

**6TH MARINE PROTECTED AREAS TECHNICAL GROUP MEETING
FINAL MINUTES**

Tuesday, May 17 2011, Monkstone House, Peterborough

Present (around table):

Jon Davies (JD)	JNCC (Chair)
Jenny Oates (JO)	JNCC(Secretary)
Laura Robson (LR)	JNCC
Nicola Church (NC)	JNCC
Gareth Johnson (GJ)	JNCC
Neil Golding (NG)	JNCC
Laura Cornick (LC)	JNCC
Charlotte Johnston (CJ)	JNCC
Jim Reid (JR)	JNCC
Cristina Vina-Herbon (CvH)	JNCC
Paul Duncan (PD)	NE
Howard Platt (HP)	NIEA
Kirsten Ramsay (KR)	CCW
Nigel Buxton (NB)	SNH
Sarah Anthony (SA)	NE

Video-conferencing:

Oliver Crawford-Avis (OCA)	JNCC
Declan Tobin (DT)	JNCC
Sarah Cunningham (SC)	SNH
Peter Chaniotis (PC)	JNCC
Megan Linwood (ML)	JNCC
Francesca Marubini (FM)	JNCC

Apologies:

Sarah Wiggins	NE
Neil McCulloch	NIEA
Ian Enlander	NIEA
Jen Ashworth	NE
Aisling Lannin	NE
Lynda Warren	
Maggie Hatton-Ellis	CCW

Phone:

Matthew Murphy (MM)	CCW
Kirsty Lindenbaum (KL)	CCW

1 Welcome and apologies for absence

The chair welcomed the group and everyone introduced themselves.

2 Minutes of the 5th MPA Technical group meeting and matters arising

The action points from the previous meeting were reviewed; all actions were complete. NB proposed a small correction to the minutes of the previous meeting to clarify his comments on item 4.3 of the agenda.

3 Revision of terms of reference

The group were asked to approve the new Terms of Reference, which have been revised to incorporate comments that have been made in the light of recent changes in the governance of the Joint Committee and other groups. HP raised concerns that there is no mention of the Chief Scientist's group in the Terms of Reference. It was agreed that a sentence would be added to the TOR to explain that matters arising in the MPA Technical Group that relate to scientific principles would be referred to the Chief Scientists group. It was also agreed that the agenda for the MPA Technical Group should be circulated to the Chief Scientists group so that they could identify any matters of interest ahead of the meeting.

AP 6.1: JO to amend TOR to add a sentence explaining that matters arising that relate to scientific principles should be referred to the Chief Scientists group.

4 Update on UK MPA identification and consultation: forthcoming work programme

4.1 Update on marine SPA work

JNCC are taking forward the scientific basis of marine SPA identification. The inshore survey programme has been completed and initial advice for the Country Agencies has been prepared on a series of areas from which a site series can be selected. Further analysis of these data will be happening over this year in order to finalise boundaries. The initial analyses for offshore SPA identification have been discussed with the Chief Scientist's group and it was decided that an alternative approach based on foraging ranges at existing SPAs would be used. A workshop will be held in the Autumn to explain the results to the Devolved Admins. It is hoped that a list of possible areas will be produced in March next year from which sites could be selected for classification, but these may need ground-truthing. 2011 is the final year of the fieldwork tracking terns and the analyses will be reported on next year, with final proposed areas ready by December 2012 at the latest. The report on red-throated divers in the breeding season will be finalised by autumn 2011.. Survey work is currently being carried out around England on Balearic shearwaters. The work on colony extensions is complete; all Scottish extensions have been submitted to the European Commission and Wales and England have drawn up timetables for completing the submission of the extensions.

NB raised concerns that delays in the delivery of scientific advice from JNCC might make it difficult to deliver a final list of potential sites to be considered by Scottish Government by the end of 2012.

HP raised concerns about the recent lack of emphasis by JNCC on looking at matters of UK relevance as a consequence of devolution. JNCC did not appear to be providing an independent UK views of issues. The MPA Technical Group endorsed the requirement for a UK wide role, particularly in the delivery of European obligations & International commitments. HP agreed to communicate these concerns to the group.

4.2 Update on marine SAC work

CCW: Nothing to report

SNH: The consultation has finished on East Mingulay and the consultation report is being finalised. Meetings have been held with the fishing industry at their request to discuss the boundary, and SNH's site recommendation will be submitted to Marine Scotland at the end of June. CJ suggested that it would be useful if approval for submitting the site to OSPAR could be requested at the same time as submitting the site to Marine Scotland, and SC agreed that she would find out if this would be possible.

AP 6.2: JO to send the draft letter for the Dogger Bank recommendation to Government to SC and HP

JNCC: Pobie Bank Reef and Solan Bank Reef will go to the SNH Protected Areas Committee intersessionally in June or July and be formally advised to Scottish Government in August. The MPA Technical Group are requested to provide comments on the SAC SADs and conservation objectives for both sites. JD emphasised that to ensure that there is a robust review process that will stand up to later scrutiny, the Country Agency representatives on the MPA Technical Group must all provide a response even if it is confirmation of no comment.

AP 6.3: Group to provide comments on Pobie Bank SAC SAD and COs to LR by 24th May

Anton Dohrn Seamount and East Rockall Bank SAC SADs will go to the MPA Technical Group intersessionally in July, and it is planned that these sites will be formally advised to Defra in October. The final report on the Dogger Bank consultation has been sent to Government and this site is now awaiting ministerial clearance for submission to the EC. It is likely that in the first week of June Defra will announce the submission of Dogger Bank and the start of consultation on Wight Barfleur Reef, Croker Carbonate Slabs and Pisces Reef. It is planned that consultation will begin around May/June next year on 5 offshore Scottish sites.

HP mentioned that they do not produce impact assessments in Northern Ireland along with the Natura site recommendations. CJ explained that Defra had asked JNCC and Natural England to do the impact assessments on their behalf, whereas Scottish Government complete the impact assessments for Scottish sites. If NIEA are not being asked to produce impact assessments then there is probably no requirement for them to do so.

NE: Currently waiting for Defra approval of re-consultation on Lune Deep and Prawle Point to Start Point. NE are also waiting for the outcome of the cSAC review to take consultation forward on Studland to Portland.

NIEA: no updates

4.3 Presentation on Pobie Bank Reef AoS

This site is being put forward for Annex I Reef as a qualifying feature (bedrock and stony), with harbour porpoise, grey seal and common seal as non-qualifying features. The site is considered to contain an excellent example of deep circalittoral reef and the only extensive example within inshore and offshore waters within this regional sea. The potential conservation objective is to maintain the feature at favourable condition.

CJ mentioned that the text in the SAC SAD should be modified to explain why the non-qualifying features do not qualify.

4.4 Presentation on Solan Bank AoS

This site is being put forward for Annex I reef (bedrock and stony) as a qualifying feature, along with harbour porpoise, bottlenose dolphin, grey seal and common seal as non-qualifying features. This site is considered to contain an excellent example of infralittoral, circalittoral, and deep circalittoral reef. The potential conservation objective is to restore the reef.

There was a discussion about how the boundary shape was determined for these sites. It was clarified that although the SAC boundary guidelines previously stated that a simple shape with few lines would be most suitable, this was revised in 2008 so that tighter boundaries could be drawn around features as this would be more acceptable to fishers, who are often less supportive of site boundaries containing large areas of non Annex I habitat.

4.5 Presentation on selection of MCZ Focus Sites in Welsh waters

The selection process for highly protected MCZs in Wales is being led by Welsh Government. The project involves a Steering Group supported by a Technical Advisory Group (TAG) and a Stakeholder and Citizens Engagement Group (SCEG). All MCZs in Wales will be highly protected sites which means that they will be no take, with no deposition and no damaging or disturbing activities allowed. At the end of the process 3-4 sites will be identified. Site selection is based on ecological data initially, with socio-economics as a later consideration. The first stage of selecting focus areas has already been carried out. The ecological selection criteria were applied so focus sites were selected

to include broadscale habitats, important habitats (mainly derived from BAP and OSPAR lists) and areas with consistently high levels of productivity. Areas that have been permanently modified in some way have been avoided, and areas with high habitat heterogeneity were favoured.

Focus sites were selected on the basis of survey data (no modelled data has been used) which has resulted in a bias towards inshore areas for which more survey data is available.

The Technical Advisory Group reduced the list of focus sites down to 6-12 potential sites by dropping some due to low habitat heterogeneity or similarity to sites in close proximity, and combining some sites to form a single site. A Technical Advisory Group meeting will be held on 14th July to consider major socioeconomic constraints and discuss how to finalise boundaries. The scope of stakeholder consultation is being discussed soon by the SCEG. The first stakeholder consultation is currently planned for October/November 2011.

During a discussion among the Group, it was noted that all the potential sites are within existing SACs, but KR explained that there are several reasons for this including the fact that there is more survey data within existing sites, there are a lot of SACs in Wales anyway, and the reason that these areas were selected for SACs is often because they contain high levels of habitat heterogeneity. KR explained that there is already good coverage of protection for different features in Welsh waters through the Natura sites, but since the features in these sites are mainly being maintained there is not much provision for higher levels of protection for recovery of habitats in Welsh waters. This is why the Welsh project has taken the approach of identifying highly protected MCZs, rather than identifying MCZs with lower levels of protection.

4.6 Update on MCZ project

The regional MCZ projects will be submitting their draft final recommendations to JNCC/Natural England and the Science Advisory Panel on 1st June. The final recommendations are due on 31st August, which will end the work of the regional projects on site identification. The full draft of the Impact Assessment is due in the second half of September, with final submissions due on 16th January. At the end of November, NE and JNCC will submit their formal advice to Government setting out their views on how the site recommendations from the Regional MCZ Project contribute to meeting MPA network objectives, and detailing any additional advice including an assessment of the evidence used to underpin identification of sites. Defra will be leading the consultations on potential MCZs, which will probably start in Spring 2012. A document has been produced which outlines the requirements of Government with respect to the submission of recommended MCZs (this document is still in draft form). JNCC have produced a paper which sets out the expectations for evidence required to take sites through to designation and beyond to establishment of any management of activities.

AP 6.4: JO to circulate Levels of Evidence paper and Government expectations paper (once it is finalised) to the group

4.7 Update on Scottish MPA project

The selection guidelines for Scottish MPAs were published in March. The first stakeholder workshop was held in March and stakeholders were overall pleased with the data that had been collected. Another workshop will be held in June to discuss the least damaged more natural layer with stakeholders. The first application of the MPA selection guidelines will focus on areas of low activity that have been identified using the least damaged more natural layer, before being applied more broadly across Scottish waters. There is ongoing work on the gap analysis and network assessment, and work is about to start on assessing the contribution of other areas to the network. This summer there will be 8 surveys carried out on Scottish Government vessels in 2011, 4 of which will be in offshore waters.

5 Update on seals at sea contract (Francesca Marubini) 5 mins

FM has contacted Debbie Russell at the Sea Mammal Research Unit and is hoping to organise a meeting regarding the contract within the next 3 weeks.

6 Update on discussion about how to define the feature list for a multispecies inshore pSPA

NB proposed what he considers to be a consistent approach for Scotland to defining a feature list for multispecies inshore SPAs in a paper at the previous MPA Technical Group meeting (MPATG5_1_MultispeciesSPAs). He would like feedback from the other country agencies on whether they feel this is a good approach.

AP 6.5: JR to look into setting up a UK level workshop to discuss how to define the feature list for a multispecies inshore SPA

7 Discussion regarding how the wider UK MPA network may contribute to Article 3(2) of the Birds Directive

There was a brief discussion about the potential contribution that the wider UK MPA network could make towards Article 3(2) of the Birds Directive, however the group felt that they were not in a position at this stage to take this work forwards.

AP 6.6: JD to consult with John Goold about how to take forward work regarding how the wider UK MPA network may contribute to Article 3(2) of the Birds Directive. JD will update the group at the next meeting.

8 Discussion about the UK MPA network and ecological coherence

There was a discussion about how we can make an assessment of ecological coherence within the devolved context of the UK. The group were pleased that the MPA Sub Group had asked them to consider this issue, and recognised that this topic needs further consideration. It was agreed that JO would draft a paper on this topic, and organise a meeting with representatives from the Country Agencies: Kirsty Lindenbaum (CCW), Jen Ashworth (NE), John Baxter (SNH), plus a representative from NIEA (to be nominated by HP) and a representative from the JNCC marine SPA team (to be nominated by JR).

Comments were made by SNH that the MPA Sub Group should not be able to commission papers from this group, and that the task group carrying out this work should report back to the Chief Scientist's Group rather than MPA Sub Group.

9 EU & UK Marine working groups

9.1 Update on activity of EU Marine Expert Group

There has not been an EU Marine Expert Group meeting since the previous meeting of this group. There have been discussions regarding making changes to the structure of the Natura 2000 data forms, however the amendments which were suggested by the UK regarding the details required for mobile species have not been taken on board. The structure of the selection assessment documents for SACs will need to be changed in due course to take account of these changes to the data form.

9.2 Update on activity of UK Marine Biodiversity Policy Steering Group

At the last meeting of the UK Marine Biodiversity Policy Steering Group there were some discussions regarding balancing the requirements for an ecologically coherent network of MPAs in the UK with the consequences of devolution.

10 Conservation Objectives and advice for European marine sites and new MPAs

10.1 Update on progress and plans for Conservation Objectives and management (risk) assessments for European Marine sites/ MCZs/Scottish MPAs

SNH: Marine Scotland has requested an update of risk assessments for all SACs in Scotland, but this work has not been started yet. Work has begun recently to develop a set of MPA management guidelines for Scotland.

NIEA: no updates

JNCC: The draft Conservation Objectives and Advice on Operations for Croker Carbonate Slabs, Wight Barfleur Reef and Pisces Reef are going to be consulted on this Summer. Progress on the Conservation Objectives for Haisborough, Hammond and Winterton, Inner Dowsing Race Bank and North Ridge and Outer Thames Estuary has stalled for various reasons but will be underway again imminently. The draft Conservation Objectives for Pobie Bank and Solan Bank have been produced. Upcoming work will be to complete the Conservation Objectives for Haig Fras and Stanton Banks and begin Anton Dohrn and East Rockall. JNCC and NE have been assisting the regional MCZ projects with carrying out vulnerability assessments for MCZs. It is planned that there will be an internal review of the draft conservation objectives for offshore recommended MCZs within JNCC followed by a national review for all recommended MCZs jointly with Natural England.

CCW: Draft advice on Conservation Objectives for highly protected MCZs in Wales has been produced and sent to Welsh Assembly Government. This advice has been developed using a very different approach to the MCZ project in England because all of the sites in Wales will have a highly protected status.

AP 6.7: KL to send the advice on Conservation Objectives for highly protected MCZs in Welsh waters to JO to circulate to the group

10.2 MCZ Favourable condition definition

The paper on the definition of favourable condition for MCZ features is intended to be included in the Conservation Objective Guidance for regional stakeholder groups to ensure that there is a common understanding of the definition of favourable condition. The definition is intended to be aligned as far as possible with the definition for English and offshore SACs. The group made several comments for improvements to the paper, particularly to ensure the objectives focussed on the biodiversity interest of the feature. It was noted that the use of the term 'typical species' may cause confusion with the SACs and an alternative term to cover biodiversity should be adopted. It was agreed that the paper would be re-circulated to the group for reference once it has been finalised.

AP 6.8: Group to provide comments on the MCZ Favourable Condition definition paper to LC by 27th May

11 Discussion about feature list for SPAs being put forward as OSPAR MPAs

The list of bird species that are considered to be dependent on the marine environment has been recently reviewed and agreed in consultation with Country Agency staff. This will result in an amended list of SPAs with marine components, which will be put forward as OSPAR MPAs. However it is likely that the Country Agencies will each be using different sources for the lists of bird species (alternative sources are N2K data forms, SPA citations, and the 2001 SPA Review). It

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was agreed that the list of sites and features needs to be finalised with the country agencies by the end of June, prior to further stages of approval. Each Country Agency must specify which data sources have been used for the list of bird species.

AP 6.9: Country Agencies to send final lists of SPAs with marine components and their features to be put forward as OSPAR MPAs to JO by the end of June.

12 Any other business

It was highlighted that all papers for this group should be considered to be confidential prior to meetings, and after each meeting there should be a decision about which papers could be provided to the public if requested.

The next meeting of this group will be held on September 21st

Action point number	Action	Action by	Action on
6.1	Amend TOR to include a sentence explaining that matters arising in the MPA Technical Group that relate to scientific principles should be referred to the Chief Scientists group.	End of May	JO
6.2	Send the draft letter for the Dogger Bank recommendation to Government to SC and HP	End of May	JO
6.3	Provide comments on Pobie Bank SAC SAD and Conservation Objectives to LR	24 th May	All
6.4	Circulate Levels of Evidence paper and Government expectations paper (once it is finalised) to the group	End of June	JO
6.5	Look into setting up a UK level workshop to discuss how to define the feature list for a multispecies inshore SPA	End of June	JR
6.6	Consult with John Goold about how to take forward work regarding how the wider UK MPA network may contribute to Article 3(2) of the Birds Directive. Update the group at the next meeting.	Next meeting (Sept 21 st)	JD
6.7	Send the advice on Conservation Objectives for highly protected MCZs in Welsh waters to JO to circulate to the group	Done	KL
6.8	Provide comments on the MCZ Favourable Condition definition paper to LC	27 th May	All
6.9	Send final lists of SPAs with marine components and their features to be put forward as OSPAR MPAs to JO	Done	MM, Neil McCulloch