

MPAs in England: context and challenges

- Differences between MPAs under EU and UK jurisdiction
- Existing and potential MPA coverage in England
- Future challenges for implementing MPAs

P.J.Jones@ucl.ac.uk

<http://www.geog.ucl.ac.uk/~pjones>

Paper on which much of this presentation based

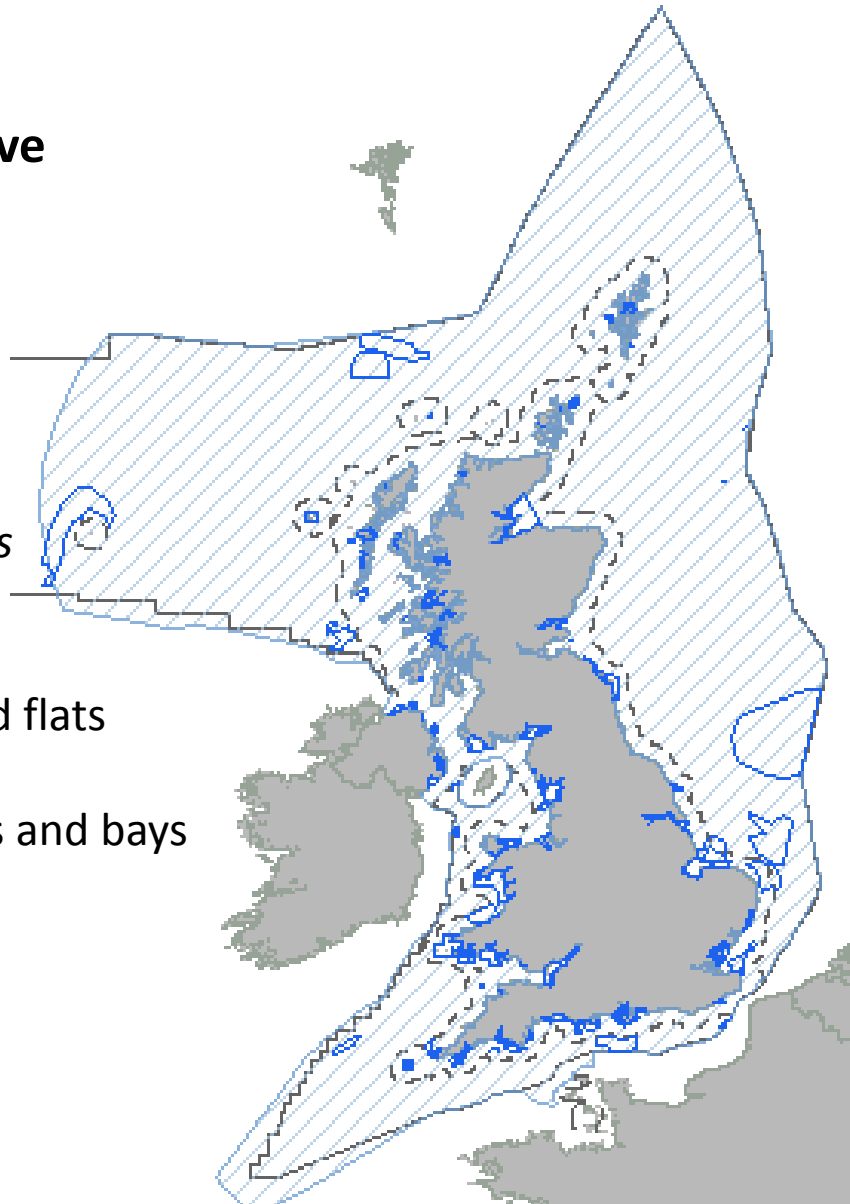
MPAs of European Importance: Natura 2000 network

Marine SACs - Habitats Directive

- Total 102
- 5% UK sea area
- *Not* ecologically coherent

HD Marine Features

- Sandbanks
- Estuaries
- Intertidal mud/sand flats
- Lagoons
- Large shallow inlets and bays
- Reefs
- Sea caves
- Grey seal
- Common seal
- Bottlenose dolphin
- Otters



Integration into fisheries management under EU & UK policies is a priority that is currently being addressed

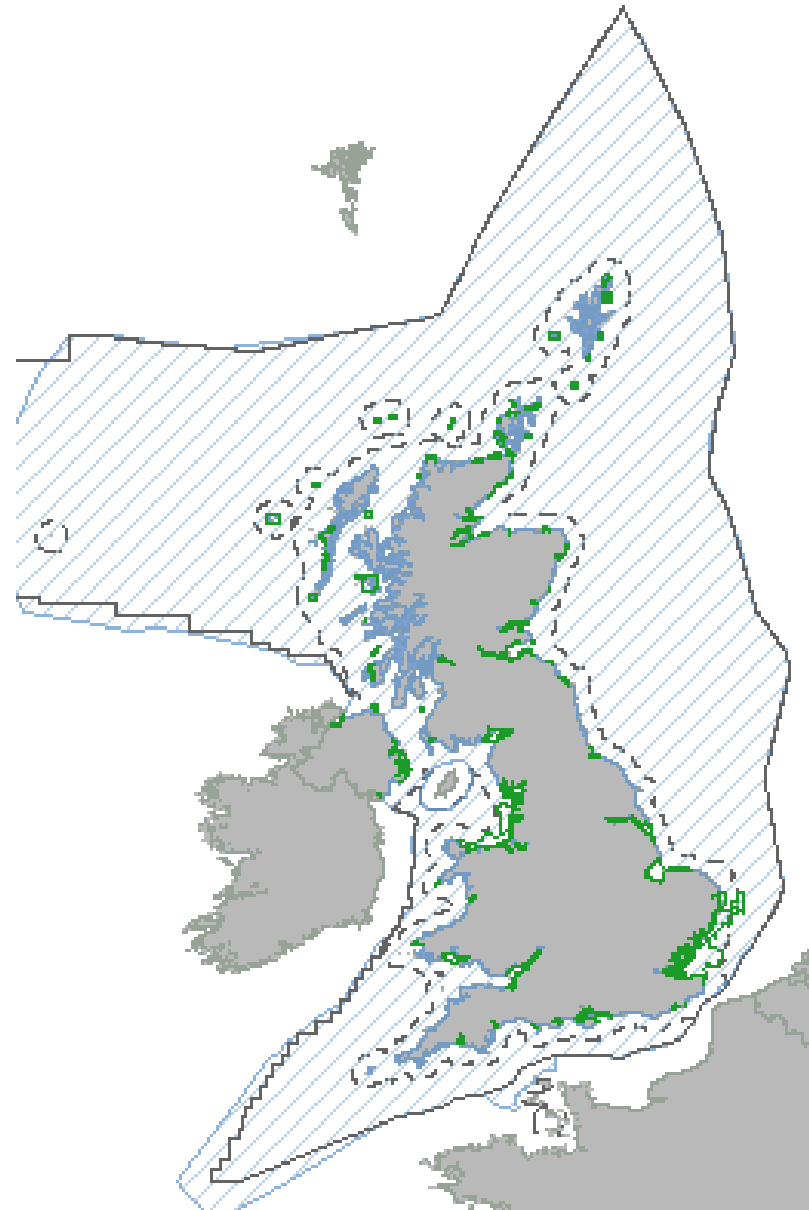
**Marine SPAs under
Birds Directive**

**but managed under
Habitats Directive**

107 with marine component

only 3 entirely marine

Concentrated in estuaries
and coastal areas



Much guidance on reconciling conservation of SACs/SPAs with development

- Provisions of Article 6, assessing plans or projects
- Further guidance on Article 6(4), including for priority habitats/species
- EMSs in estuaries and coastal zones
- Integrating biodiversity and nature into port development
- Wind energy developments and Natura 2000
- Non-energy mineral extraction and Natura 2000
- Introducing fisheries measures for marine Natura 2000 sites

http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm

Article 6 Habitats Directive

Will plan/project affect **integrity** of SAC/SPA? **No ✓**

If **yes**, are there **alternative sites** for the plan/project? **Yes ✓**

If **no**, should the plan/project go ahead for '**imperative reasons of overriding public interest**' (IROPI)? **No X**

If **yes**, impacts must be **mitigated** and **compensation measures** for impacted species/habitat should be undertaken to ensure protection of overall coherence of *Natura 2000*

If SAC hosts a priority species/habitat, IROPI confined to **health/safety issues or wider environmental benefits**, or other reasons subject to the EC's opinion

SACs and SPAs are under EC jurisdiction

Article 17:

6 yearly status reporting of *Natura 2000* sites (SPAs and SACs) - sites in favourable condition? **First full assessment due 2013**

European Environment Agency figures indicate that **only 10% of designated marine habitats and 2% marine species are in favourable condition.**

Will the next reporting round lead to more infraction proceedings and referrals to the European Court of Justice?

MPAs of national importance

- under member state jurisdiction
- but also fulfil more general commitment under EC

Marine Strategy Framework Directive (2008)

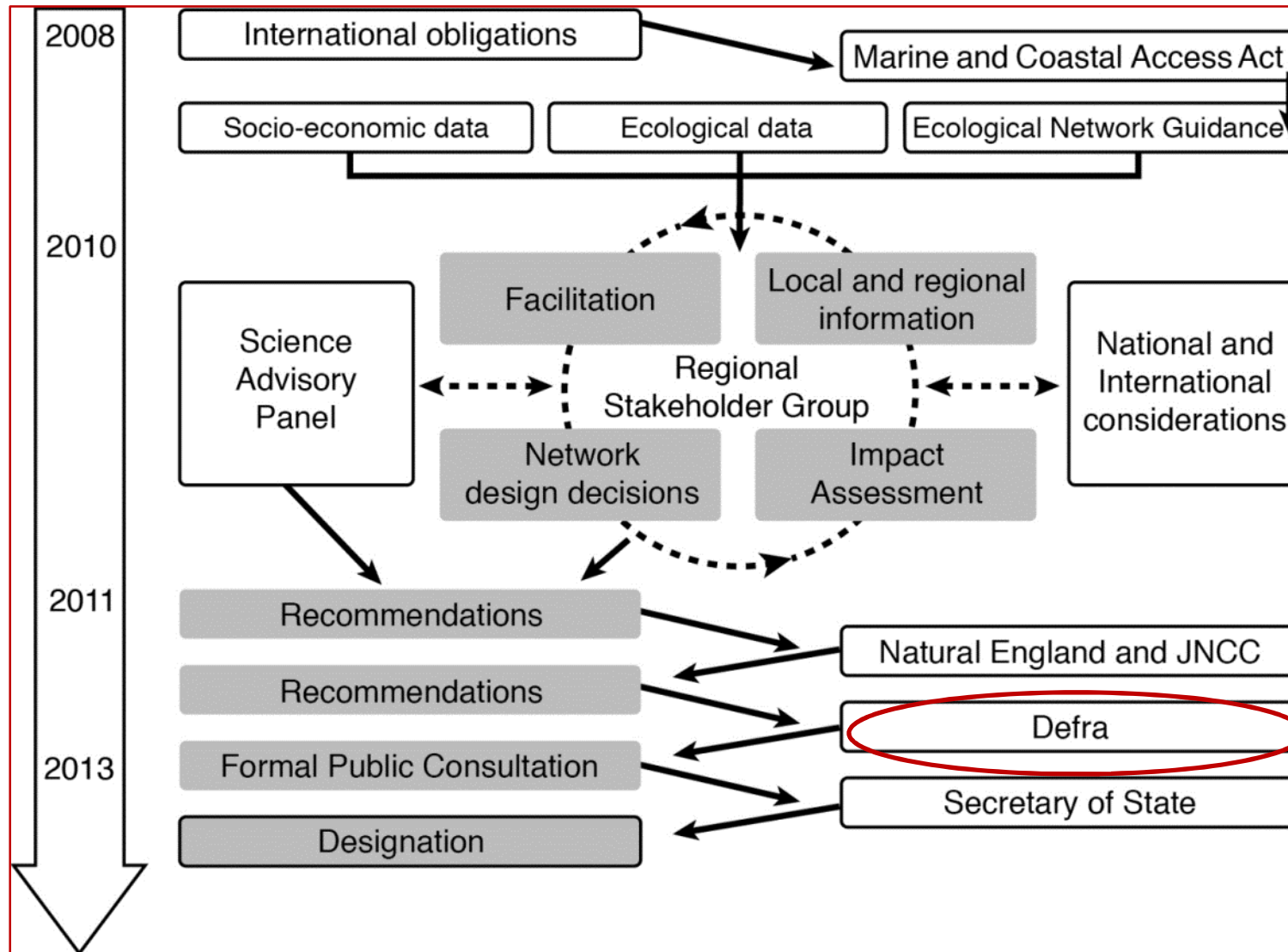
Good Environmental Status by 2020 (Article 1)

“Ecologically diverse and dynamic oceans and seas which are clean, healthy and productive.., and the use of the marine environment is at a level that is sustainable”

11 Descriptors

Measures to achieve GES shall be in place by 2016 (Article 5(2)) and **shall** include **coherent and representative networks of marine protected areas** Article 13(4)

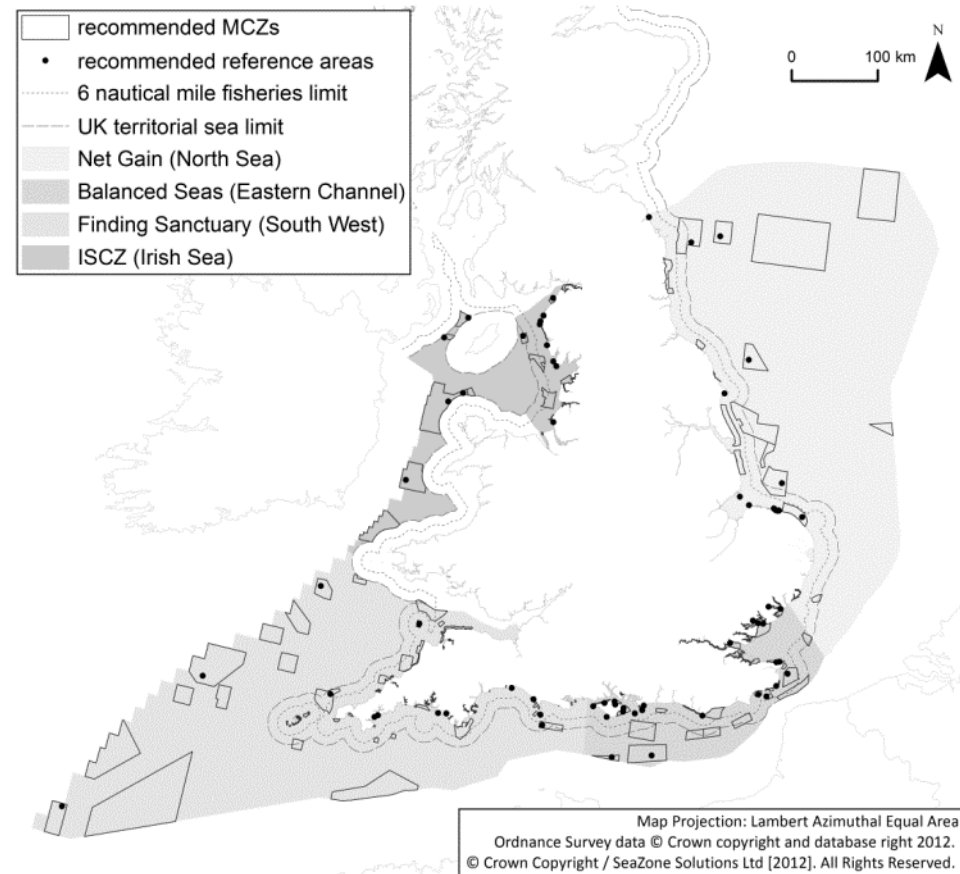
MPAs of national importance: Marine Conservation Zones



**127 recommended MCZs:
15% of English marine area**

SACs and SPAs:
13% of English marine area
(23% of territorial waters)

Total MPAs excl. overlaps
potentially:
27% of English marine area
(34% of territorial waters)



Structure of the England MCZ design process

Marine Act

DEFRA

NE-JNCC

National Stakeholder Group

**M
C
Z

E
N
G**

Science Advisory Panel

Regional Project Team

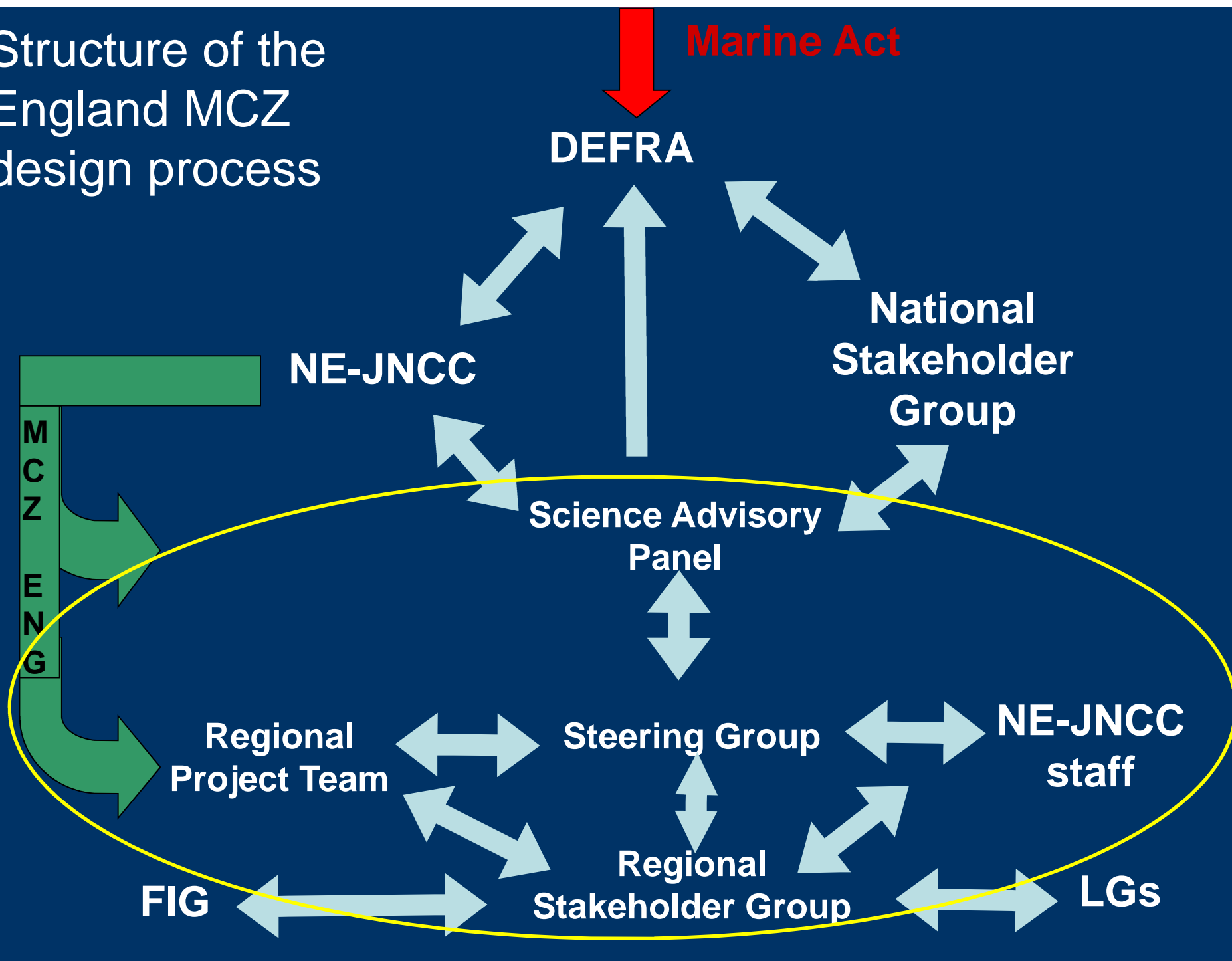
Steering Group

NE-JNCC staff

FIG

Regional Stakeholder Group

LGs





Structure of the England MCZ design process

Marine Act

DEFRA

NE-JNCC

National Stakeholder Group

Science Advisory Panel

MCZ
ENG

Regional Project Team

Steering Group

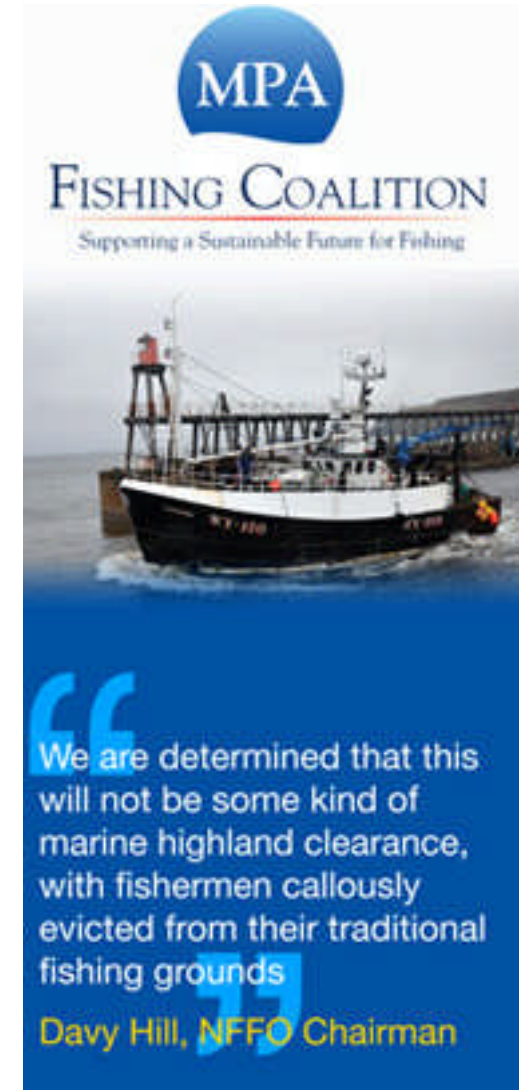
NE-JNCC staff

FIG

Regional Stakeholder Group

LGs

National sectoral groups now dominating MCZ process, considering and in some cases challenging the recommendations developed by wider stakeholder groups



Loss of stakeholder '**ownership**' of MCZs, as their recommendations are eroded - implications?

Shift from 'best available evidence' to 'evidence-based approach' – does this reflect a **lack of political will** to designate national MPAs?

MCZs to be designated in 'tranches'.

Will this fulfil **MSFD obligations** for **ecologically coherent** and **representative network** of MPAs?

If not, will EC/European Court of Justice intervene?

Only 10% of designated marine habitats are in favourable condition across Europe.

Will next year's SAC reporting round lead to more infraction proceedings and referrals to the European Court of Justice?

Will the UK be in line for these?

Currently emerging policy reforms for proactively restricting fishing in marine SACs/SPAs on a precautionary basis - Will infraction proceedings be avoided by these reforms?

Is the UK really '**gold plating**' the Habitats Directive, placing 'ridiculous costs on British businesses'?

Is there a **two-track approach** to implementing the Habitats Directive?

... given that we are still developing policies for effectively protecting marine SACs from the impacts of fishing,

... whilst port developments, etc have had to go through Article 6 procedures since 1994?

Will MCZs impose significant additional restrictions on development?

If not, will EC/European Court of Justice intervene under the Marine Strategy Framework Directive?

Is **uncertainty** over where MCZs *might* be and what restrictions MCZs *might* entail a bigger issue than the restrictions themselves?

Thank you – any questions?