

UK Marine Protected Areas Centre

Backing Paper 4: New topic note - Types of Marine Protected Areas in the UK - 20 July 2009

A Marine Protected Area (MPA) has been defined by the IUCN¹ as “Any area of intertidal or subtidal terrain, together with its overlying water and associated flora, fauna, historical and cultural features, which has been reserved by law or other effective means to protect part or all of the enclosed environment”². MPA is a framework term that encompasses all designated areas. These protected areas aim to conserve the biological diversity and productivity (including ecological life support systems) of the sea to ensure that the marine environment stays healthy and continues to provide the ecosystem with goods and services that are essential for the maintenance of the social and economic wellbeing of our society.

In the UK, MPAs are set up primarily for the conservation of marine biodiversity and to protect species and habitats of international or national importance. The type of Marine Protected Area (MPA) depends on the legislative measure under which they were designated that provides protection to marine species and habitats. Sites may be protected as part of national, European or international legislation and together form a network of sites with statutory protection. In addition there are sites without statutory protection: Voluntary Marine Conservation Areas (VMCAs) and Voluntary Marine Nature Reserves (VMNRs). Other sites exist which offer protection through fisheries closures (e.g. Lyme Bay, Lamlash Bay), and *de facto* protected sites such as oil rigs, offshore renewables installations and historic wrecks.

Different types of MPA offer different levels of protection to species and habitats; these vary from little restriction on human activities in the MPA to high levels of restriction such as No-Take Zones (NTZs, where the removal of any resources, living or dead is prohibited) and Highly Protected Marine Reserves (HPMRs) to enable the recovery of ecosystem structure and function by prohibiting all damaging and potentially-damaging uses. Some MPAs even have different levels of protection in different zones (e.g. Lundy MNR, Loch Creran).

The UK currently has 158 Marine Protected Areas in UK waters. In total, the area coverage of all MPAs exceeds 1.8 million hectares, or 2% of UK waters. The existing network of statutory sites will be added to, with the creation of new national MPAs (non-natura MPAs).

1. National Marine Protected Areas

Sites of Special Scientific Interest (SSSI) (England, Scotland and Wales) and Areas of Special Scientific Interest (ASSI) (Northern Ireland)

SSSIs aim to protect species, habitat and geological features of national importance down to mean low water mark. The Wildlife and Countryside Act 1981 provides the legislation to designate and manage the features protected in SSSIs. SSSIs form part of the existing MPA network by affording protection primarily to some intertidal habitats and species. In addition there are some SSSIs with sub-tidal areas which protect marine habitats and species (for example the Salcombe and Kingsbridge estuary).

In Northern Ireland ASSIs are designated under the Environment (Northern Ireland) Order 2002. This legislation superseded the National Parks and Access to the Countryside Act, 1947. Improved provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000 (in England and Wales) and the Nature Conservation (Scotland) Act 2004. In England there are 28 SSSIs that are not part of SACs but have marine features.

¹ IUCN – The World Conservation Union

² Resolution 17.38 of the IUCN General Assembly, 1988, reaffirmed in Resolution 19.46 (1994).

Marine Nature Reserves (MNRs)

The purpose of MNRs is to conserve marine flora and fauna and geological features of special interest, while providing opportunities for study of marine systems. They are the mechanism for the protection of nationally important marine (including subtidal) areas. Their designation requires the agreement of statutory and voluntary bodies and interest groups. There are three designated MNRs:

- Lundy Island (in England);
- Skomer Island (in Wales) and,
- Strangford Lough (in Northern Ireland).

Elsewhere, a number of voluntary Marine Nature Reserves (vMNRs) have been established by agreement between non-governmental organisations, stakeholders and user groups. These have no statutory basis.

Marine Conservation Zones (MCZs) and other non-Natura MPAs

The UK Marine and Coastal Access Bill was introduced to Parliament in December 2008 and started its Committee stages on 12 January 2009. The main tool for marine conservation outlined in the Bill is the creation of a network of MPAs called Marine Conservation Zones (MCZs) in English and Welsh territorial waters and UK offshore waters (beyond 12 nautical miles) with the exception of UK offshore waters adjacent to Scotland. MCZs aim to halt the decline in biodiversity by protecting areas where there are rare, threatened and representative species and habitats, and features of geological or geomorphological interest. MCZs must be both large enough, and close enough together, to support functioning communities of marine wildlife³.

Devolved responsibilities in UK waters means that MCZs will be identified through distinct, but co-ordinated projects.

- MCZs in English Territorial Waters and all UK offshore waters apart from those adjacent to Scotland will be identified through the Marine Conservation Zone Project;
- MCZs in Welsh Territorial Waters will be identified through a project which will be implemented by the Welsh Assembly Government;
- For UK offshore waters adjacent to Scotland, the Scottish Government is the appropriate authority for the designation of MPAs;
- In Northern Ireland there are not yet projects underway to identify an ecologically coherent network of MPAs (MCZs) although as the MPA targets are required by 2012 it is hoped that projects will be initiated by looking into further MPA sites in Northern Ireland in parallel with the development of the NI Marine Bill legislation which is due in 2012.

Other non-Natura MPAs in UK waters

The Scottish Government consulted on possible options to establish MPAs in Scottish Territorial Waters in 2008 and published the Scottish Marine Bill 31st April 2009. If accepted by the Scottish Parliament, the legislation is likely to be in place by winter 2009/10.

The Northern Ireland Assembly plans to have a dedicated Northern Irish Marine Bill, but will first consult on policy issues in April 2010. Any marine nature conservation legislation will not be in place until 2012.

Further details on new national MPAs can be found on the JNCC website (<http://www.jncc.gov.uk/page-4549>).

³ <http://www.defra.gov.uk/marine/pdf/biodiversity/guidance-note1.pdf>

2. European Marine Sites: The Natura 2000 network

Natura 2000 is the European Union-wide network of nature conservation sites established under the EC Habitats⁴ and Birds Directives⁵. This network comprises Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). SACs are required under the [EC Habitats Directive](#) and SPAs are classified under the [EC Birds Directive](#).

Special Areas of Conservation (SACs)

SACs aim to protect specific species and habitats at a European scale. There are 189 listed habitat types and 788 species identified in Annexes I and II of the Directive, those considered to be most in need of conservation at a European level (excluding birds). There are currently 81 SACs with marine habitats or species, covering 1.9% of the UK sea area. Of these, 76 are in inshore waters and five are in offshore waters. Around 30 additional SACs away from the coast are likely to be proposed for designation in the future.

JNCC provide detailed information on SACs in UK waters on their website (<http://www.jncc.gov.uk/page-1445>).

Special Protection Areas (SPAs)

SPAs aim to protect specific bird populations threatened at a European scale. SPAs are areas of the most important habitat for rare and migratory birds within the European Union.

The UK currently has 73 SPAs with marine components, but only one of these is entirely marine; Bae Caerfyrddin/Carmarthen Bay SPA (Wales) was classified in 2003 for its non-breeding aggregations of common scoter.

JNCC provides details of ongoing work to identify SPAs in UK waters (<http://www.jncc.gov.uk/page-1414>).

3. International conservation obligations

The Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR)

A key part of OSPAR's biodiversity strategy is to establish a network of marine protected areas which is both ecologically coherent and well-managed by 2010. A Marine Protected Area (MPA) as defined by OSPAR is:

"an area within the [OSPAR] maritime area for which protective, conservation, restorative or precautionary measures, consistent with international law have been instituted for the purpose of protecting and conserving species, habitats, ecosystems or ecological processes of the marine environment" (OSPAR 2003 Annex 9 A-4.44a)

All sites in the UK that are listed as OSPAR MPAs have been designated under some other mechanism. Existing MPAs designated under the Birds and Habitats Directives (SACs and SPAs) were evaluated and as a result 55 inshore Natura sites were identified as OSPAR MPAs and submitted to OSPAR by the UK Government in 2005. In 2008, eight additional SACs were reported as OSPAR MPAs, all of which have become Natura 2000 sites since 2005. All 63 sites meet at least one of the OSPAR MPA ecological criteria⁶.

⁴ Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (Commission of the European Communities 1992)

⁵ Council Directive 79/409/EEC on the conservation of wild birds

⁶ OSPAR criteria differ from EMS criteria; see http://www.jncc.gov.uk/pdf/06-03e_Guidance%20ecol%20coherence%20MPA%20network.pdf for more details.

Further work is being undertaken to assess which additional MPAs are required to support the development of an ecologically coherent, well-managed network of sites across the OSPAR Maritime Area. This includes consideration of:

- other existing Natura sites (including currently proposed or draft SACs);
- existing UK MPAs identified for other purposes; and
- new areas which have not yet been selected or designated (for example, through new MCZ initiatives already in progress).

JNCC provides more detail on OSPAR Marine Protected Areas on their website (<http://www.jncc.gov.uk/page-3370>).

The Convention on Wetlands of International Importance especially as Waterfowl Habitat (RAMSAR)

Ramsar sites are wetlands of international importance designated under the Ramsar Convention (International Convention on Wetlands of International Importance especially as Waterfowl Habitat). The initial emphasis was on selecting sites of importance to waterbirds within the UK, and consequently many Ramsar sites are also Special Protection Areas (SPAs) classified under the Birds Directive. The UK has 146 Ramsar sites, with a total area of 782,727 ha, with a further 7 proposed. Ramsar sites receive statutory protection under the Wildlife & Countryside Act (WCA) 1981, and the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985. Ramsar provides the only international mechanism for protecting sites of global importance and is therefore of key conservation significance.

4. Non-designated (de facto) MPAs

Some areas of the sea and/or coast are protected incidentally against damage or disturbance. Such areas include historic wrecks and possibly also in the immediate vicinity of oil and gas rigs and renewable energy installations (although arguably these installations may themselves have potential effects on habitats and species). There are also areas that are closed permanently to various types of fishing activity. These closures are invariably set up in response to declining fish stocks, and are designed to enhance fisheries. Examples include the no-trawling areas established by the North Eastern Sea Fisheries Committees off the Yorkshire coast, boxes in the North Sea and Irish Sea to protect spawning herring and the mackerel box in the Western English Channel that protects juveniles. These areas provide a degree of protection for the ecosystems since they limit some human impacts. For this reason they are sometimes referred to as "de facto" MPAs.