esbjerg south to Calais)

Advantages: could build on existing initiatives including North Sea Conference process; could engage several continental Member States and promote Regional Seas concept within the EU; has a range of natural resource and sectoral interests.

Disadvantages: devolved UK administrations are not engaged in the process and only the England conservation agencies are involved; variety of seabed habitats and morphology somewhat limited; involvement of other Member States could constrain or delay the detailed work.

- c. **Northern North Sea** - Shetland south to Flamborough Head (and, potentially, Kristiansund south to Esbjerg, excluding the Skagerrak)

Advantages: could build on North Sea Conference process, and engage several continental Member States and Norway thus promoting the Regional Seas concept within EU; has a range of natural resource and sectoral interests; seabed habitats and morphology is reasonably varied.

Disadvantages: the devolved UK administrations in Wales and Northern Ireland would not be engaged in the process, and neither would the Countryside Council for Wales or the Environment and Heritage Service. The area is relatively large and the cost of undertaking the work might be higher than necessary as a result; involvement of other Member States and Norway could constrain or delay the detailed work.

After due consideration, the RMNC Working Group recommended the selection of the Irish Sea, as it appeared the best choice for the purpose of achieving the detailed objectives of the Pilot Scheme.

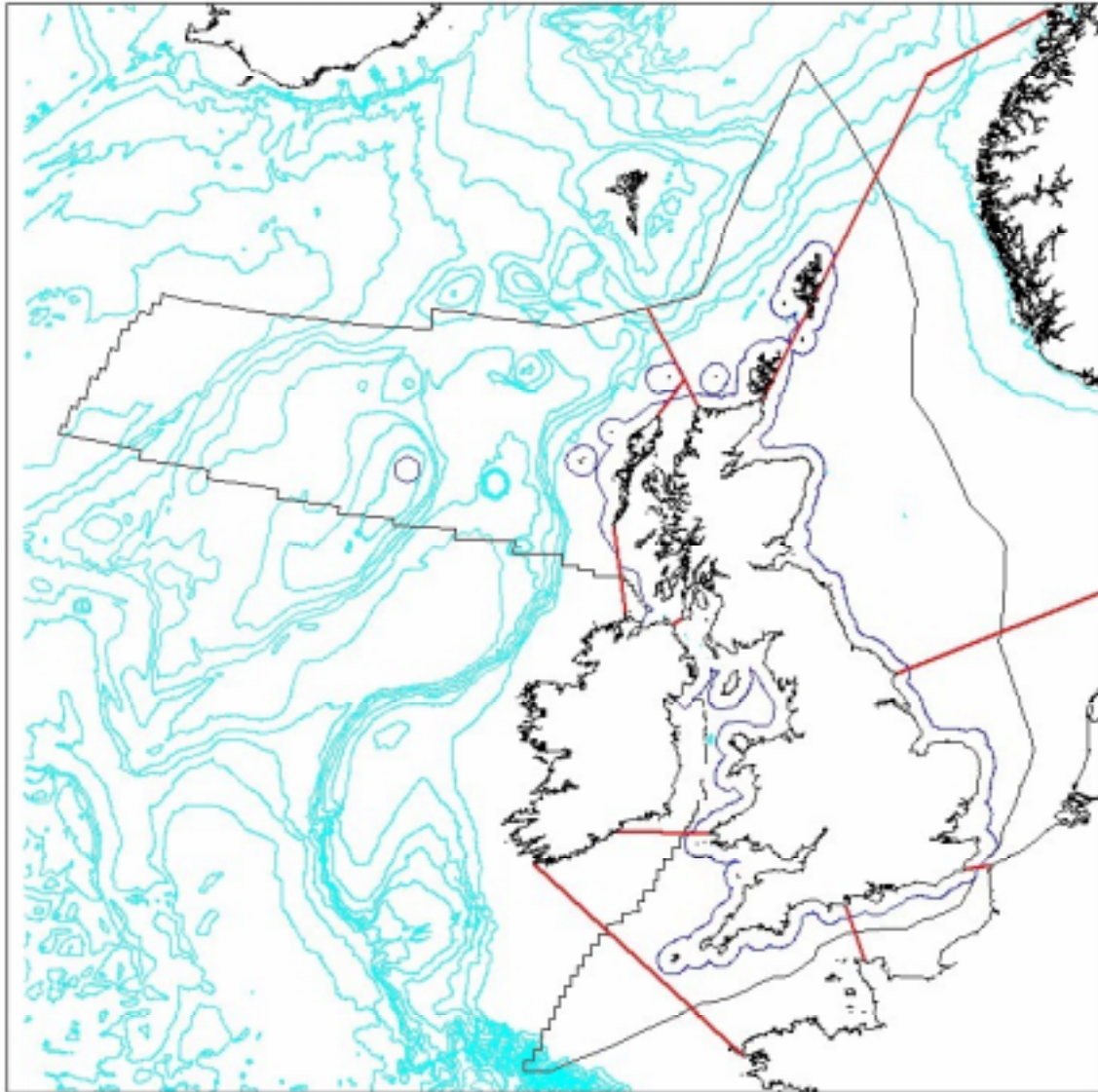
9. **Programming**

Details of the Work Programme, timetable and costing are set out in Annex 2. These are based on the assumption that the area selected for the Pilot Scheme will be the Irish Sea. The specification assumes the work will commence in April 2002 and be completed by December 2003, i.e. that it will run for 21 months. A later start date will result in consequential changes to the dates given in Annex 2 and also a later completion date.

There is some degree of flexibility in relation to the timing of some elements of the work programme; in particular the elements which are not sequential to other elements. Where this is the case the Steering Group will decide upon changes that may be desirable, and the work programme will be amended accordingly.

ANNEX 1

(Possible) Regional Seas



UK Continental Shelf Designated Area and Territorial Waters