

Annual Newsletter of the Solent European Marine Sites
Issue 1: February 2013

Welcome

Welcome to the first newsletter for the Solent European Marine Sites (SEMS).

This annual newsletter will update you on what is happening in the SEMS.

During 2012 we introduced a new way of monitoring and reporting for SEMS. This edition gives feedback on how this has progressed. There is also an update on work underway to gather evidence and address issues and a spotlight on some of the work going on nationally to make managing European Marine Sites (EMSs) easier. Updates on legislation are also included.

We'd like to keep this Update relevant and interesting, and we would especially welcome news from you about what's happening in your part of the SEMS. So this autumn we will ask you to send in articles and photos to include, plus links to relevant items such as your own newsletters. Please send in your ideas on what to include to info@solentems.org.uk.



Image courtesy of Footprint Ecology

Name the SEMS Update Competition

Can you think of an exciting name for the SEMS Update? There are no prizes, but we will feature the winner in the next edition and the new name will hopefully pass into posterity. Please send your ideas to info@solentems.org.uk.

Local News

SEMS Management Scheme

Following review of the statutory SEMS Management Scheme in November 2011, a streamlined method for annual monitoring and reporting was introduced in 2012, together with a new style delivery plan.

The 2012 monitoring survey was completed in the spring using an online questionnaire developed by local firm Market Measures. The new, simplified, pro-forma included a risk category for activities, and authorities who

flagged up high risk activities were later contacted and asked to provide details. The Annual Monitoring Response Report 2012 is available on the SEMS website at www.solentems.org.uk/publications/.

At their annual meeting in September 2012 the SEMS Management Group (MG) agreed the actions needed to address the issues identified. These actions are summarised in the SEMS Annual Monitoring Report, available on the website. The SEMS Strategic Stakeholder Group was consulted in September and one response was received concerning the impacts of clam dredging and hand clamming on intertidal mud. Work by Defra / Natural England (NE) on this issue has been superseded by the Marine Management Organisation's (MMO) change of approach to management of fisheries in European marine sites in England (see below). This approach will be introduced to current fishing activities on a risk-prioritised basis, according to a matrix based on evidence from the Joint Nature Conservation Committee and NE. The MMO's matrix categorises clam dredging and hand clamming in seagrass beds as red (high risk), and on mudflats as amber (medium priority). The appropriate assessments will be carried out by Southern IFCA in the Solent region.

A Delivery Plan is being used to track actions for the forthcoming year. Some of the actions are being taken forward by the Solent Forum's Natural Environment Group (NEG). NEG is collaborating with local universities to see if collecting and assessing this evidence can form part of student research projects in 2013.

It is a key role of NEG to carry out investigations and other work needed to help the MG deliver their statutory responsibilities. Some of the work currently under way is described below.

Online monitoring for this year will commence in March 2013.

See www.solentems.org.uk/ and www.solentforum.org/forum/sub_groups/Natural_Environment_Group/.

Solent Disturbance and Mitigation Project

In response to concerns over the impact of recreational pressure on birds within protected areas in the Solent, the Solent Forum initiated the Solent Disturbance and Mitigation Project (SDMP) in 2008. It seeks to determine visitor access patterns around the coast and how their activities may influence the birds. The work is now concluding and is in its final third phase. The evidence points to levels of disturbance that are currently causing individuals of some species of birds to die and that with future development in the Solent this will increase.

The work has been overseen by the Solent Forum's NEG. Local Authorities will interpret the results as part of their local plan process, guided by a future Position Statement from NE. This Position statement will be made available in February 2013 and will be based on a peer review of phases 1 and 2 of the project. ABPmer completed this Review at the end of 2012.

The third and final phase of the work will result in an avoidance and mitigation plan and subsequent strategy. Footprint Ecology are undertaking this work in partnership with the Solent Forum Project group partners including NE. The plan will have two parts. Firstly it will identify a shortlist of potential suitable mitigation measures, including "quick wins"; this work will be complete before NE's Position Statement and, if the SDMP Project Group is in full agreement, NE will accept this as an interim mitigation plan.



Photo courtesy of Footprint Ecology.

The second part of the work will be produced after NE's Position Statement and will develop a strategy which responds to the evidence base and NE's advice. It is anticipated that the avoidance and mitigation plan would be available in the Spring of 2013, for endorsement and adoption by the Local Planning Authorities.

Current projects addressing issues in the SEMS

As well as the SDMP, several other projects are currently underway that are addressing concerns raised over the impact of various activities in the SEMS. These are listed at the end of this update. Details can be found on the Solent Forum's NEG web pages at www.solentforum.org/forum/sub_groups/Natural_Environment_Group/.

National News

Review of effectiveness of management schemes for European Marine Sites (EMS)

A recent report by Defra presents the findings of an investigation into the management of activities that occur within English European Marine Sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). It is based on information gathered on a non-attributable basis from a wide range of statutory and non-statutory stakeholders.

The review had three main objectives, which were to determine if current management schemes in England are effective and whether they deliver the conservation objectives for the site and represent value for money.

The report provides an analysis of the strengths, weaknesses, opportunities and threats of EMS management models, and outlines the benefits of transferring good practice from EMSs to new sites such as Marine Conservation Zones.

It shows that the factors that have helped or prevented delivery of management scheme objectives are complex. Four factors appear to have contributed to success:

- The ease of achieving a particular outcome;
- Use of a collaborate approach;
- The presence of a project manager; and
- The availability of funding.

Conversely, lack of commitment amongst certain Relevant Authorities, insufficient evidence to demonstrate cause and effect, and lack of funds have acted as brakes on progress.

No single model was identified as the 'ideal' option. It was recognised that the current need to streamline expenditure poses a challenge to existing management arrangements, and that the loss of just a single financial contributor might lead to management schemes ceasing to function in their current form. The report develops ideas that might help to explain the cost benefits of schemes that employ a project officer. You can find and download the report by going to <http://randd.defra.gov.uk/> and searching for MB0113 (the 0 is a zero); this is the code number of the report which includes a supplementary report and a two page summary.



Managing activities in Marine Protected Areas

A report identifying a range of management options for five different types of activity was published by Natural England in December 2012.

Using case studies, examples of best practice are given for five activities:

- Anchoring
- Recreational disturbance to habitats and species
- Non-native species and ballast water
- Bycatch of cetaceans and birds
- Dredging and disposal of sediment

For each activity the report gives details of current management measures, setting out a range of different options for management. It highlights examples that illustrate how measures have worked and how they have been implemented.

The main table in the disturbance section draws in part from a workshop organised by the Solent Forum and held in Fareham in November 2010. Entitled 'Identifying best practice in management of activities on Marine Protected Areas', the report can be found at <http://publications.naturalengland.org.uk/publication/3800278>.

Change of approach to management of fisheries in European marine sites in England

To bring fisheries in line with other activities, the Department for Environment, Food and Rural Affairs announced on the 14 August 2012 a new approach to manage fishing activities within EMSs.

Fishing activities in EMSs must now be treated as a plan or project under Habitats Regulation 48, and they will require appropriate assessment. Southern IFCA are leading on this in the Solent district and are collecting an evidence base. Once fully implemented and introduced across the range of fishing sectors, this will remove fishing from the European Marine Sites Management Scheme as it will no longer be considered as an activity.



The approach will be introduced to current fishing activities on a risk-prioritised basis. The Marine Management Organisation (MMO) aim to have an implementation plan and timetable by the end of December 2012. Full details can be found on the MMO's web site at www.marinemangement.org.uk/protecting/conservation/ems_fisheries.htm.

Improving Natural England's Marine Protected Area Conservation Advice

Natural England (NE) is committed to improving the conservation advice for Marine Protected Areas (MPAs) that they provide to marine users. There is a summary attached to the end of this update about the new MPA Conservation Advice Project that NE have established to deliver this commitment.

Links to NE's current European Site Conservation Objectives for the Solent Maritime Special Area of Conservation

and English Nature's advice given under Regulation 33(2) of the Conservation (Natural Habitats &c.) Regulations 1994 are available on the SEMS website (see 'Story so far').

ABPmer to Develop Tools to Support Cumulative Effects Assessment in Marine Protected Areas

ABPmer, a leading UK marine environmental consultancy, has been appointed by Natural England to review and develop tools to support cumulative effect assessment in marine protected areas (MPAs). Working with the Wildfowl and Wetlands Trust who will provide specific expertise on effects assessment for birds, ABPmer will develop a generic framework and supporting tools to assist Natural England in understanding the cumulative effect of human activities in MPAs.

Marine Planning Newsletter

Issue 11 (December 2012) of the Marine Management Organisation's Marine Planning News includes information on the consultation on the draft marine plan for the East of England, South plan area workshops, the annual UK fishing industry report and a new report to cover a wide range of fisheries data. Issue 11 can be found at www.marinemangement.org.uk/marineplanning/news/newsletter11.htm.

Implementation of the Marine Strategy Framework Directive (MSFD)

A joint consultation on the implementation of the MSFD was held between 27 March and 18 June 2012. The Government response to the consultation has been published and is available at www.defra.gov.uk/consult/2012/03/27/marine-strategy-framework-1203/.

The overarching aim of the MSFD is for Member States to put in place measures to achieve Good Environmental Status (GES) in their marine waters by 2020. The Directive came into force on 15 July 2008, and was transposed into UK law via the Marine Strategy Regulations 2010. For the UK, the Directive is part of a package of policies, united by Defra's vision for 'clean, healthy, safe, productive and biologically diverse oceans and seas'. The Directive's



Photo courtesy of Hants and Wight Wildlife Trust

aims are consistent with this vision and current policies, such as the implementation of the Marine and Coastal Access Act and the reform of the Common Fisheries Policy, will play a major role in helping the UK achieve GES. You can read more about the MSFD at www.defra.gov.uk/environment/marine/msfd/.

Marine Strategy Framework Directive (MSFD) and implementation of the Habitats and Birds Directives

A new publication covers links between the MSFD and the implementation of the Habitats and Birds Directives. The document aims to identify and clarify interactions, synergies, differences and potential areas for greater co-ordination between these instruments concerning the conservation of marine biodiversity. It has benefited from the joint input of Member States dealing with the implementation of the directives and can be downloaded by going to <http://ec.europa.eu/environment/nature/natura2000/marine/>.

Marine Ecosystems and Management

The Marine Ecosystems and Management newsletter is available at <http://depts.washington.edu/meam/>.

Natura 2000 Newsletter

The European Commission publish 'Natura 2000' twice a year. This free magazine provides up to date information on activities, events and initiatives on the EU's biodiversity policy and the implementation of the Habitats and Birds Directives. You can subscribe to the Natura 2000 newsletter at http://ec.europa.eu/environment/nature/info/pubs/natura2000nl_en.htm.

Natura 2000 in the Marine Environment - Guidelines

There is a range of useful guidance, including on the Habitats and Birds Directives, on the EU Natura 2000 web pages. Other EU Publications on the marine environment can be found at http://ec.europa.eu/environment/marine/publications/index_en.htm.

Defra Habitat Regulations Guidance

Defra published a guidance note in July 2012 to encourage competent authority to coordinate under the Habitats Directive. This follows the Conservation of Habitats and Species Regulations 2010 which updated the legislation and which consolidate all the many amendments that have been made to the regulations since they were first made in 1994. The 2010 Regulations, and subsequent amendments, can be found at <http://www.defra.gov.uk/rural/protected/chsr2010/> and the guidance note at <http://www.defra.gov.uk/publications/files/pb13809-habitats-guidance.pdf>.

Habitats Directive Risks Tool

The Environment Agency have made available their Habitats Directive Risks tool, which shares their information on the risks posed to protected sites from activities they regulate. This tool can either be used to provide generic hazards matrices, which show the types of hazard to protected habitats or species that may be associated with a particular type of activity, or site specific versions for more specific information. More information is available at www.environment-agency.gov.uk/business/topics/permitting/143519.aspx.

Habitats and Wild Birds Directives: Simplification of Guidance in England

Defra has been consulting on two of the main guidance simplification measures from the recent Habitats and Wild Birds Directive Implementation Review:

1. A stocktake of the large body of existing guidance, with a view to propose how it should be rationalised by March 2013.
2. Draft new "overarching guidance" providing an overview of the sites and species requirements of the Directives.

The consultation ran from 11 December 2012 until 5 February 2013. Useful news on implementation of the Habitats and Wild Birds Directives can be found at <http://www.defra.gov.uk/habitats-review/>.

Consultations

Marine Conservation Zones: Consultation on Proposals for Designation in 2013

On 13th December the Environment Minister, Richard Benyon, announced the start of the public consultation on

Marine Conservation Zones (MCZs). No sites in the Solent are proposed for designation in 2013. The public consultation will run until midnight on 31 March 2013. The consultation document and annexes can be viewed at <http://www.defra.gov.uk/consult/2012/12/13/marine-conservation-zones-1212/>.

Southern Inshore Fisheries and Conservation Authority (SIFCA) Consultation Workshops

The Southern Inshore Fisheries and Conservation Authority (SIFCA) are holding a series of stakeholder consultation workshops in early 2013 to discuss the management of fishing activity within European Marine Sites (EMSs) and proposed Marine Conservation Zones (MCZs) in the District. Several early evening meetings are taking place along the south coast in February. Details are available from SIFCA or on their website.

Some of the Current Projects addressing issues in the SEMS

Name	Description	Lead
Site condition monitoring assessments	Solent Maritime SAC: Sublittoral sediment survey and intertidal – cordgrass (Cordgrass swards, Small cordgrass, Townsend’s cordgrass communities)	Natural England, Graham Horton
Site condition assessments	Solent European marine site (EMS) <ul style="list-style-type: none"> • Intertidal Survey • Survey of the Subtidal Sediments of the Solent Maritime SAC • South Wight EMS Rocky Shore Survey Natural England	Statutory NE work
Evaluating management strategies for bait collection in the Solent	Investigation into bait digging in Fareham Creek, Dell Quay and Pagham Harbour. Includes inter-tidal survey of Fareham Creek (site condition monitoring assessment).	UoP Gordon Watson. Funded by Crown Estate & Natural England
Co-ordinate results of small fish monitoring surveys across SEMS	Track the outcomes of the various small fish monitoring surveys and to feed progress back to SEMS.	EA - Adam Cave
Evidence gathering for effects of air and waterborne activities across SEMS	Collecting more detailed evidence for the effect/s of hovercraft, kayaking and low-flying paramotor use: identify previous work, what the issue is, what evidence needs to be collected (eg where and when) and by whom, who will collect and collate the evidence, how it will be considered and decided whether adverse effects are occurring. Draft protocol to be developed.	NEG sub-group: Lindsay McCulloch, Graham Horton, Louise MacCallum, Carolyn Francis
Maintain a list of studies that are relevant to SEMS	SEMS 2012 Project - NEG to compile and maintain a list of relevant PhD, MSc and undergraduate studies being undertaken, including by SF bursary winners, which could be useful to SEMS.	
Solent Seagrass project	Project ongoing to look at the distribution and health of eelgrass habitats round Hampshire & the Isle of Wight. Produces an annual update of the inventory of eelgrass in Hampshire and the Isle of Wight.	Amy Dale (HIWWT)

Name	Description	Lead
Solent Seasearch Bioblitz	Week long Solent Seasearch Bioblitz in August 2012, focusing on existing or recommended Marine Protected Areas. Data to fill in gaps especially regarding presence or precise location and extent of habitats and species.	Amy Dale /Jolyon Chesworth (HIWWT)
PhD on sustainable mudflats and saltmarshes: from systemic understanding to systemically feasible and desirable actions.	This work follows on from a previous study on the beneficial use of dredgings which explored the Solent and examined the viability of 20 sites.	Natalie Foster

More Information

More information about the Solent European Marine Sites can be found at www.solentems.org.uk.

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Improving Natural England's Marine Protected Area Conservation Advice

Introduction

Natural England is committed to improving the conservation advice for Marine Protected Areas (MPAs) that we provide to marine users. This summary provides an overview of the new MPA Conservation Advice Project we have established to deliver this commitment.

What is conservation advice?

MPAs are designated in English territorial waters (0 – 12 nautical miles) to protect features of national and international importance. These features may be habitats, species or geological. Conservation advice is provided to support authorities with a statutory responsibility to manage MPAs to put in place appropriate measures so that favourable condition¹ of each MPA feature is achieved.

Natural England has a statutory responsibility² to provide conservation advice for all MPAs within English territorial waters. MPA designations in these waters are European Marine Sites (Special Areas of Conservation, Special Protection Areas) Ramsar Sites), Sites of Special Scientific Interest and Marine Conservation Zones.

Conservation advice sets out:

1. Information on the designated features, and evidence on their presence and extent within the MPA.
2. The conservation objectives for designated features within the MPA. This is a statement of the nature conservation aspirations for the designated features on a site, expressed in terms of the condition that we wish to attain for each feature.
3. The current condition of the designated features;
4. Advice on operations which sets out the pressures, and where possible, activities, which are likely to have a significant effect on the designated features.

The advice provides the framework against which Natural England assesses and monitors the condition of the site's features and, where appropriate, forms the basis for MPA management planning. The advice can also help sea-users understand the importance of sites, and how their potential or planned activities may or may not impact on the sites' protected features.

Natural England's MPA Conservation Advice Project

Natural England recognises that its conservation advice needs improving to meet customer expectations. We are undertaking a major new project to ensure that we provide conservation advice that is clear, easily understood and meets the needs of the organisations and individuals that use it.

This project forms part of wider work by Natural England, with JNCC, to improve the information it makes available on the conservation objectives for England's terrestrial and marine designated sites. In response to the requirements set out in the [Report of the Habitats and Wild Birds Directive Implementation Review \(Defra, March 2012³\)](#) and European Commission guidance on conservation

¹ Favourable condition is the target condition for a feature to attain, in terms of its abundance, distribution and/or quality within a site. The conservation objective for the feature, sets out whether action is required to "maintain" the feature in favourable condition, or action required to "restore" it to favourable condition. Definition adapted from: Williams, J.M., ed. 2006. Common Standards Monitoring for Designated Sites: First Six Year Report. Peterborough, JNCC. http://jncc.defra.gov.uk/pdf/CSM_06summary.pdf

² This requirement is set out in Regulation 35 of the Conservation of Habitats and Species Regulations 2010 (as amended) for Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); the Marine and Coastal Access Act 2009 for Marine Conservation Zones (MCZs); and the Wildlife and Countryside Act 1981 (as amended) for Sites of Special Scientific Interest (SSSIs).

³ <http://www.defra.gov.uk/publications/2012/03/22/pb13724-habitats-wild-birds-directives/>

objectives⁴ a key objective of this Project will be to produce conservation objectives that are up-to-date, accessible and allow applicants to assess the impact of their proposed development against them. More specifically, where possible, we aim to produce quantified targets for the species and natural habitats for which a site is designated.

Timescales for implementation

The project is has a number of elements which are set out in Table 1 below.

Table 1: Conservation advice project timetable

1	Complete and publish conservation advice for 11 Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated since 2010.	By end March 2013
2	Seek customer feedback about how existing conservation advice can be improved and review European practice and experience of the UK devolved administrations	January 2013
3	Agree prioritisation of sites for updating advice	By February 2013
4	Publish a draft MPA conservation advice operational standard	April 2013
5	Test on a small number of pilot sites	April - September 2013
6	Finalise the MPA conservation advice operational standard	Autumn 2013
7	Review and update statutory conservation advice packages for all existing European Marine Sites to meet the new standard using a risk based approach.	Autumn 2013 – to end 2015/16
8	Deliver statutory conservation advice on a prioritised basis for newly designated MPAs in accordance with the standard using a risk based approach.	Within one year of classification (SPAs) / designation for MCZs

Who is involved in this project?

The MPA conservation advice project is led by Natural England and involves representatives from Defra, the Marine Management Organisation and the Inshore Fisheries and Conservation Authorities. Input from other Country Agencies, relevant and competent authorities and wider stakeholders with an interest (e.g. sea user and conservation organisations, management groups, local groups) will be sought throughout the project.

How do I get more information?

Regular briefings will be sent to all stakeholders. If you would like to receive these direct, or for further enquiries, please email mcaproject@naturalengland.org.uk.

⁴ Commission note setting conservation objectives for Natura 2000 sites (March 2012)