

JNCC MARINE NATURA 2000 PROJECT GROUP MINUTES

FOURTEENTH MEETING 22ND FEBRUARY 2007

JNCC, MONKSTONE HOUSE

APPROVED MINUTES

Present (around table):

Lynda Warren (LW) (Chair) - Joint Committee
Malcolm Vincent (MV) - JNCC
Charlotte Johnston (CJ) - JNCC
Annabelle Aish (AA) - JNCC (Secretary)
Gez Thulbourn (GT) - JNCC
Viv Blyth-Skyrme (VBS) - JNCC
Neil Golding (NG) - JNCC
Jim Reid (JR) - JNCC
David Connor (DC) - JNCC
Jen Ashworth (JA) - NE
Nigel Buxton (NB) - SNH

Peter Clement (PC) (from item 5) - NE
Joe Breen (JB) – EHS

By video-link:

Matthew Murphy (MM) (item 10) - CCW

By phone conference:

Leigh Jones (LJ) (item 5) - NE
Carol Daniels (CD) (items 1-8 & 13 -14)- SNH
Ben James (BJ) (items1-8 & 13-14) - SNH

Apologies:

Mark Tasker (JNCC)
Wyn Jones (JNCC)
Helen Baker (JNCC)
Sian Whitehead (CCW)
Kirsty Dernie (CCW)

Karen Robinson (CCW)
Sarah Wood (CCW)
Adam Cole-King (CCW)
Ian Bainbridge (Scottish Executive)
Howard Platt (DoENI)

1. Welcome and apologies for absence

LW welcomed the attendees. Apologies were noted as above.

2. Minutes of the 12th and 13th Marine Natura Project Group Meetings and matters arising

Minutes from the 12th and 13th meetings were approved without amendment. These will now be placed on the JNCC website. A summary of action points from the previous meetings and outcomes is provided below.

Action point number	Action	Outcome
11.10	Carried forward: Agencies (EN, SNH and EHS) to provide comments to AA & CJ on MN2KPG11_1_OSPART&D.doc particularly with regard to Tables 3, 4, 5 and 6	Carried forward
11.11	Carried forward: AW to circulate report on Inshore Aggregations of Waterbirds in the Moray Firth to the Project Group	Completed
12.5	Carried forward: AA to circulate 'integrated' offshore SAC proformas (for Stanton Banks, Braemar Pockmarks and North Norfolk Sandbanks and Saturn Reef) to the Project Group	Carried forward
12.7	Carried forward: CJ and AA to select pragmatic GIS landward boundaries for SACs submitted as OSPAR MPAs for submission to	Carried forward/in

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	OSPAR Commission	progress
12.8	Carried forward: CJ to produce draft paper on process for consideration of additional OSPAR MPAs by 2010	Carried forward
12.10	Carried forward: Agencies (CCW, SNH and EHS) to contribute to European marine site management plan database (circulated by AA 02/05/06).	Partially completed (see action 19 below)
13.1	AA to update MN2KPG13_1_MN2KSurveyTimetable.doc with Agencies' assistance.	Completed
13.2	CJ to forward a list of attendees at Defra Offshore SACs meeting (25/09/06) to MT.	Completed
13.3	MV to propose letter to Secretary of State on marine Natura 2000 to Chairmen of all the Agencies at the September JNC Committee meeting.	On hold
13.4	SB to formalise comments on the content of letter to Secretary of State (to be sent to MV)/	On hold (see above)
13.5	AA to set up an inter-agency workshop on 'Identifying sub-types for Annex I Reefs and Sandbanks in order to assess Representativity for these interest features across the Natura 2000 network'.	Scottish comments outstanding
13.6	MT to produce a short document explaining limitations of current cetacean data (in particular SCANS II) for SAC selection. To be submitted to Feb Project Group meeting.	Completed
13.7	AA to update MN2KPG13_2_JNCCCommittee+MN2KPGTimetable.doc with Agencies' assistance.	Completed
13.8	SB to write 'think piece' on UK Government's commitment to OSPAR process.	Completed
13.9	HB to liaise with JR with regard to the development of the 2008 SPA review paper.	Completed

3. Review of Terms of Reference

The Terms of Reference (ToR) were presented to the group for comment and possible revision. It was clarified that MPAs arising from the Marine Bill are already encompassed within the ToR but that input into the development of the Marine Bill was not within the remit of the Group. It was noted that the Group remains an inter-agency group in terms of its operation but that Defra and the Devolved Administrations will be kept abreast of its work through communications from the Group Secretariat. It was acknowledged that the ToR affirm that work contributing to Natura 2000 remains the primary focus of the Group; If the Group takes on further responsibility for non-Natura work areas, then the ToR should be revisited.

AP1: Joe Breen to provide to Caroline Turnbull the correct reference to Northern Ireland and EHS for inclusion in the Terms of Reference for the Group by 30th March.

AP2: Caroline Turnbull to update Terms of Reference and provide to the Group by 13th April.

4. EU and UK Marine working groups

4.1 Update on work of the EU Marine Expert Group/Habitats Committee

CJ reported that there has not been a meeting of the EU Marine Expert Group since the last meeting of the Project Group. However, the revised Annex I marine habitats definitions have now been approved.

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Formal approval of both the marine guidelines and the new definitions are expected at Habitats Committee in April.

4.2 Update on Natura and Ramsar Steering Committee and liaison with Defra

CJ introduced MN2KPG14_1_MPAGrps which documents the current existing groups which are involved in MPA selection (both scientific/technical and policy). This is provided to the Group for information. CJ introduced the second paper MN2KPG14_2_DefraGrps and highlighted that this had been provided by Defra Bristol and proposed a series of three new groups to be set up in parallel to those which already exist. The Group discussed the proposal and the relationship of the new proposed groups to the existing framework of groups. It was highlighted that there was a need to understand which Defra group any particular item should be taken to. There was also some confusion over how the proposed groups would relate to the existing groups and how adequate links between marine and terrestrial work would be maintained. It was noted that there was an absence of a process by which Government could sign off offshore SAC boundaries.

AP3: Group to provide comments to Charlotte Johnston on MN2KPG14_2_DefraGrps by 8th March 2007.

AP4: Charlotte Johnston to respond to Defra to proposals for new Groups as outlined in Project Group paper MN2KPG14_2_DefraGrps.

4.3 Update on Offshore marine regulations

CJ informed the Group that the Offshore Marine Regulations are anticipated to be laid before parliament in March 2007. In relation to this, JNCC anticipates the offshore dSACs going out to consultation in September 07.

5. Selection of SACs for Annex I habitat interest features

5.1 Agency/JNCC updates on SAC survey programme

LJ informed the Group of Natural England's survey plans. Following a data review on Areas of Search, gaps in data will be identified and used to inform survey plans for Spring/Summer 2007. The areas are The Wash, Thames Estuary, Lyme Bay, Salcombe, Morecombe Bay, Lands End. JNCC and Natural England will coordinate their work in the Thames Estuary and Wash where Areas of Search stretch into the offshore area.

JB informed the Group that multi-beam and diving surveys would be undertaken in Red Bay. The Skerries has rocky reef and *Modiolus* (heavily damaged by trawling), seagrass beds and five empty *Pinna* were found. The Maidens site is likely to be progressed for rocky reef and maerl (Sandbanks habitat). The Dundrum Bay pockmarks site was found to be beyond 12nm and, therefore, is being passed to JNCC; DARD already has some survey data from this site. Exploratory diving is being undertaken in Carlingford Lough and there are plans afoot to undertake *Modiolus* restoration in Strangford Lough.

CD and BJ informed the Group that the Sound of Barra was surveyed last summer using sidescan sonar, satellite which was then ground truthed. The Sound of Barra, Sound of Harris and Mingulay are being treated as three separate sites/Areas of Search.

VB-S informed the Group of JNCC's collaborative survey with FRS of Rockall Bank which was mostly unsuccessful given the bad weather and technical problems faced. Physical data has been collected for the North-west Irish Sea Mounds and it is hoped that biological data will be collected at the end of Feb 07 (by AFBI). There was an attempt to survey the Mid Irish Sea Reef (physical and biological) but this was set back by weather and equipment problems. A further attempt will occur in March 2007. After successful survey of the Eastern English Channel in 2006 a report is anticipated in March 2007. A survey report for the Western English Channel will be published later on this year. JNCC is currently planning a survey of the South West Approaches shelf break in June 2007 as part of the MESH extension project. JNCC is also investigating further collaborative survey work with FRS.

AP5: Group to update MN2KPG14_3_N2KSurvey and return to Caroline Turnbull by 8th March 2007.

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5.2 Achieving representativity in the UK suite of SACs for Annex I habitat

AA reviewed work on this topic and informed members of the Group that a workshop was held in November 2006 to identify suitable parameters for reefs and sandbanks which would enable occurrences to be categorised in order to inform the assessment of representativity across the network. A matrix was developed to record the attributes (according to the agreed parameters) in SACs across the across the UK which has been completed by Wales, England, Northern Ireland and JNCC (for the offshore area). SNH's contribution was noted as outstanding but was anticipated in March. Following final contributions, gaps in representativity will be identified and this will guide future SAC selection. The outcome of this work will be circulated to the group at the next Project Group meeting.

5.3 SAC selection process

Selection criteria

CJ introduced MN2KPG14_4_SACCrit. This paper is a final draft and updates information on SAC selection process which was initially presented in JNCC Report 325. Outstanding items for inclusion include the final revised marine habitats definitions and total extent figures for habitats (generated through FCS work). It was noted that Regional Sea divisions remained in draft but external input through consultation is necessary before these are approved. Difficulties with the total reef extent were noted but it was highlighted that the figure was based on best available data and that the level of inaccuracy was unlikely to affect the site's selection. Other comments were noted for change within the paper.

AP6: Group to provide comments on MN2KPG14_4_SACCrit to Annabelle Aish by 30th March.

AP7: Charlotte Johnston and David Connor to discuss issues around Regional Seas by 30th April.

Processes for progressing sites to formal recommendation

CJ introduced MN2KPG14_5_N2KProc to the Group in Caroline Turnbull's absence and outlined that the paper follows discussion between JNCC and NE on the need to articulate the process of site selection. It was noted that 'marine' should be included in the title of the paper in any subsequent version. The Group were invited to contribute to the correct documentation of the processes and in particular sections 3 and 4. It was acknowledged that each country conservation agency may need a separate flow diagram or differences between agencies at key points could be highlighted through a series of notes.

AP8: Group to provide comments on MN2KPG14_5_SACProc to Caroline Turnbull by 8th March.

6. Selection of SACs for Annex II species

6.1 Update on progress with cetacean and seal research

MV introduced MN2KPG14_6_SCANS to the Group in Mark Tasker's absence and highlighted that following a review of the outputs of SCANS II, it has been concluded that these data cannot be used to identify SACs for small cetaceans. The report also suggests that it might be difficult to justify the designation of offshore SACs for harbour porpoise.

The Group discussed current activity within the agencies regarding reviewing data relevant to site identification for small cetaceans. It was suggested that the Marine Mammal Working Group should be the forum for coordinating this work. It was also noted that any work needed to have regard to conclusions of Joint Committee papers on this topic

CJ informed the group that JNCC will be commissioning a review of data on the distribution of seal populations over the last few years. CT will be drafting a contract spec for this work, which will go through the Marine Mammals Working Group. Members of the Group involved in this work area agreed to review the contract specification and (where possible) assist in the provision of data. CD informed the group that seal numbers will be estimated to complete the selection of sites at the Sound of Barra and Harris. Surveys of grey and common seals in Scotland will commence next year. A PhD on seal feeding areas is commencing which may contribute information on the identification of SACs 'away from the coast' for seals.

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AP9: Caroline Turnbull to send draft contract specification re: seal distribution data collation to relevant Country Conservation Agency staff for comment.

AP10: Charlotte Johnston to send Joe Breen details of the Marine Mammal Working Group by 30th March.

AP11: Malcolm Vincent to send Joe Breen the Committee paper with generic conclusions on SAC identification for small cetaceans by 30th March.

7. Communication and consultation of offshore SACs and marine SPAs

7.1 Communication and consultation of offshore SACs

GT introduced himself to group and explained his new role as communication and consultations officer in JNCC's Marine Strategy and Sites Team. Future objectives include redeveloping/updating the website and creating leaflets and posters on the offshore SAC selection/designation process as well as liaising with JNCC Aberdeen and Defra. The Group noted the new role and highlighted that it was essential that processes relating to consultation were approved and applied consistently by Agencies across the UK. It was also noted that communication between JNCC and industry advisors within country conservation agencies was necessary.

AP12: Agency staff to contact Gez Thulbourn by 30th April to share expertise regarding SAC designation.

7.2 SPA communications plan

JR introduced MN2KPG14_7_SPAComms to the Group and outlined that it had been prompted by recent interactions between JNCC and Defra. The paper addresses the rationale, purposes and importance of good communications, and its scope includes relevant subject matters of the team's communications, mechanisms and tools of the plan, appropriate audiences, and likely schedule of communication outputs. It was noted that the timing and content of consultation on SPA sites needed further development and consideration within the context of the communications strategy. This is particularly pertinent with regards to Liverpool Bay. A question was raised as to whether an RIA would need to form part of any site consultation package. The difficulty of coordinating the submission of information to the correct Defra group was discussed and it was highlighted that close communication between SNH and the SE has proved beneficial in identifying potential problems early.

AP13: Group to provide comment on MN2KPG14_7_SPAComms to Jim Reid by 8th March.

8. Papers re: SACs to the Project Group and JNC Committee/Agency councils

CJ introduced MN2KPG14_8_Papers to the Group. CJ highlighted papers which were forthcoming for the May meeting and where changes were made due to changes in timing. It was noted that any further consideration of Blackstones Bank needed the provision of sufficient time for consideration by SNH. It was noted that the paper needed to be modified to adequately reflect the submission of relevant papers to agency councils.

AP14: Group to update or provide comment on MN2KPG14_8_Papers to Caroline Turnbull by 8th March.

9. Seaward extensions to seabird breeding colony SPAs

9.1 Update on 2006/07 survey programme and breeding colony SPA extensions

JR reported that Red throated diver work is ongoing and work on tern breeding colonies will start imminently. The aerial survey programme is ongoing with the main focus on Scottish areas. Survey work is being undertaken in the Copeland islands for Manx shearwater.

10. Inshore aggregations of waterbirds

10.1 Update on Liverpool Bay consultation

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Due to absence, an update from CCW was unavailable. However, MV informed the Group that there was a proposal from government to establish a working group to consider options for the area. However, it was noted that this had not met with a favourable response. JR commented that JNCC has been asked to look at new data since recommendations on Liverpool Bay were made. These new data confirmed previous conclusions on the size of area used by RTD and scoters. MV informed the group that the consultation on Liverpool Bay has been put on hold by Defra indefinitely.

AP15: Malcolm Vincent to send letter to Defra regarding Liverpool Bay issues by 2nd March and copy to the Group.

10.2 Update on analysis of areas (including presentation on Moray Firth analyses)

JR gave a presentation on inshore SPAs and alternative methods for defining the extent of an interest feature. The Group noted the presentation and asked for clarification on what was meant by insufficient observations to apply kriging. JR responded that this related to the number of samples rather than the density of birds. It was underlined that in each area the most statistically appropriate method for the dataset obtained should be chosen. The Group noted that the techniques outlined in the presentation had been peer reviewed and endorsed for use.

11. Aggregations away from the coast

11.1 Update on analysis

JR informed the Group that little progress had been made towards commencement of the analysis although an officer is now in post to undertake the work. However, the detail of how the analysis is to be undertaken still needs to be refined.

12. Timetable of work for marine SPAs

12.1 Agency/JNCC updates on SPA survey programme

With reference to MN2KPG14_3_N2KSurvey, JB observed that he was unable to make comments for Northern Ireland but JR added that the two areas in Northern Ireland were being surveyed by JNCC on EHS' behalf. NB noted that consideration needed to be given to timescales and the number of areas to be surveyed in order to assess resourcing for the survey programme. However, an agreement recently concluded that funding should be available until 2011. MM reported that funding for Manx shearwater colony extension work had been declined and it was noted that Wales had declined to contribute to the overall programme of UK SPA work. The Group agreed that a project plan for 07/08 including both survey and analysis for all work strands would be beneficial. This would contribute to providing a full picture of work contributing to SPA site selection against which individual sites coming through for recommendation could be regarded.

See Action Point 5.

AP16: Jim Reid to produce a draft project plan for marine SPA work by 30th March.

12.2 Papers re: SPAs to Project Group and JNC Committee/Agency councils

NB informed the group that by Sept 07 SE expects go to consultation on extensions to breeding colony SPAs. MV noted that it would be useful to have this included in the timetable (MN2KPG14_8_Papers) so that this can be taken into consideration. It was noted that SPA-related papers would go through JNCC Committee for signing off and consideration of how the site contributes to the network.

CJ informed the group that the Commission was putting pressure on MS to meet the marine N2K 2008 deadline. NB outlined that there were 23 potential sites in Scotland which may be put forward as SPAs. However, these have been divided into groups according to their priority for selection. This information will be provided to the Scottish Executive in order to apprise them of the situation. It was noted that this needed to be reflected in the timetable.

AP17: Caroline Turnbull to include papers relating to the approval of SPAs by the JNCC in updated version of MN2KPG14_8_Papers.

13. Other MPA work

13.1 Marine protected sites definitions

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AA introduced MN2KPG14_9_MPADefs which had arisen from historical difficulties in responding to queries relating to marine SACs. JNCC and Natural England has interpreted this differently leading to confusion when advice has been provided. Concerns were raised about the re-definition of marine when this has potential legal implications. To underline that this piece of work was not intended to cause the re-classification of sites as marine (with reference to Regulation 33 advice) it was agreed that the SACs in question would be referred to as “SACs with a marine component”. It was also agreed that it would be highlighted that the definition was not for legal purposes. With regards to SPAs, it was acknowledged that there were difficulties where species considered marine occurred away from the marine environment. The Group agreed to modify the paper into i) a definition of European Marine Sites and ii) the definition of SACs and SPAs with a marine component. It was agreed to hold an inter-organisational meeting to reach conclusions and aid the finalisation of the paper.

AP18: Annabelle Aish to finalise definitions contained in MN2KPG14_9_MPADefs in consultation with the Group.

13.2 Update on European Marine Site management spreadsheet

AA introduced the European Marine Site management spreadsheet. The Group discussed the inclusion of SPAs which include small areas of marine habitat and whether a cut off of 20% may be appropriate. It was agreed that an arbitrary cut off point would not be a useful way forwards but it would be beneficial to document whether the site fits into the definition of a European Marine Site or whether it was an SPA with a marine component.

AP19: Annabelle Aish to modify European Marine Site management spreadsheet to reflect comments from the Group.

13.3 UK contribution to OSPAR MPA network – report from ICG-MPA

AA reported on the ICG-MPA meeting (5th-7th February). The meeting included an assessment of the OSPAR MPA network in which it was noted that the majority of MPAs submitted to date were N2K sites, and that CPs should now focus on identifying OSPAR MPAs in Areas Beyond National Jurisdiction and in the High Seas. Approaches to the assessment of ecological coherence of the network were also considered. The UK submitted a ‘matrix’ approach to assessment focusing on three elements of ecological coherence: representativity, replication and connectivity. A key objective of the ICG-MPA meeting was to intensify co-operation with the deep sea scientific community, and a one-day workshop was organised in order to i) develop guidelines for sustainable research and bioprospecting in the High Seas/Deep Sea and ii) help identify potential OSPAR MPAs. The monitoring and assessment of OSPAR species and habitats was also discussed.

JA reported to the Group on the OSPAR MPA management effectiveness scorecard which NE had developed based on a similar World Bank scorecard and had presented to the ICG-MPA. Discussion regarding its fit with OSPAR management plan guidance will require it to be revised but, it is hoped that the scorecard will be adopted by BDC in March.

13.4 Update on Marine Bill and multipurpose MPAs

MV informed the group of the development of a White Paper to take the Marine Bill forward (expected to be launched on 15th March). It is anticipated to contain: MMO, provisions for Spatial Planning, MPAs beyond Natura series, and a minor fisheries proposal. It will apply to England, NI, in parts to Wales, and to offshore waters (but not Scotland).

CJ noted that the multi-purpose MPAs (fisheries and conservation) were still under consideration by Defra with Cefas leading on the work. JNCC met with Cefas and others to consider the potential of multi-purpose MPAs but the scope of the work is not enormous and may report in March. The outcome would not form part of the White Paper for the Marine Bill.

13.5 Virtual MPA Centre – Development of a UK MPAs web portal

JA introduced MN2KPG14_10_MPACentre and recalled the raising of the idea at the last Project Group meeting. Following good support and secured funding for a website, a workshop in York on 28th February has been planned to take initial ideas forward. JNCC confirmed that it was content with the existence of the site but has concerns over the site’s autonomy, possible political agenda and work involved along with future funding. JA confirmed that the site would not have a political agenda and that funding had been found for the next year and that external grants and funding opportunities were

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being investigated. The Group discussed the steering of the site and highlighted that it was important for the site to retain a UK perspective when it came to providing factual content.

AP20: Jen Ashworth to provide a synopsis of the outcomes of the workshop on developing the Virtual MPA Centre to the Group.

14. Date of next meeting

Due to some concerns about the previously arranged date lying adjacent to a Bank holiday, it was agreed that a new date would be sought for the May meeting.

AP21: CarolineTurnbull to arrange a revised date for the May meeting of the Marine Natura Project Group.

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Summary of action points

Action point number	Action	Action by	Action on
11.10	Provide comments to AA & CJ on MN2KPG11_1_OSPART&D.doc particularly with regard to Tables 3, 4, 5 and 6.	1 st May	Agency staff (NE, SNH & EHS)
12.5	Circulate 'integrated' offshore SAC proformas (for Stanton Banks, Braemar Pockmarks and North Norfolk Sandbanks and Saturn Reef) to the Project Group.	1 st May	Annabelle Aish
12.7	Select pragmatic GIS landward boundaries for SACs submitted as OSPAR MPAs for submission to OSPAR Commission.	As soon as possible	Charlotte Johnston and Annabelle Aish
12.8	Produce draft paper on process for consideration of additional OSPAR MPAs by 2010.	As soon as possible	Charlotte Johnston
14.1	Provide to Caroline Turnbull the correct reference to Northern Ireland and EHS for inclusion in the Terms of Reference for the Group.	30 th March	Joe Breen
14.2	Update Terms of Reference and provide to the Group.	13 th April	Caroline Turnbull
14.3	Provide comments to Charlotte Johnston on MN2KPG14_2_DefraGrps.	8 th March	Group
14.4	Respond to Defra to proposals for new Groups as outlined in Project Group paper MN2KPG14_2_DefraGrps.		Charlotte Johnston
14.5	Update MN2KPG14_3_N2KSurvey and return to Caroline Turnbull.	8 th March	Group
14.6	Provide comments on MN2KPG14_4_SACCrit to Annabelle Aish.	30 th March	Group
14.7	To discuss issues around Regional Seas.	30 th April	Charlotte Johnston and David Connor
14.8	Provide comments on MN2KPG14_5_SACProc to Caroline Turnbull.	8 th March	Group
14.9	Send draft contract specification re: seal distribution data collation to relevant Country Conservation Agency staff for comment.	As available	Caroline Turnbull
14.10	Send Joe Breen details of the Marine Mammal Working Group.	30 th March	Charlotte Johnston
14.11	Send Joe Breen the Committee paper with generic conclusions on SAC identification for small cetaceans.	30 th March	Malcolm Vincent
14.12	Contact Gez Thulbourn to share expertise regarding SAC designation.	30 th April	Agency staff
14.13	Provide comment on MN2KPG14_7_SPAComms to Jim Reid.	8th March	Group
14.14	Update or provide comment on MN2KPG14_8_Papers to Caroline Turnbull.		Group

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14.15	Send letter to Defra regarding Liverpool Bay issues and copy to the Group.	2 nd March	Malcolm Vincent
14.16	Produce a draft project plan for marine SPA work	30 th March	Jim Reid
14.17	Include papers relating to the approval of SPAs by the JNCC in updated version of MN2KPG14_8_Papers.	30 th April	Caroline Turnbull
14.18	Finalise definitions contained in MN2KPG14_9_MPAdefs in consultation with the Group.		Annabelle Aish
14.19	Modify European Marine Site management spreadsheet to reflect comments from the Group.		Annabelle Aish
14.20	Provide a synopsis of the outcomes of the workshop on developing the Virtual MPA Centre to the Group.		Jen Ashworth
14.21	Arrange a revised date for the May meeting of the Marine Natura Project	As soon as possible	Caroline Turnbull