



SNCBs' MCZ Advice Project – The Principles Underpinning Our Statutory Nature Conservation Body Advice On Marine Conservation Zone Designation (Strategic Protocol A)

Version control

Build status:

Version	Date	Author	Reason/Comments
4.0	22 Dec 11	Jen Ashworth	Final version following Director sign off
3.3	21 Dec 11	Jen Ashworth	Updated with final internal comments
3.2	20 Dec 11	Jen Ashworth	Updated following external review
3.1	12 Dec 11	Jen Ashworth	Updated following external review
3.0	14 Nov 11	Jen Ashworth	Updated following internal pre-sign off review
2.1	2 Nov 11	Jen Ashworth	Updated following comment from Defra
2.0	17 Oct 11	Jen Ashworth	Updated significantly following comments from Standards Function
1.0	13 Sep 11	Jen Ashworth, Chris Davis, Cristina Herbon	Released to MCZ Project Board for sign off before review by Defra

Distribution list:

Copy	Version	Issue Date	Issued To
Electronic	4.0	06 Jan 2011	Natural England and JNCC staff involved in the MCZ Advice and made publically available on website.
Electronic	3.3	21 Dec 2011	J Marsden and J Goold for sign off
Electronic	3.2	20 Dec 2011	C Cotterell
Electronic	3.1	13 Dec 2011	Internally to relevant Natural England and JNCC staff
Electronic	3.0	14 Nov 2011	Independent Review Panel, JNCC, NE, Defra, ALBs, CSA
Electronic	2.1	2 Nov 2011	James Marsden and Jon Davies for sign off
Electronic	2.0	17 Oct 2011	Defra Marine Biodiversity and Chief Scientific Advisor's team for review
Electronic	1.0	14 Sept 2011	Natural England Standards Function
Electronic	0.3	24 Aug 2011	MCZ Project Board (as part of paper 5.21).
Electronic	0.2	5 Aug 2011	Internally to relevant Natural England and JNCC specialists

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Part 1: About this protocol

Introduction

Defra asked the Joint Nature Conservation Committee (JNCC) and Natural England to work in partnership with stakeholders to identify and recommend potential Marine Conservation Zones (MCZs). This is to meet the legal requirements of the Marine and Coastal Access Act 2009 and to contribute to delivering the Government's policy aspirations towards an ecologically coherent network of Marine Protected Areas. The Statutory Nature Conservation Bodies (SNCBs)¹, JNCC and Natural England, established independent regional projects to take forward a stakeholder led process to identify possible MCZs that would contribute to an ecologically coherent network of MPAs.

The SNCBs' advice to Government is a key part of Natural England, JNCC and Defra's business plans and an important milestone in supporting the Government to implement a network of Marine Protected Areas. The SNCBs' advice package will provide Defra with the MCZ recommendations from the regional projects, together with any necessary additional information or advice from the SNCBs, as outlined in the Government Expectations Note (7th July 2011 version), to support the Government to designate sufficient MCZs to meet its legal and policy obligations. For example, this includes advice on how the recommendations meet the requirement of the Ecological Network Guidance and Marine and Coastal Access Act, and the scientific confidence we have in the proposed features and their conservation objectives.

Our advice package will provide the necessary information to guide Natural England's non-executive Board² and the Joint Nature Conservation Committee³ in providing their formal advice to Government, upon which ministers can draw when making decisions on the designation of MCZs.

There is considerable interest from both Government and stakeholders in the nature and content of the advice package, many of whom have invested significant resources in the Marine Conservation Zone Project.

What does this protocol cover?

This protocol sets out the key principles Natural England and JNCC will follow when producing our advice package and submitting it to Defra. It includes how we will meet the recommendations of cSAC review⁴. This protocol lays the foundation for, and should be read in conjunction with, the other more detailed protocols (see list in Annex 3). Protocols A, B, C and D will be applied to all of our work to write the advice package while the technical protocols E, F, G and H will be used to undertake specific assessments requested by Defra.

Who is this protocol for?

This protocol applies to everyone in Natural England and JNCC who is directly engaged in the production of the MCZ advice.

Part 2: The protocol

Principles underpinning our advice package

¹ The term SNCB generally covers equivalent agencies in Scotland, Wales and Northern Ireland but within the MCZ Project refers to JNCC and Natural England only.

² http://www.naturalengland.org.uk/about_us/ourpeople/neboard/default.aspx NB. Natural England's Chair will sign off our advice

³ <http://jncc.defra.gov.uk/default.aspx?page=5349>

⁴ <http://www.defra.gov.uk/publications/2011/07/21/pb13598-graham-bryce-independent-review-marine-sacs/>

- Our advice package will follow the guidance given in ‘Marine Conservation Zone Project: Project Delivery Guidance on the process to select Marine Conservation Zones’ July 2010⁵.
- In formulating our advice we will give due consideration to the outcomes of the regional MCZ projects, the advice provided to Defra by the MPA Science Advisory Panel and the Independent Expert Review Group.
- Natural England and JNCC will use the best evidence available to us at the time we undertake the analyses to produce sound advice using transparent and peer-reviewed methodologies.
- We will provide our advice package in line with any JNCC and Natural England’s corporate standards for the creation, access and use of evidence, together with relevant supporting operational standards⁶. Adherence to these standards enables us to be compliant with the Government Chief Scientific Adviser’s Guidelines on the Use of Scientific and Engineering Advice in Policy Making⁷ and the recommendations of the cSAC review. In particular:
 - **Evidence** used is of a quality and relevance appropriate to give advice or decisions⁸;
 - **Analysis** carried out is appropriate to the evidence available and the issue under consideration;
 - **Conclusions** are drawn which clearly relate to the evidence and analysis;
 - **Uncertainty** arising due to the nature of the evidence and analysis is clearly identified and explained.
- To meet the principles above we will:
 - Be transparent with stakeholders in the approaches we take and publish the protocols and the advice package at the earliest opportunity.
 - Allow stakeholders the opportunity to comment on the protocols.
 - Have regard to an independent expert review of the scientific robustness of the evidence base, our technical protocols and associated components of our draft advice package.
 - Document our evidence, analysis and decisions (i.e. keep records⁹).
 - Technical specialists involved in evidence panels will make decisions through a consensus approach. Decisions should be quality assured and where there is disagreement it will be resolved by following the hierarchy of lead authors and then Senior Responsible Officers.
 - Identify and explain uncertainties arising from the nature of the evidence, the analysis and interpretation and will aim to quantify and manage any associated risks.
 - Quality-assure the advice package in line with our corporate standards¹⁰.

⁵ http://www.naturalengland.org.uk/Images/mcz-project-delivery-guidance_tcm6-20854.pdf

⁶ Natural England and JNCC are currently developing such standards, which reflect the recommendations of the cSAC review.

⁷ <http://www.bis.gov.uk/assets/bispartners/goscience/docs/g/10-669-gcsa-guidelines-scientific-engineering-advice-policy-making.pdf>

⁸ Recognising that one of Defra’s MPA network design principles is the use of the best available evidence.

⁹ We will detail the process for this in protocol D.

¹⁰ We will detail the process for this in protocol B.

Annex 1: Implementing and communicating the protocol

The lead authors from JNCC and Natural England will be responsible for ensuring the protocol is implemented. They will ensure that all internal contributors to the MCZ advice have a copy of the protocol and understand the requirements.

Defra's Marine Biodiversity team, Chief Scientific Advisor, Defra Arms Length Bodies, the Independent External Review Group, and wider stakeholders were invited to review the draft protocol and provide comments to Natural England and JNCC. Natural England and JNCC have considered all the comments received and updated the protocol accordingly. Comments received, and the draft and final protocols will be accessible on JNCC and Natural England's website.

Annex 2: Monitoring and review

Lead authors will monitor assessments and draft advice from section leads to ensure the protocol is followed. An independent expert review panel will assess whether the draft advice package is consistent with the protocol.

This protocol is currently time limited for the duration of the SNCBs' advice on MCZ recommendations. The MCZ Project Board may commission a review of the protocol in the light of any changes to timetables or policies.

Annex 3: Related documents

List of all of the MCZ advice protocols:

- A. Strategic protocol – The Principles Underpinning Our Statutory Nature Conservation Body Advice On Marine Conservation Zone Designation (this protocol);
- B. Quality control, assurance and peer review;
- C. Document style and language;
- D. Audit trail – version control and record keeping;
- E. Assessing the scientific confidence of the presence and extent of features in recommended Marine Conservation Zones;
- F. Assessing the scientific confidence of feature condition;
- G. Assessing Marine Conservation Zones most at risk;
- H. Assessing the contribution of existing sites to the network.