

## Introduction

Over the past year Defra, Natural England (NE) and the Marine Management Organisation (MMO) have been jointly leading a project to look at future Marine Protected Area (MPA)<sup>i</sup> management governance and to investigate funding options. To do this they formed the MPA Project Board<sup>i</sup>, a Defra Group consisting of Defra, MMO, NE and the Association of Inshore Fisheries and Conservation Authorities (IFCAs). The MPA Project Board discusses a wide range of topics related to the whole MPA network.

The decision to cease providing collective contributions to the funding of the current European Marine Sites (EMS)<sup>i</sup> management schemes (by NE, and this year by MMO and Defra), was reported recently. This note provides a short summary of the current situation and ongoing work to develop national governance arrangements (including reporting and management structures).

## Governance Structure/s for MPAs at Local Level

Recognising that the MPA network has changed, in particular with the addition of Marine Conservation Zones (MCZ), it is considered that the decision on whether local coordination/management is required, and the shape of that coordination/management, is best placed with those authorities acting in that local area, delivering local fit for purpose solutions. A part of this decision would include whether local management coordination provides benefits in terms of efficiencies and value for money in delivering their statutory duties which are set out in the relevant legislation<sup>1</sup>.

No further work to look at site level management structures has been progressed or planned nationally. It is recommended that the site audit work and initial discussions at the EMS Officer Workshop in September 2014 should be considered by existing schemes or other local groups/authorities to assist in deciding on and developing relevant management structures. There will be no national recommendations on what these structures should be.

## National Steering Group (NSG)

Recommendations were made to the Defra MPA Project Board in September 2014 for a National Steering (Governance) Group<sup>i</sup> (NSG) of authorities and supporting coordinator post to be established to identify future governance structures for MPA management in England. This group is up and running and has had three meetings in 2015. The NSG consists of national representatives from a number of authorities, chaired by the MMO, and is accountable to the Defra MPA Project Board. Terms of reference for the NSG are available from [info@solentems.org.uk](mailto:info@solentems.org.uk).

The MMO has been requested to take on this new coordinator post, and they are actively reviewing ways in which they can meet this commitment within current resources. They are planning for the post, which is likely to consist of time from two staff (one coordinator role and one support role), to commence in April 2015.

Current work of the NSG is focused on identifying what information needs to be reported nationally on MPA management in order to determine whether we have a 'well managed'

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<sup>1</sup> The legal obligations on public authorities/regulators are clearly set out on the relevant legislation, in particular Sections 125 and 126 of the Marine and Coastal Access Act 2009 <http://www.legislation.gov.uk/ukpga/2009/23/contents>, and regulations 9 and 36 of the Conservation of Habitats and Species Regulations 2010 (as amended) <http://www.legislation.gov.uk/uksi/2010/490/contents/made>

network. Defra have been actioned to write a paper on this to detail requirements; it is likely to include information on current management in place, risks to sites and actions being taken by responsible authorities to address this risk.

A meeting of the NSG on 23<sup>rd</sup> February 2015 considered updates on the reporting system, ongoing communications, update on the coordinator post and next steps for guidance being produced by the group.

#### Role of NSG in relation to local management structures

The NSG has oversight in terms of ensuring actions are taken forward and being able to report on management, addressing cross cutting risks and issues and providing a steer. However, it is not within the remit or terms of reference of the NSG to tell local area authorities how to organise themselves to take forward this management/reporting work in a coordinated way, if required.

Authorities acting in the local area will be responsible for decisions on MPA management and whether new structures may be needed. Further support can be provided through the NSG to help with these decisions, for example providing information, working together and looking at wider management issues.

#### New Tools

Natural England (NE) will have a new Designated Sites System in place in April 2015 to hold site specific information on terrestrial and marine protected areas. They aim to be able to incorporate management information on the same system. The information on this system can be viewed externally and there is the possibility that key relevant authorities will be able to access and report on their own management activities. It will include information on site condition, with geographic overlap to show links to SSSI condition.

NE are providing the tool on behalf of all the other authorities in the NSG. The next steps will be to look at the responsibilities of organisations collating and inputting data to the tool, and what the NSG see as the role of partnership working in this. EMS Officers' experience and knowledge will be valuable to input into the thinking around this aspect.

#### Communication with NSG

Communications have so far been slightly ad hoc as this has been an interim period establishing the group and thinking about next steps before the coordinator post is in place. Once in post, it is likely that the NSG (MMO) coordinator will be the interface of communication between site leads/project managers and the NSG. Until then Jan Maclennan, NE's national EMS coordinator, will continue holding bi-monthly teleconferences with EMS Officers.

#### Further Actions

The next steps will be to look at roles and responsibilities for reporting, and how that will link up with national requirements. This will require help and input from the EMS Officers/local authority level. There are no proposals being made on management structures – only on reporting requirements/processes.

Defra are producing a note to relevant authorities reminding them of their statutory duties in relation to managing MPAs. This is due to be circulated by the NSG to all relevant authorities and to EMS Officers at the end of March 2015. It will cover legislation, requirements for a management scheme and future considerations for authorities.

An information note on the direction of travel is also being prepared for both authorities and for wider stakeholders who have received previous information about the MPA management project but have yet to be provided with information about the conclusions and next steps. This is in draft with the NSG for comment and is also due to be circulated at the end of March. Further information will be provided about national governance arrangements as they develop.

Once the MPA reporting tool requirements are confirmed, Defra have recommended a paper to the NSG outlining the expected roles and responsibilities of organisations for collating and inputting data to the tool, and what Defra see as the role of partnership working in this. This will then need to be communicated to existing management groups and wider authorities. Information on national reporting is already being requested, as EMS groups feel they need to understand this in order to look at future management structures and to determine how new models would best fit with national reporting requirements.

Several organisations, including non-governmental organisations (NGOs), have approached Natural England to develop external funding proposals for MPA management coordination. These include Blue Marine Foundation, Dorset Coastal Forum, Plymouth University and the RSPB. NE coordinated a call with these organisations on 23<sup>rd</sup> January 2015. The proposals are at varying stages of development. The NSG will continue to communicate with NGOs about respective projects and highlight where these organisations need to engage others in their development.

Details of national reporting requirements have yet to be decided.

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## **i Glossary**

### *SAC*

Special Area of Conservation - strictly protected sites designated under the EC Habitats Directive.

### *SPA*

Special Protection Area - strictly protected sites classified in accordance with Article 4 of the EC Birds Directive

### *EMS*

European Marine Site (as defined by the Habitats Regulations) refers to those marine areas of both SACs and SPAs, which are protected under the EC Habitats and Birds Directives

### *EMS Officer*

A Project Officer working on behalf of all Relevant Authorities concerned, whose role is primarily to coordinate the statutory responsibilities of the Relevant Authorities

### *MPA*

Marine Protected Areas – at present these are Marine Conservation Zones (MCZs) and EMSs.

### *MPA Project Board*

Defra Group consisting of Defra, MMO, Natural England, Association of IFCA's. The Board addresses a range of topics related to the MPA network in England

### *National Steering Group (NSG)*

National group established to provide national coordination and reporting of the MPA network – consisting of MMO, Natural England, Association of IFCA's, Local Government Association (Coastal Special Interest Group), Environment Agency, Department for Environment and Climate Change and the Joint Nature Conservation Committee (JNCC). Port and harbour authorities, Crown Estate and the Ministry of Defence have also been invited (see NSG Terms of Reference). The NSG is chaired by the MMO and is accountable to Defra and the Defra MPA Project Board.