



Developing a participatory approach to the management of fishing activity in UK Marine Protected Areas

WORKSHOP 2B - OUTPUTS

INFORMING POSITIVE CHANGE

NFFO/JNCC

Developing a participatory approach to the management of fishing activity in UK Marine Protected Areas

Workshop 2B - Outputs

VERSION	DATE	VERSION SUMMARY	APPROVALS
R0		V1	Principal authors: Anna Bullen
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1 Introduction

A multi stakeholder workshop was held on 27th February 2019 in Norwich to bring together the project partners and North Norfolk regional stakeholders to further the project process.

The primary aims of the workshop were:

- To bring regional stakeholders together to further explore the participatory management of fisheries in marine protected areas;
- To further develop the proposed MPA management toolkit;
- To explore data requirements for MPA management;
- To develop the first set of management scenarios for ecological modelling.

1.1 Our approach

The outputs were gained through a series of presentations that were followed by discussion sessions, whereby questions were posed and discussed in detail, led by independent facilitators. Representatives from the project partners were part of the discussion groups, available to answer project specific and regulation questions.

The outputs of the workshop are summarised in this report. They will be used in the development of the next set of workshops, in the project itself and to inform the wider process in developing participatory management of MPAs.

1.2 Report structure

Section 2 of this report provides details of the workshop participants. The remainder of the report is set out according to the workshop sessions and specific questions asked and presents key discussion points. This report is not an analysis of the outputs but a representation of everyone's input to the discussion, whilst also highlighting key themes that arose from those discussions.

2 Workshop participants

Name	Organisation	Stakeholder category				
		Fishing industry	Conservation / NGO	Scientific / research	Other industry	Regulator
Project partners						
Alice Cornthwaite	JNCC					X
Alice Doyle	JNCC					X
Lowri Evans	Bangor University			X		
Viv Roberts	Marine Management Organisation					X
Mike Quigley	Natural England					X
Dale Rodmell	NFFO	X				
Declan Tobin	JNCC					X
Stakeholders						
David Chambers	Norfolk Independent Fisherman Association	X				
Kenny Coull	Scottish Fishermen's Federation	X				
Charles Daniels	Norfolk Independent Fisherman Association	X				
John Dory	Norfolk Independent Fisherman Association	X				
Euan Dunn	RSPB		X			
John Hiskett	Norfolk Wildlife Trust		X			
Bex Lynham	Yorkshire Wildlife Trust		X			
David Ras	VisNed	X				
Stephen Thompson	Eastern IFCA					X

3 Consensus building

A presentation was given on the meaning of consensus building and decision making and with this in mind participants explored some of the key issues that can cause barriers to effective participatory management of MPAs.

Consensus decision making

Consensus decision making aims to reach agreement through **collaboration, cooperation, inclusivity** and **participation**. Group decisions made by consensus seek resolutions that are satisfactory to all group members and meet all of their concerns. Consensus decision making is not adversarial or competitive, but rather seeks to do what is best for the group.

3.1 Key issues affecting a participatory approach to MPA management

Throughout the process to date we have recorded key issues that have been voiced by stakeholders, and which are potential barriers to the effective participatory management of MPAs. These issues were presented to the participants, who then added to, sought clarification on and discussed them together.

The issues identified were as follows:

- The lack of monitoring in MPAs is a huge concern - we need to properly understand the condition and sensitivity of a site.
- Restrictions create more competition for space (no-one wants restrictions in their location).
- Clarity is needed as to what marine conservation zones / marine protected areas are.
- Interpretation of evidence is an issue – there are different approaches.
- It's important to distinguish the arrangements for taking socio-economic factors into account.
- Fishermen share their views but nothing changes. Fishermen want to maintain access to sustainable fishing in non-feature habitats or even wider where activity would not impact on features.
- Communication - there is often a lag in the conversation.
- For many MPAs management measures still haven't been implemented.
- Pressure from NGOs means activity is very restricted in MPAs so fishermen have to travel further.
- Adaptive management must consider the appropriate legislation.
- For some sites the regulatory bodies are not aware of all the activities happening, so they don't know if they are having an impact on designated features.
- Sites that require management continue to be damaged by certain activities.
- Access to information is important - keep the information simple.
- Brexit – the potential impact on legislation.

- Brexit backstop will make participatory processes difficult.
- There is a perception by industry about being treated unfairly compared to other users.
- Fishermen don't have mitigation options, e.g. for gear changes.
- There is conflict between different fishers and other users.
- Impact must not prevent conservation measures being achieved.
- There is a difference between 'natural' impact and that caused by fishing/human activity.
- It's about all impacts, not just fishing, and also about site recovery.
- Where is the evidence of the impact of fishing? There are plenty of fish.
- Management does not necessarily mean statutory measures.
- Management can help to avoid gear conflicts between fishermen using different types of gear;
- Clarity of targets is needed, expressed in a comprehensible, meaningful, quantitative way.
- The process of developing management measures takes a long time.
- Cumulative (and in combination) impacts are not measured or considered.
- Assessment does not always result in management.
- The SW Potting Agreement is seen as an example of voluntary agreement.
- There can be conflict between fishermen as industry is squeezed by MPAs, and other sector activities.
- Why should there be a voluntary agreement not to fish when other sectors are allowed to damage an area.
- Gear innovation should be included in consideration of potential mitigation.
- Gear mitigation must be required and not optional if it is being put forward as mitigation.
- Cumulative issues should be considered as a contributory factor to baseline condition.

4 Management toolkit

The participants were given a presentation on the purpose and structure of the management toolkit. Participants were then asked to feedback on the documents that had been sent out ahead of the workshop, which were created as a result of a request by stakeholders for them at the first workshop.

The participants were given a presentation on the purpose and structure of the management toolkit and then asked to feedback on the documents (which will form part of the toolkit) that had been sent out ahead of the workshop. These documents were created upon request by stakeholders at the first workshop and included:

- MPA Management – Roles and Responsibilities
- MPA Legislation Summary
- Acronym Buster

The documents provided at this workshop had been amended since the previous workshop (in Lancaster) to incorporate the feedback received on the first drafts.

Participants were asked to provide comments on two information documents (*MPA legislation* and *MPA management; roles and responsibilities*). Specifically, participants were asked to consider whether 1) these documents are useful, 2) any information is missing or incorrect, 3) if the documents are visually appealing.

Figure 1 - Document explaining what MPAs are

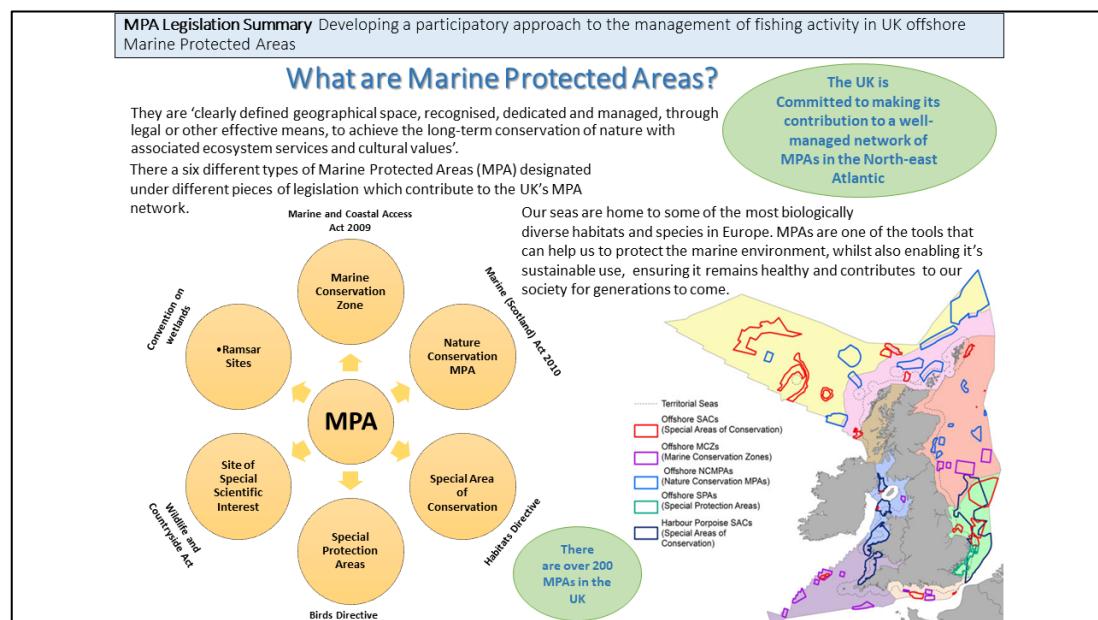


Figure 2 - Document setting out roles and responsibilities relating to MPA management

MPA Legislation Summary Developing a participatory approach to the management of fishing activity in UK offshore Marine Protected Areas						
Who is responsible for the Management of MPAs?						
Marine Protected Area	Location	National	International	Legislation	Inshore	Management
Marine Conservation Zone (MCZ)	England, Wales & Northern Ireland	✓		Marine and Coastal Access Act 2009	Inshore Fisheries and Conservation Authorities (IFCA) within 0-6 nautical miles, and the Marine Management Organisation (MMO) within 6-12 nm.	Article 18 of the EU Common Fisheries Policy (CFP) .
Nature Conservation MPA (NCMPA)	Scotland	✓		Marine (Scotland) Act 2010	Marine and Coastal Access Act 2009	Marine Scotland are the lead authority regarding the implementation of, and compliance with, any measures to managing fishing activity.
Special Area of Conservation (SAC)	UK		✓	EU Habitats Directive	Inshore fisheries in the area between 0-6 nautical miles are managed through the Inshore Fisheries and Conservation Authorities, and between 6-12 nm by the Marine Management Organisation (MMO). Both can introduce measures (e.g. bylaws) to manage fishing activity where appropriate. Such measures would be developed following individual site assessments and subsequent stakeholder engagement.	
Special Protection Area (SPA)	UK		✓	EU Habitats Directive		
Site of Special Scientific Interest (SSSI)	UK	✓		Wildlife and Countryside Act 1981	N/A	N/A
Ramsar Site	UK		✓	Ramsar Convention	N/A	
Marine Nature Reserves (MNR)	UK	✓			N/A	N/A
Voluntary MPAs	UK	✓		N/A	N/A	N/A

Figure 3 - Document setting out legislation relating to MPAs

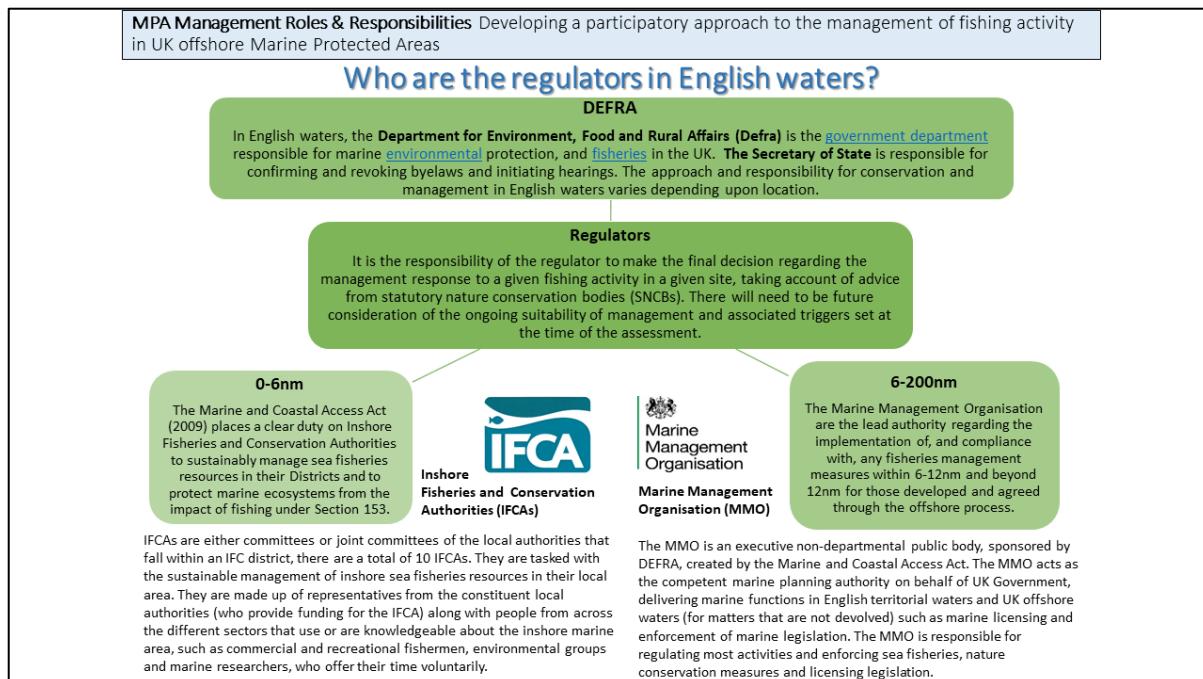
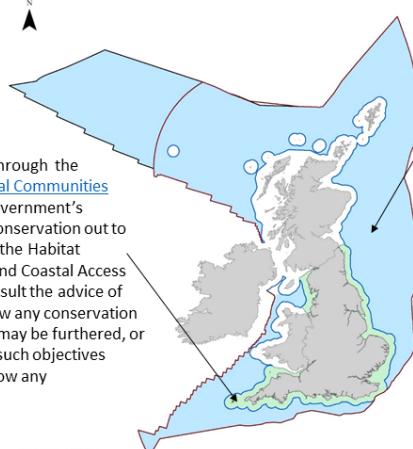


Figure 4 - Document setting out legislation relating to MPAs

MPA Management Roles & Responsibilities Developing a participatory approach to the management of fishing activity in UK offshore Marine Protected Areas

Who are the advisors in English waters?

Advisers – Statutory nature conservation bodies provide advice to government and regulators on Conservation Objectives and activities that may impact the achievement of these. Statutory advisers will have the responsibility to update their advice in the light of feedback on existing management success/failure and the evolving evidence base. In this respect, there is a role for advisers in examining the effectiveness of management measures in delivering their role as mitigation within the original assessment process and their effectiveness into the future.



Natural England (NE)
Natural England was vested through the [Natural Environment and Rural Communities \(NERC\) Act 2006](#) and is the government's statutory adviser on nature conservation out to 12nm in English waters. Both the Habitat Regulations and the Marine and Coastal Access Act requires regulators to consult the advice of Natural England regarding how any conservation objectives stated for an MPA may be furthered, or how the achievement of any such objectives may be least hindered, and how any impacts may be mitigated.

JNCC
Joint Nature Conservation Committee
JNCC has responsibility for the provision of nature conservation advice in the offshore area. JNCC is the public body that advises the UK Government and devolved administrations on UK-wide and international nature conservation. JNCC is legally constituted through the [Natural Environment and Rural Communities \(NERC\) Act 2006](#). In relation to MPA management, JNCC's specific responsibilities for offshore marine nature conservation are set out in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007, the Marine and Coastal Access Act 2009.

4.1 General comments

Participants felt the documents were relevant and visually appealing and useful for the fishing industry. They suggested circulating to appropriate contacts and bringing hard copies to relevant events.

4.2 Roles and responsibility document

Presentation

- Visually it is good, but should include web links for further information;

Content

- Adapt content to specific locality and relevant MPAs;
- Include ICES areas as they are more familiar?
- Correct the number of designations 8 vs 6;
- Explain European marine site as a term;
- Mention that there are no IFCA's in Scotland;
- Reference to fisheries measures (technical measurement under CFP);
- The offshore specific text on the front page needs a little editing. Technically, the EU are the competent authority in this area so should be mentioned in the text. Either cross reference with the previous document where it gives this information or edit the text in this document to clarify the EU's role and CFP process;

- Add titles over the 3rd tier boxes (IFCA (0-6nm) and MMO (6-200nm));
- In the table on the back, change the legislation listed against SPAs to ‘EU BIRDS Directive’;
- It would be useful to have regional versions for the different workshops which focussed on legislation and designations within the study regions;
- Links to useful websites (such as the IFCA interactive website) would be a good addition, but keep in mind that some stakeholders may not have access to online resources;
- Only four of the MPAs listed in the table are included on the map, and it was suggested that one or the other is changed to ensure consistency;
- For the legislation summary on the back, there is a need to decide on whether to include information pertaining to the UK or just focus on English waters. Currently, there is some information on Scottish sites and processes but not a full account (NCMPAs but no historic or demonstration and research MPAs), and there is limited reference to Welsh or Northern Irish processes. Although Scottish sites are included in the table, there is no discussion of roles and responsibilities in Scottish waters.

Distribution / accessibility

- Circulate as a general information source;
- It would be useful to have a version which translates well as a physical document and a version for the tech savvy;

Other potential useful resources

- Check out Association of IFCAs online interactive tool;
- There is another EMFF project which is producing a similar resource. It would therefore be useful to align these outputs.

4.3 Legislation Summary

Presentation

- Include pictures of fishing vessels and make it visually relevant;
- Remove the UKCS boundary from the map.

Content

- What is the role of the EU commission?
- Ensure it is clear who the regulators are;
- How do we make an “English” based project relevant to Wales, Scotland and Northern Ireland?
- Cross reference to documents re offshore CFP Article 11process;
- As for the previous document, care is needed in referring to roles and responsibilities in English vs UK waters;

- IFCAs are funded by local authorities and Defra; this should be added into the text for clarity;
- It was suggested that SNH and NRW are included in the advisers' page, even if just by name with limited or no text;
- Final sentence of the 'Advisers' paragraph is difficult to follow and would benefit from some editing.

5 Considering data for a management plan

A presentation on different types of data within the management cycle was given. Participants were asked how stakeholder information can better be included within the management process. This session focussed on types of data and how/when this should be used.

The aim of this session was to explore opportunities to use stakeholder data (information) and review how and what is needed to ensure this data is reliable and fit for purpose.

Confidence in data is essential and there needs to be a process for ensuring that data is reliable. Establishing baselines is crucial for understanding the pressures impacting site condition, but monitoring is resource limited. Therefore, making use of stakeholder information can help to fill gaps, but it needs to be fit for purpose.

Figure 5 - Different types of data that might be considered in MPA management

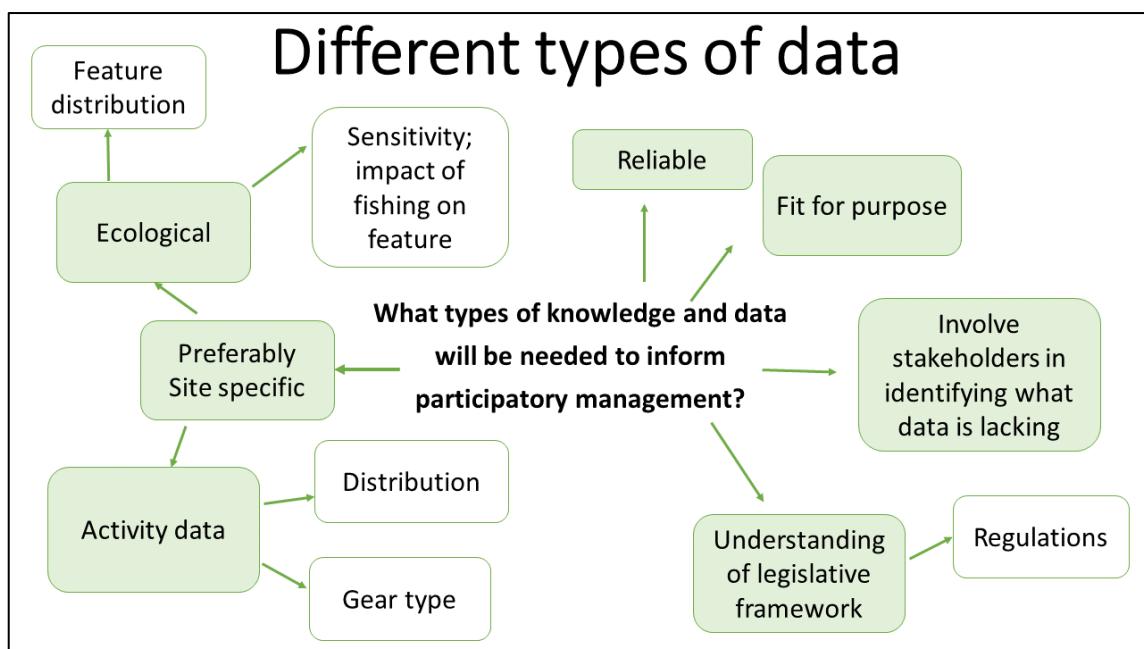
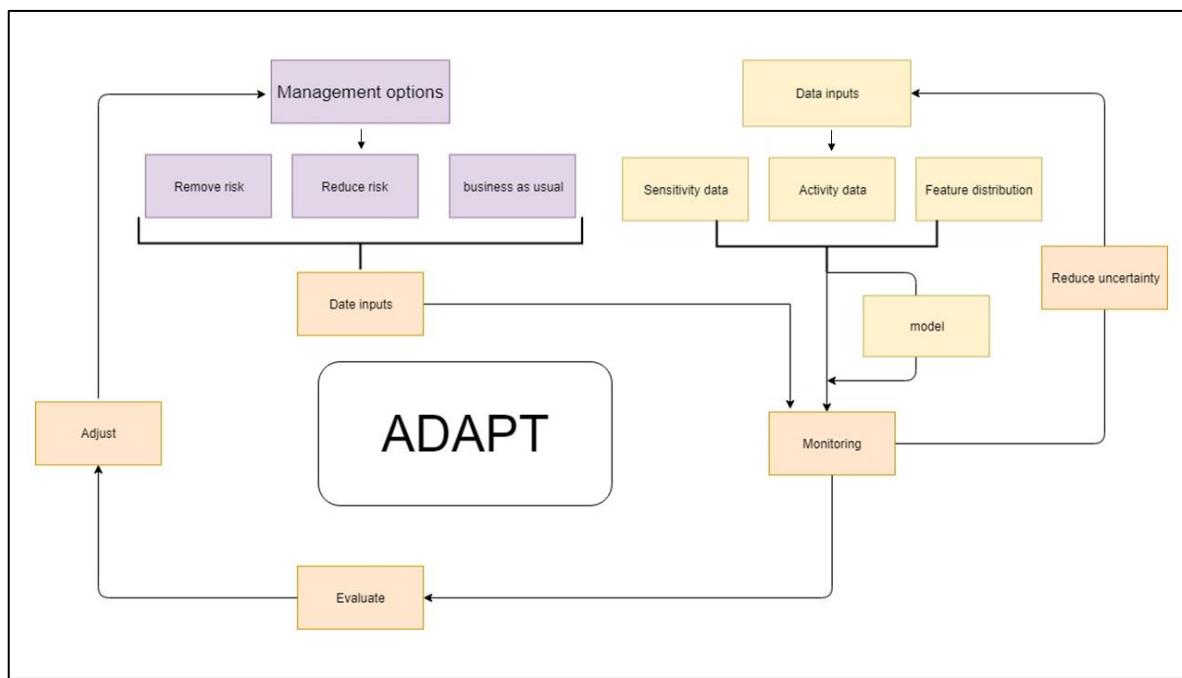


Figure 6 - MPA data flow chart



5.1 What data is needed for adaptive management of MPAs?

Stakeholders were asked to consider what types of data may be useful for an adaptive management approach and came up with the following core list:

- Sensitivity data
- Feature distribution
- Activity data (fishing; particularly validation of activity data over features and further unpacking of activity data by vessel types, gear and effort)
- Modelling of natural disturbances
- Activity data (non-fishing; often consider cumulative impacts to features, but not cumulative impacts to fishers)

Further discussion around the inclusion of socio-economic information highlighted a desire for this to be incorporated into the management process.

5.2 What's missing?

Financial / socio-economic data

- While accepting that socio-economic data or impacts does not impact on the management decisions made in connection with the MPAs (EMSS or MCZs), prudent management would include an understanding of the socio-economic impacts of management measures;
- Data regarding financial consequences of management;
- There is a need for a clear understanding of the role of socio-economics under MACAA vs. Habitats regulations.

Fishing activity

- Input of fishing activity data;
- Need to unpack fishing activity (effort);
- Vessel type, gear type etc. – standard categorisation needs to be agreed e.g. light vs heavy otter trawls;
- Role of IVMS in providing a better picture of effort distribution;
- How best to include inshore fishers is an issue - they are busy on a day to day basis and it's more difficult to engage them in a participatory approach;
- Inshore fishers are less represented and more fragmented;
- You need to go where the fishers are;
- How can we adapt management in terms of gear type?

Other types of activity

- “Activity data” needs to be clarified that is not just fishing;
- Also need to include all types of activity, e.g. windfarms;
- Windfarms will displace fishing;
- We need to better define the different aspects of “activity data”.

Validity of data

- How do we validate different forms of data?
- How do we differentiate information from opinion whilst utilising both appropriately?
- Monitoring is being prioritised more around risk;
- Availability of data for other (built?) developments e.g. renewables;
- Some data is commercially sensitive;
- NFFO have produced shadow HRA for NNS & SR SAC including consideration of natural variability;
- This case study site is actually data rich;
- Scientific validation of fishers' data;
- Dismissal of “common man’s” knowledge is an issue.

5.3 Limitations

- How to manage and review data – whose role is this, and how will it be resourced?
- A management review should be a cyclical process (e.g. every 6 years) – the appropriate period needs to be agreed;
- There needs to be a get out clause to initiate a review sooner in case of significant changes – you would need to define what is significant;
- Review is different from revision – revisions will need to be assessed under Habitats Regulations or MACAA;
- Transparency is key – in terms of data use as evidence;

- It's useful to have scientists on board fishing vessels, it helps them understand;
- It's more difficult for inshore fishers to be involved – managers/regulators need to go to where they are.
- We may need different governance for inshore and offshore fishers;
- Data includes knowledge about site condition, including impacts of natural events;
- Need to ensure data comes from a reliable source;
- Data needs to be fit for purpose, which means good enough for management purposes – How does this differ from scientifically rigorous data?
- Use with integrity – be clear on uses and limitations of data;
- Industry is important for validation, e.g. of feature distribution;
- Includes information on disturbance; (But later it was said that this is mostly proxy data on impact).

5.4 How and when to include stakeholder data in the process

Many different kinds of data were identified and highlighted through discussion and there is a general need to accept that though these sources may differ, they are all valid sources of knowledge. However, they still need to be used appropriately, and we need to develop a process and principles for incorporating these data. The management process is a cycle with a set period for review, but to make it adaptive we need a more flexible approach to reconvene and review and discussion needs to be ongoing. How and when new data is considered will depend on whether the intended change in approach to management is reactive or mitigative.

There was a general agreement that the inshore fisheries stakeholder group is fundamentally different to the offshore and there is a need for better representation and a better system for including these key stakeholders in the process.

6 Ecological Modelling

All scenarios (apart from the no management option) will also include full reef closure to fishing activity (reef polygon).

Scenario 1 - Gear modification

Current status quo = pulse trawling (70%) and traditional beam trawling (30%)

Task: remove pulse trawling effort and calculate RBS or 100% traditional beam trawl (compare both)

Scenario 2 - spatial zoning

- a) Current joint recommendation management proposals
- b) Zoning based on deep circalittoral sand, i.e. remove fishing pressure from this feature
- c) Dutch management proposals

Scenario 3 - Extremes of management and lack of

- a) No management
- b) Complete site closure to fishing

Scenario 4 - Displacement after closure

All fishing activity displacement from joint recommendation management proposal closures into rest of MPA

Scenario 5 - Temporal (if data allows)



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