

By: Lead Scientific & Conservation Officer and Byelaw & Projects Officer

To: Kent and Essex Inshore Fisheries and Conservation Authority – 20<sup>th</sup> May 2016

Subject: **Marine protected areas update**

Classification Unrestricted

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**Summary:**

This report provides Members with an update on the work carried out to date in respect of Habitat Regulations Assessments, including progress on ongoing test of likely significant effect reports and appropriate assessments. It also includes an update on the Tranche 2 MCZ sites.

**Recommendations:**

1. Members are asked to **NOTE** this report and **COMMENT** on it.
2. Members are asked to **AGREE** to hold an extraordinary meeting in mid-July 2016 at which management options for the Margate and Longsands site can be discussed and evaluated.

**Background:**

To bring fisheries in line with other activities, the Department for Environment, Food and Rural Affairs (Defra) announced on 14<sup>th</sup> August 2012 a new approach to manage licenced commercial fishing activities within European Marine Sites (EMS). This approach tasked IFCAs with assessing the impact of fishing activities on the features of EMS using a Habitat Regulations Assessment style process. The deadline for introducing management for high risk fishing activity and feature interactions was the end of 2013. The deadline for assessing the impact and, where necessary, introducing management for medium and lower risk interactions is the end of 2016.

Defra designated the second tranche of Marine Conservation Zones in January 2016 and are likely to expect management of fishing activities, if required, within these sites to be introduced by the start of 2018.

## **1. Fishing in European Marine Sites (EMS)**

This is an ongoing work stream to assess all commercial fishing activities within EMS within the KEIFCA district in line with Defra's revised approach to fisheries in EMS.

### **1.1 Test of Likely Significant Effect (TLSE)**

Natural England officially agreed with the conclusions of approximately 360 test of likely significant effect (TLSE) reports on 13<sup>th</sup> October 2015.

These reports were made available to Authority members, and following discussions with Kent Wildlife Trust, several of the TLSE reports were reviewed. Additionally, the continuing work of Natural England to provide updated conservation advice on EMS has resulted in several additional features requiring assessment, as well as an extension to the Dungeness to Pett Level SPA site. The reviewed and new TLSE tests will be sent to Natural England for formal advice before the end of May so this advice is available to the Authority at the next meeting.

### **1.2 Appropriate Assessments**

For those fishing gears that are deemed likely to have a significant effect on the feature or where there is insufficient evidence to state that there will be no significant effect to the EMS features, a more in-depth appropriate assessment is required. In our District, eight gear/feature interactions have been taken forward to the appropriate assessment stage and all of these reports have received informal feedback from Natural England. These reports are being finalised and will be submitted to Natural England for formal advice before the end of May so this advice is available to the Authority at the next meeting.

## **2. Tranche 2 Marine Conservation Zones (MCZ)**

Following a Defra consultation which ran from 30<sup>th</sup> January 2015 to 24<sup>th</sup> April 2015, all three proposed Tranche 2 MCZs in the KEIFCA district were designated on 17<sup>th</sup> January 2016. The following sites were designated;

1. Swale Estuary MCZ
2. Dover to Deal MCZ
3. Dover to Folkestone MCZ

It is expected that Defra will advise that management of MCZ sites should be implemented within 2 years of designation of the sites, so KEIFCA would need to receive NE conservation advice and any necessary management options will need to be considered, before January 2018. KEIFCA officers have already held informal discussions with members of the fishing fleet in the Dover area to discuss how the two new MCZs may impact their fisheries. KEIFCA will continue to work with the fishing community, along with Natural England to ensure that fisheries are managed within these MCZs in line with their conservation objectives.

### **3. Margate and Longsands SAC**

Due to the complex nature of this site, and the obvious need to work closely in developing a management approach with the MMO at present the development of potential management measures and the work taken to develop them is at an early stage. Since our last Authority meeting KEIFCA officers have held meetings with NE and the MMO regarding the management of the Margate and Longsands SAC site. Whilst there are still details in approach that need to be agreed, hopefully we can start discussing initial management options with stakeholders in the near future. With time pressing to develop byelaws to meet the defra 2016 deadline, an option available to the Authority would be to hold an extraordinary meeting in mid-July at which management options for the Margate and Longsands site can be discussed and evaluated. This could allow the Authority to make the Margate and Longsands SAC byelaw at the September Authority meeting.

#### **Financial Implications**

None identified in relation to agreed budget headings.

#### **Recommendations:**

1. Members are asked to **NOTE** this report and **COMMENT** on it.
2. Members are asked to **AGREE** to hold an extraordinary meeting in mid-July at which management options for the Margate and Longsands site can be discussed and evaluated.