



Department  
for Environment  
Food & Rural Affairs

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# **Marine Conservation Zones: Site designations and summary of site-specific consultation responses**

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## Introduction

This document provides a summary of the responses that related specifically to the 31 sites proposed for designation in Defra's Marine Conservation Zones (MCZs) public consultation exercise, which ran from 13 December 2012 to 31 March 2013. It also provides a response to issues raised and summarises final decisions on designations. A summary of responses focussing on the generic issues raised during the public consultation was published in July 2013<sup>1</sup>. Further commentary on issues common to all or several sites is included in the 'Generic Site Issues' section in this document.

Of the 31 sites proposed, 27 are being designated in November 2013, 2 will be subject to further consideration and possible designation in the future, and 2 will not be designated. Further details about the decisions made on each site are provided in the sections entitled 'Sites being designated', 'Sites subject to further consideration' and 'Sites not being designated'.

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<sup>1</sup> <https://www.gov.uk/government/consultations/marine-conservation-zones-consultation-on-proposals-for-designation-in-2013>

## Overview of Site Decisions

### Sites being designated

Name of site	Regional MCZ Project
Blackwater, Crouch, Roach and Colne Estuaries	Balanced Seas
Medway Estuary	Balanced Seas
Thanet Coast	Balanced Seas
Folkestone Pomerania	Balanced Seas
Beachy Head West	Balanced Seas
Kingmere	Balanced Seas
Pagham Harbour	Balanced Seas
East of Haig Fras	Finding Sanctuary
South-West Deeps (West)	Finding Sanctuary
The Canyons	Finding Sanctuary
Lundy	Finding Sanctuary
Padstow Bay and Surrounds	Finding Sanctuary
Isles of Scilly	Finding Sanctuary
The Manacles	Finding Sanctuary
Upper Fowey and Pont Pill	Finding Sanctuary
Whitsand and Looe Bay	Finding Sanctuary
Tamar Estuary	Finding Sanctuary
Skerries Bank and Surrounds	Finding Sanctuary
Torbay	Finding Sanctuary
Chesil Beach and Stennis Ledges	Finding Sanctuary
South Dorset	Finding Sanctuary
Poole Rocks	Finding Sanctuary
Cumbria Coast	Irish Seas Conservation Zones
Fylde (formerly Fylde Offshore)	Irish Seas Conservation Zones
Aln Estuary	Net Gain

Swallow Sand	Net Gain
North East of Farnes Deep (formerly Rock Unique)	Net Gain

### Sites subject to further consideration

Name of site	Regional MCZ Project
Hythe Bay	Balanced Seas
North of Celtic Deep	Irish Seas Conservation Zones

### Sites not being designated

Name of site	Regional MCZ Project
Stour & Orwell Estuaries	Balanced Seas
Hilbre Island Group	Irish Seas Conservation Zones

## Overview of Site-Specific Responses

Of the 40,632 consultation responses recorded, approximately 97% (39,338) were submitted as part of organised campaigns by environmental organisations. Of the remaining 1,294 non-campaign responses, 65% of these related to a specific site.

Some sites, for example Hythe Bay, Cumbria Coast, Stour and Orwell Estuaries and Torbay generated a significant number of responses including local campaigns. The level of responses received for most other sites was broadly similar, although some (such as sites located further offshore) generated very few responses.

The summaries of consultation responses that follow highlight the main issues raised but are not an exhaustive commentary on every response received. However, all responses were considered in taking final decisions.

# Generic Site Issues

## Site Features

1. The consultation document highlighted that some of the features recommended by the Regional MCZ Projects in each site were not being proposed for designation in 2013 because of insufficient evidence to support them, but that if new data became available that improved the evidence for them, they may be included in the final designation.
2. The Impact Assessment for the consultation was based on the inclusion of all features recommended by the Regional MCZ Projects (i.e. not just those proposed in the consultation for designation in 2013) so the social and economic impacts presented as part of the consultation included an assessment of the impacts of all the recommended features.
3. Since the assessment of the evidence base supporting the consultation was completed, a substantial quantity of additional scientific data has been gathered through recent MCZ site surveys and further evidence submitted during the consultation. This has been incorporated into the updated evidence assessments carried out by the Statutory Nature Conservation Bodies (SNCBs): Natural England and the Joint Nature Conservation Committee (JNCC). This has sufficiently improved the evidence base for a number of features which are now being included in designations. Details of all the features being designated are included in the site summaries section in this document and are being published in the Designation Orders and site description documents.
4. Some of the recent surveys identified completely new features in some sites. These new features were not recommended by the Regional MCZ Projects nor included in the consultation or impact assessment. These features are not being designated at this time but may be considered for inclusion later following an appropriate consultation.
5. Where the assessment of new data indicated the general management approach should be “to recover to” rather than “to maintain at” favourable condition, the features are only being designated where we assessed that this will not create significant additional management requirements beyond those that will be needed for the other features in the MCZ.
6. The SNCBs recommended that the habitat feature subtidal sands and gravels should not be designated as it would be adequately protected by its component habitat features subtidal sand and/or subtidal coarse sediment.



## **Site Boundaries**

7. Throughout the Regional MCZ Project phase, stakeholders were involved in establishing the recommended site boundaries. However, during the consultation, a number of respondents from a variety of sectors proposed changes to the boundaries of some sites. These proposals were considered on a site-by-site basis and further details can be found in the site summaries section.
8. We evaluated each proposed change to determine what implications this would have. Boundary issues were examined where new relevant information or data were presented which were not considered to have been dealt with during the regional MCZ project process. Consideration was given to whether the boundary change would have an impact on stakeholder activity, and whether the proposal was a significant change that would require further consultation before a decision is taken. The ecological implications of proposed boundary changes were also considered with advice obtained from SNCBs where appropriate. When making decisions, we tried to find the right balance between social, economic and environmental factors. We altered boundaries where we considered there was sufficient justification.
9. There are also some slight alterations to site boundaries due to other circumstances, including in response to mapping errors or to simplify boundaries to ease management and enforcement. Further information is provided in the site summaries.

## **Sites with land above the mean high water spring tide**

10. The Marine and Coastal Access Act 2009 provides for areas of land above the mean high water spring tide to be included within an area being designated in certain circumstances (for example, where the features leading to the marine area being designated are also present in the area of land). Four of the 31 sites proposed for designation (Blackwater, Crouch, Roach and Colne Estuaries, Aln Estuary, Medway Estuary and Pagham Harbour) contained areas of land above the mean high water spring tide.
11. To meet the requirements of the Act, the land above the mean high water spring tide must adjoin the remainder of the area being designated at the earth's surface and contain a protected feature. We reviewed each of the sites containing areas of land above the mean high water spring tide and found that three of the four sites met the requirements of the Act. The area of land above the mean high water spring tide in Blackwater, Crouch, Roach and Colne Estuaries MCZ did not meet the requirements of the Act and has therefore been excluded. Further details can be found in the site summary.

12. In the AIn Estuary and Medway Estuary sites, mapping errors meant that the areas of land above the mean high water spring tide were not included on the maps provided with the consultation. We have therefore decided that these areas will not be designated now and will require further consultation.
13. Two areas of land above the mean high water spring tide have been included in Pagham Harbour MCZ. These were the subject of discussion within the Regional MCZ Project, formed part of their recommendations, and were part of the proposals which Defra consulted upon earlier in the year.

### **Sites with spatially separate parts**

14. A small number of cases involve designation of two or more spatially separate areas positioned closely together (for example, the two areas being designated in the Tamar Estuary site). The requirements of the Marine and Coastal Access Act 2009 are that each spatially separate area be designated as an MCZ. However, in such cases we have taken the approach of designating all of the spatially separate areas in a single designation order. For example, there is one designation order dealing with the designation of both of the areas at Beachy Head West and together these areas may be referred to as “the Beachy Head West Marine Conservation Zones”. In these cases, each MCZ has been assigned its own list of features.

### **European eel**

15. The European eel was recommended as a potential feature in four first tranche MCZ sites (Pagham Harbour, Blackwater, Crouch, Roach and Colne Estuaries, Upper Fowey and Pont Pill, and Tamar Estuary). This followed its inclusion in the SNCBs Ecological Network Guidance (ENG) provided to the Regional MCZ projects which listed species and habitats for inclusion in the MCZ network.
16. After reviewing additional information, European eels have been removed as features from the 2013 tranche based on evidence which concludes that European eels migrate, after spawning, into any suitable estuary in Europe and therefore it may be inappropriate to protect them at specific sites. Since 2009, the Environment Agency has been taking action to help restore and improve eel stocks in line with Defra’s Eel Management Plans which set out measures to manage their habitats.

### **Existing activities taking place within sites**

17. For most sites, responses were received stating that existing activities should not be affected by MCZ designation and should be allowed to continue. In terms of the effect on existing activities, when an MCZ is designated it does not automatically mean that economic or recreational activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Where the general

management approach for features being designated is for them to be maintained in favourable condition, any restrictions on existing activities are likely to be limited. However, decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.

# Sites being designated in 2013

## Blackwater, Crouch, Roach and Colne Estuaries

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy intertidal rock			
Intertidal mixed sediments	Intertidal mixed sediments	Intertidal mixed sediments	Maintain in favourable condition
Native oyster beds		Native oyster beds	Recover to favourable condition
Native oyster		Native oyster	Recover to favourable condition
European eel	European eel		
Lagoon sea slug	Lagoon sea slug		
Clacton Cliffs and Foreshore	Clacton Cliffs and Foreshore	Clacton Cliffs and Foreshore	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Some respondents to the consultation considered this site to be the most important in the region for wild and cultivated native oyster, and there was support for the inclusion of the native oyster in the list of features for this site. Some responses suggested that data certainty should not delay protection of the native oyster; they suggested that to do so would have social, economic and ecological implications. Some responses considered the area was also important for seabirds, grey seals, and as a spawning/nursery ground for flat fish species and bass. However, some responses from the fishing industry disputed the site's importance as a spawning/nursery ground. Other responses considered that inclusion of the European eel in the list of features was insufficiently explained. One suggestion was

made that peat exposures and aspects of the historic environment could be listed as additional features.

2. In terms of the proposed boundaries of the site, there was a call from some respondents to draw the boundary tightly around features to provide clarity and reduce the impact to site users, and some responses also sought to exclude marinas and boatyards to prevent restrictions that might impact on the viability of businesses. There was also a request to exclude the Crouch and Roach estuaries as it was felt that potential restrictions to activities were not warranted for the low level of certainty over features.
3. The proposed designation was acceptable to shipping interests on the basis of current surface navigation and port/harbour activity continuing. Leisure users saw no need for any further anchoring ban or restrictions on low-impact activities.
4. In terms of coastal protection, one respondent stated that MCZ designation and conservation objectives should not preclude managed realignment options or saltmarsh restoration projects using beneficial use of dredged sediment. There was also concern from one respondent that designation might result in increased costs and delays for maintaining sea defence walls.

### **Evidence changes since consultation**

5. Additional site-specific scientific evidence was submitted during the consultation, providing additional evidence for the native oyster feature. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.
6. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).
7. Following receipt of new advice on certainty of features, various features have been added or removed. This has led to an increase in best estimates of fisheries costs for this site. The Impact Assessment published on our website has further details.

### **Government response**

8. As no new significant issues were raised in the consultation in respect of this site, it has been designated. Improved data certainty on the extent of native oyster and native oyster beds has resulted in their inclusion in the list of designated features. Reduced data certainty on the presence and extent of the lagoon sea slug has resulted in its removal from the list of features to be designated in 2013. Advice

from the SNCBs is that it is not a high-risk feature. A small amendment has been made to the site boundary to exclude an area of land above the mean high water spring tide at Abbott's Hall farm as this area was specifically identified for the lagoon sea slug. The European eel is not included for designation due to existing protection offered by eel management plans, under which the Environment Agency have byelaw-making powers (see paragraph 16 of the Generic Site Issues section).

## Medway Estuary

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Intertidal mixed sediments		Intertidal mixed sediments	Maintain in favourable condition
Intertidal sand and muddy sand	Intertidal sand and muddy sand	Intertidal sand and muddy sand	Maintain in favourable condition
Low energy intertidal rock		Low energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment		Subtidal coarse sediment	Maintain in favourable condition
Subtidal mud	Subtidal mud	Subtidal mud	Maintain in favourable condition
Subtidal sand		Subtidal sand	Maintain in favourable condition
Estuarine rocky habitats		Estuarine rocky habitats	Maintain in favourable condition
Peat and clay exposures		Peat and clay exposures	Maintain in favourable condition
Sheltered muddy gravels			
Tentacled lagoon-worm	Tentacled lagoon-worm	Tentacled lagoon-worm	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. A number of responses highlighted the boundary inconsistencies between the interactive map and the consultation document. This was due to a mapping error which meant that the upper extent of the Medway estuary was wrongly included within the site. The landward extent of the estuary has been amended to the Regional MCZ Project recommendation.
2. There was general support for this site from environmental organisations and a desire to see other features included, such as bird species. However, ports interests were concerned about the effects MCZ designation may have on port and maintenance dredging activities and sought exclusion of port/harbour boundaries to allow current and future operations to continue. There was wider concern about the impact of designation on on-going and future urban regeneration and other development projects. The site was considered by some to be already well-covered by existing designations.
3. One response noted there was evidence of European eel being present at this site but that the species had not been included amongst the features for designation, despite being included as a feature in other sites with the same evidence standard.
4. There was also concern raised over how MCZ designation would affect planned and future coastal flood defence projects, including through any increase in costs associated with assessment of impacts.
5. Leisure users saw no need for any further restrictions on low-impact activities.

## Evidence changes since consultation

6. No site-specific consultation responses included additional scientific evidence but concerns were raised on the accuracy of the mapped location of 'subtidal mud'. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, Marine Recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site, and an updated map of features proposed for designation.
7. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).
8. The value of fisheries landings included in the consultation Impact Assessment 'overall summary' box contained a typographical error which has now been corrected.



## **Government response**

9. As no new significant issues were raised in the consultation in respect of this site, it has been designated.
10. The on-going concerns of local residents and businesses over the impact of an MCZ designation on the ability to carry out flood and coastal protection works are noted. However, given that the site is already well protected by other environmental designations, the Government and its agencies do not expect the presence of an additional MCZ designation to unduly affect future decisions on whether to undertake coastal protection works. The presence of an MCZ will be taken into account at the same time as consideration is given to the presence of other designations when deciding whether well-thought out and cost-effective plans for coastal protection should go ahead.
11. European eel has now been removed as a feature from the 2013 tranche (see paragraph 16 of the Generic Site Issues section).
12. Additional data have improved the certainty for six features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.
13. There has been a change to the site boundary to reflect the fact that the upper area of the estuary was included in the consultation due to a mapping error. That area has now been removed from the designation.

## Thanet Coast

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Moderate energy circalittoral rock	Maintain in favourable condition
Moderate energy infralittoral rock	Moderate energy infralittoral rock	Moderate energy infralittoral rock	Maintain in favourable condition
Subtidal coarse sediment	Subtidal coarse sediment	Subtidal coarse sediment	Maintain in favourable condition
Subtidal mixed sediments	Subtidal mixed sediments	Subtidal mixed sediments	Maintain in favourable condition
Subtidal sand	Subtidal sand	Subtidal sand	Maintain in favourable condition
Blue mussel beds	Blue mussel beds	Blue mussel beds	Maintain in favourable condition
Peat and clay exposures		Peat and clay exposures	Maintain in favourable condition
Ross worm reefs	Ross worm reefs	Ross worm reefs	Recover to favourable condition
Subtidal chalk	Subtidal chalk	Subtidal chalk	Maintain in favourable condition
Subtidal sands and gravel	Subtidal sands and gravel		
Stalked jellyfish ( <i>Lucernariopsis cruxmelitensis</i> )		Stalked jellyfish ( <i>Lucernariopsis cruxmelitensis</i> )	Maintain in favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )		Stalked jellyfish ( <i>Haliclystus auricula</i> )	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. There was considerable support for this site from environmental organisations and local conservationists and a desire to see other features included, such as bird species. It was acceptable to shipping interests on the basis of current surface navigation and port/harbour activity continuing but there were concerns from ports interests regarding future port developments and how management measures might restrict investment. With respect to leisure activities, it was considered by some respondents that there was no need for any further anchoring ban or restriction on low-impact activities. It was suggested by one respondent that the existing management framework in the area could be used to develop management measures for the proposed MCZ.

## Evidence changes since consultation

2. Site-specific scientific evidence was submitted during the consultation for inclusion of species such as the stalked jellyfish. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.
3. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

4. As no new significant issues were raised in the consultation for this site, it has been designated.
5. Additional data received has improved the certainty for three features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.

## Folkestone Pomerania

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Moderate energy circalittoral rock		High energy circalittoral rock <sup>2</sup>	Recover to favourable condition
Subtidal coarse sediment	Subtidal coarse sediment	Subtidal coarse sediment	Maintain in favourable condition
Subtidal sand	Subtidal sand	Subtidal sand	Maintain in favourable condition
Blue mussel beds			
Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Recover to favourable condition
Honeycomb worm reefs	Honeycomb worm reefs	Honeycomb worm reefs	Recover to favourable condition
Ross worm reefs	Ross worm reefs	Ross worm reefs	Recover to favourable condition
Subtidal sands and gravels			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

<sup>2</sup> Feature not proposed in consultation as it was thought to be moderate energy circalittoral rock with low data certainty for its presence and extent. Additional evidence has shown that the feature is high energy circalittoral rock for which there is high data certainty in both presence and extent. There are no management implications from this change.

## Summary of consultation responses

1. The main issues around designation of this site were raised by the fishing industry, both the inshore and offshore fleets. The inshore sector raised concerns regarding displacement of effort due to the number of proposals restricting where they could fish safely. Responses from the local offshore fleet raised concerns regarding safety of vessels if this site went ahead as it could limit fishing operations to a small channel due to the proximity of the French Exclusive Economic Zone (EEZ) and large volumes of traffic in the Channel shipping lane. Caveated support was given to this site by the fishing sector if other MCZ site proposals were amended or withdrawn.
2. The fishing industry also raised concerns regarding the interpretation of evidence, which meant some features had a "to recover to" general management approach and that natural variation or the dynamic prevailing conditions had not been considered and could affect the recovery of features. The Ports and Harbour sector supported this site if surface navigation was unaffected.

## Evidence changes since consultation

3. No site-specific consultation responses included additional scientific evidence, however recent verification survey data from the site were available. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site, and an updated map of features proposed for designation.
4. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

5. The concerns raised by the fishing industry are noted. In developing the proposals through the Regional MCZ Projects, the level of activity and potential level of displacement was captured as part of the social and economic assessment. No further evidence was submitted during the consultation to cause us to refine the assumptions made. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features.

6. We have therefore decided that this site should be designated for the features listed above.

## Beachy Head West

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Infralittoral muddy sand	Infralittoral muddy sand	Infralittoral muddy sand	Maintain in favourable condition
Infralittoral rock and thin mixed sediment	Infralittoral rock and thin mixed sediment		
Infralittoral rock and thin sandy sediment		Infralittoral rock and thin sandy sediment	Maintain in favourable condition
Infralittoral sandy mud	Infralittoral sandy mud	Infralittoral sandy mud	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Subtidal mud		Subtidal mud	Maintain in favourable condition
Subtidal mixed sediments		Subtidal mixed sediments	Maintain in favourable condition
Subtidal sand	Subtidal sand	Subtidal sand	Maintain in favourable condition
Blue mussel beds		Blue mussel beds	Maintain in favourable condition
Littoral chalk communities	Littoral chalk communities	Littoral chalk communities	Recover to favourable condition
Subtidal chalk		Subtidal chalk	Maintain in favourable condition
European eel			
Long snouted seahorse			
Native oyster	Native oyster	Native oyster	Maintain in

			favourable condition
Short snouted seahorse	Short snouted seahorse	Short snouted seahorse	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. Responses to this site were split. Those in favour of the site (local residents and conservationists) wanted it extended to include the Ouse and Cuckmere tidal estuaries and Beachy Head East. Most environmental organisations wanted the total area of Seven Sisters Voluntary Marine Conservation Area (SSVMCA) to be included in the MCZ, together with protection for short-snouted and long-snouted seahorses, and inclusion of foraging/breeding seabirds.
2. Responses against the site were received from the inshore fishing fleet, which raised concerns about the Impact Assessment assumptions on the value of static gear fisheries potentially affected by the MCZ. The local fishing industry expressed a desire for the continuation of fishing activities on the seaward area, as well as existing seasonal trawling and netting byelaws to be taken into account. Concerns were also raised regarding natural variation or prevailing conditions which had not been considered but could also affect the recovery of features.
3. There was opposition to this site from the Newhaven Port and Harbour Authorities regarding any potential restrictions which would affect maintenance dredging, shipping or future expansions which would have serious economic implications. They requested a boundary change which would exclude the port and harbour approaches.
4. Local residents commented that designation should not preclude coastal and flood defence projects. Concern was raised by the recreational sector regarding measures which may restrict mooring and anchorage, with the view expressed that voluntary measures should be considered before regulations.

## Evidence changes since consultation

5. No site-specific consultation responses included additional scientific evidence; however responses highlighted sources of existing evidence to be considered. Data gathered from recent verification survey from this site were also used. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The



updated evidence assessments resulted in improvements to the data confidence for some features within the site.

6. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

7. Concerns were raised during the public consultation by Newhaven Port and Harbour Authorities regarding the risk of the site restricting their activities and the associated socio-economic impacts. The Government explored the possibility of adjusting the boundaries to exclude the port and harbour operational areas. After considering scientific advice from the SNCBs which concluded the site would still be viable with an insignificant reduction in its conservation value with this change, we have accepted the proposed boundary change.
8. The site boundary has been redrawn to exclude the operational limits of the Newhaven harbour and navigational channel into the harbour. This change has resulted in the site being split into two spatially separate areas, positioned very closely together, being designated at the Beachy Head West site. As explained above under the heading "Sites with spatially separate parts", Defra has designated each of these areas as an MCZ, and dealt with both designations in a single legal order. The two MCZs are together being referred to as "the Beachy Head West Marine Conservation Zones".
9. The features (with the exception of short-snouted seahorses), which were assessed to be suitable for designation at the site as a whole, have been assigned to both of the MCZs. We have looked at the evidence and site level assessment and assigned features on a feature by feature basis. For the habitat features we considered the proximity of the areas relative to one another, and the general location of the two areas together with SNCB advice. We have concluded that it is reasonable to expect that the habitats will be present in both areas. Short-snouted seahorses will only be assigned to the Newhaven to Brighton Marina area based on the evidence of presence only in the top westerly section of this zone.
10. Representation was made concerning Brighton Marina, which requested the MCZ boundaries be amended so that the Marina be excluded. When reviewing this proposal additional evidence was considered which had been gathered after the consultation as part of a marine licence application. This recent survey did not find the feature (seahorses) previously identified in the marina. Due to the unknown socio-economic implications, together with uncertainty regarding the presence of the feature within this particular area, we have decided to exclude the Marina from the MCZ boundary.
11. The concerns of the fishing industry over the impact of an MCZ designation have been carefully considered, including socio-economic issues, and evidence submitted during the consultation has informed updated costs to industry within the impact assessment. When an MCZ is designated, it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions

on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.

12. We have decided that this site should be designated for the features outlined above, with small changes to the boundaries to exclude Newhaven Port and Brighton Marina. Additional data received has improved the certainty for six features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.

## Kingmere

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Subtidal mixed sediments <sup>3</sup>	Moderate energy infralittoral rock and thin mixed sediment	Moderate energy infralittoral rock and thin mixed sediment	Recover to favourable condition
Subtidal chalk	Subtidal chalk	Subtidal chalk	Recover to favourable condition
Black seabream	Black seabream	Black seabream	Recover to favourable condition
Native oyster	Native oyster		

### Summary of consultation responses

1. The main issue raised for this site during the consultation was concern from the aggregates industry, which questioned the use of broadscale habitat descriptions when high resolution survey data had been submitted during the Regional MCZ Project. They were concerned that using a less refined habitat description across the site would have consequences with regard to underestimating the social and economic impact to industry.
2. The site had support across a range of sectors as it is recognised as one of the most important breeding sites for Black seabream, although concern was expressed from the local fishing community regarding the conservation objectives which may affect the current level of fishing activity.
3. Respondents also thought the site to be well-protected already through voluntary agreements which restricted activities at key areas during the bream breeding season. There was also a desire that existing activities, such as angling and the mooring/anchoring of recreational vessel should not be affected by MCZ designation.

<sup>3</sup> Subtidal mixed sediments was reclassified as moderate energy infralittoral rock and thin mixed sediment after further evidence gathering

4. Some responses disputed the evidence regarding the identification of the site as an important spawning ground for other species such as undulate rays and some flatfish species. Concern was also expressed regarding how natural variation and the dynamic prevailing conditions had been excluded from consideration as these may have a greater effect than anthropogenic activities on the ability of the features to improve.

### **Evidence changes since consultation**

5. Site-specific evidence was submitted during the consultation from two marine aggregate operators which provided additional information on the location of seabed habitats. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments did not result in improvements to the data confidence for features within the site, but have informed an updated map of features proposed for designation.
6. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### **Government response**

7. The additional information regarding the higher resolution of habitat data has been incorporated into the feature maps for the site, therefore potentially allowing licensable extraction from the site as well as protecting habitat features.
8. The SNCBs will consider natural variation and local conditions in providing their detailed site specific conservation advice and they will be considered when monitoring and evaluating the progress of sites in meeting favourable condition.
9. This site is important for protecting subtidal chalk and moderate energy infralittoral rock and thin mixed sediment, which is essential to the conservation of Black seabream. This site is one of the most important nesting and breeding grounds for Black seabream in the UK, which is why the species and its reproductive cycle has been outlined for protection. Therefore, we have decided that this site should be designated for the features outlined above.
10. The concerns over the impact on existing activities have been carefully considered. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.

## Pagham Harbour

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Seagrass beds	Seagrass beds	Seagrass beds	Maintain in favourable condition
Defolin's lagoon snail	Defolin's lagoon snail	Defolin's lagoon snail	Maintain in favourable condition
European eel			
Lagoon sand shrimp	Lagoon sand shrimp	Lagoon sand shrimp	Maintain in favourable condition

### Summary of consultation responses

1. The main issue raised during the consultation for this site was concern over how MCZ designation would affect planned and future coastal flood defence projects, including through any increase in costs associated with assessment of impacts. Concerns were raised over the potential effects of not carrying out such projects on businesses and agriculture. It was considered to be against the principles of localism to put in jeopardy negotiations of locally-agreed flood defence schemes. Some responses also indicated that MCZs should not undermine the ability to protect people and property.
2. Some respondents also thought the site to be already well-protected by existing designations, so a further layer of protection was not considered necessary. There was also a desire that existing activities, such as angling (where there was support for the existing local byelaw regime), boating, walking and wildfowling should not be affected by MCZ designation.
3. Some responses disputed the evidence over the presence and extent of listed species and some did not consider this a true marine site. However, there was also support for the designation of this site in 2013, with some noting that, as it already enjoyed multiple layers of protection, it made sense to protect the seabed and additional features of conservation importance.

## Evidence changes since consultation

4. No site-specific consultation responses included additional scientific evidence, but concerns were raised on the evidence supporting features proposed for designation. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments did not result in improvements to the data confidence for features within the site.
5. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

6. The concerns of local residents and businesses over the impact of an MCZ designation on the ability to carry out flood and coastal protection works is noted. However, given that the site is already well protected by other environmental designations (Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Ramsar site, Local Nature Reserve), the Government and its agencies do not expect the presence of an additional MCZ designation to unduly affect future decisions on whether to undertake coastal protection works. The presence of an MCZ will be taken into account at the same time as consideration is given to the presence of other designations when deciding whether well-thought out and cost-effective plans for coastal protection should go ahead.
7. This is the only proposed MCZ for the exceptionally rare Defolin's lagoon snail and the seagrass beds proposed for designation provide a number of benefits such as providing food sources for overwintering wildfowl, acting as nursery grounds for juvenile fish, managing climate change, preventing coastal erosion and aiding pollution regulation.
8. We have decided that this site should be designated for the features outlined above. European eel has now been removed as a feature from the 2013 tranche (see paragraph 16 of the Generic Site Issues section).
9. A very small change to the boundaries has been made so that the harbour area is now connected to the ferry pool area. The areas are now connected via a narrow strip of land over a sluice pipe. The pipe conveys salty water to the ferry pool area. This reflects the importance of the sluice pipe in creating the right environment in the ferry pool area for Lagoon sand shrimp. It is not anticipated that this change will impact on users of the land in question. The other part of the site above the mean high water spring tide (Church Norton spit) is included in the site designation.

## East of Haig Fras

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Moderate energy circalittoral rock		Moderate energy circalittoral rock	Recover to favourable condition
Subtidal coarse sediment	Subtidal coarse sediment	Subtidal coarse/mixed sediment mosaic <sup>4</sup>	Recover to favourable condition
Subtidal sand	Subtidal sand	Subtidal sand	Recover to favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Several responses were received from a range of conservation, sea angling, recreational and general interest stakeholders supporting the designation of the site. Support was also received from other government bodies which noted that the site makes a useful contribution to the representation and replication of features across Marine Protected Areas in the Atlantic approaches, particularly for subtidal habitats.
2. Concerns were raised by several fishing industry stakeholders that economic impacts appeared to have been underestimated and that vessels would need to increase effort in other areas should the site be designated and activity restricted. Non-UK fishing industry responses noted that a number of boats currently exploit the zone, and that designation of the site would only be acceptable if trawl gears were not banned, or if the southern boundary were moved 3nm (5km) in a northerly direction. Other responses noted that the site was selected in part due to relatively low levels of trawling activity, but questioned whether the site features should have

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<sup>4</sup> This change is explained in the text below.

‘recover’ general management approaches and whether the site is of ‘ecological importance’ beyond other areas in the Celtic Sea.

### **Evidence changes since consultation**

3. No site-specific consultation responses included additional scientific evidence. However, recent verification survey data from the site were available. Following the consultation, evidence assessments undertaken by JNCC were updated utilising evidence from a broad range of sources, including verification survey data. The updated evidence assessments resulted in improvements to the data confidence for features within the site. The recent verification survey data identified that the physical habitats within the site formed a complex mosaic of sand, coarse and mixed sediments, with mud habitats in deeper waters. Two broadscale habitats ‘subtidal coarse sediment’ and ‘subtidal mixed sediment’ could only be presented in the resulting habitat map as a complex ‘subtidal coarse/mixed sediment mix’. They showed no differentiation in their acoustic or topographical properties that would allow them to be mapped separately.
4. The sources of evidence used for the JNCC confidence assessments are listed within its [published advice](#). The published verification survey report can also be viewed [here](#).

### **Government response**

5. Concerns regarding the impact on UK and non-UK fishing activity are noted. However, no new evidence was submitted that changed the calculated economic impact to this sector. The suggestion to alter the site boundary has not been progressed as this would result in a loss of approximately 25% of the site. As this is an offshore site, management measures will be developed by Defra, with input from the Marine Management Organisation and JNCC, following engagement with other EU Member States which have fishery interests in the site. Restrictions or prohibitions of certain fishing activities will be considered as part of this process only where the activities prevent the site from meeting its conservation objectives. Proposals will then be submitted to the European Commission in accordance with the Common Fisheries Policy. The European Commission will then introduce appropriate measures applying to UK and non-UK fishing vessels alike.
6. As described above the two subtidal sediment habitats, subtidal coarse sediment and subtidal mixed sediment are present in the site as a complex mix of sediment habitat types. As they cannot be mapped separately they are included for designation as a single feature that represents the combination of the two sediments. Additional data received has improved the certainty for another feature (Moderate energy circalittoral rock) that was proposed by the Regional MCZ Project so this has now been included as a feature to be designated.
7. The advantages of the site that led to its identification during the Regional MCZ Project stage have not significantly changed in light of new information received from survey work. The site continues to provide an important contribution to the



Marine Protected Area network via the protection of representative broad scale habitats. Therefore, it has been decided that this site should be designated for the features outlined above.

## South-West Deeps (West)

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Subtidal coarse sediment		Subtidal coarse sediment	Recover to favourable condition
Subtidal mixed sediments		Subtidal mixed sediments	Recover to favourable condition
Subtidal sand	Subtidal sand	Subtidal sand	Recover to favourable condition
Celtic Sea Relict Sandbanks	Celtic Sea Relict Sandbanks	Celtic Sea Relict Sandbanks	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Several responses were received from a range of conservation, sea angling, recreational and general interest stakeholders supporting the designation of the site in the first tranche of MCZs.
2. Concerns were raised by several fishing stakeholders that questioned the ecological importance of the area and whether it could be demonstrated that the area had ecological importance beyond other areas in the Celtic Sea. The general management approach of 'recover' was questioned and it was suggested that the site contains an ecosystem with mobile substrata that are little affected by trawling activity. Some responses noted that the site was selected in part due to relatively low levels of trawling activity, but responses from non-UK fishing interests noted that a number of boats exploit the zone. Concerns were also raised that there was no biological justification for restricting fishing activity in this zone, that trawl gears should not be totally banned and the nearby South-West Deeps (East) site should not be designated.

## Evidence changes since consultation

3. No site-specific consultation responses included additional scientific evidence. Following the consultation, evidence assessments undertaken by JNCC were updated utilising evidence from a broad range of sources, including verification survey data. The updated evidence assessments resulted in improvements to the data confidence for the presence of some features within the site.
4. The sources of evidence used for the JNCC confidence assessments are listed within its [published advice](#).

## Government response

5. Concerns regarding the impact on UK and non-UK fishing activity are noted. However, no new evidence was submitted that changed the calculated economic impact to this sector. Concerns regarding the 'ecological importance' of the site are noted, but it is considered that the advantages of the site that led to its identification during the Regional MCZ Project stage remain.
6. As this is an offshore site, management measures will be developed by Defra, with input from the Marine Management Organisation and JNCC, following engagement with other EU Member States which have fishery interests in the site. Restrictions or prohibitions of certain fishing activities will be considered as part of this process only where the activities prevent the site from meeting its conservation objectives. Proposals will then be submitted to the European Commission in accordance with the Common Fisheries Policy. The European Commission will then introduce appropriate measures applying to UK and non-UK fishing vessels alike.
7. The site was recommended to protect 'representative' broad scale habitats and a feature of geological/geomorphological interest, which remain objectives of MCZ designation. The site continues to provide an important contribution to the Marine Protected Area network via the protection of representative broad scale habitats. Therefore, this site is being designated for the features outlined above.
8. Additional data received has improved the certainty for two features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.

## The Canyons

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Deep sea bed	Deep sea bed	Deep sea bed	Recover to favourable condition
Subtidal coarse sediment			
Subtidal sand			
Cold-water coral reefs	Cold-water coral reefs	Cold-water coral reefs	Recover to favourable condition

### Summary of consultation responses

1. Several responses were received from a range of conservation, sea angling, recreational and general interest stakeholders supporting the designation of the site in the first tranche of MCZs. A response from the Spanish fisheries ministry recognised the need to conserve vulnerable marine ecosystems such as cold-water corals.
2. Concerns were raised by Spanish and French government stakeholders and supported by UK fishing industry stakeholders that total closure of the site, including the exclusion of pelagic fishing, would have a high socio-economic impact. Responses suggested preferable management options were those that only excluded damaging activity where it may impact corals directly or disturb large quantities of sediment.

### Evidence changes since consultation

3. No site-specific consultation responses included additional scientific evidence. Following the consultation, evidence assessments undertaken by JNCC were updated utilising evidence from a broad range of sources, including verification survey data. The updated evidence assessments resulted in improvements to the data confidence for the presence of some features within the site.
4. The sources of evidence used for the JNCC confidence assessments are listed within its [published advice](#).

## **Government response**

5. The concerns regarding total closure of the MCZ, and reference to management options, are noted. As this is an offshore site, management measures will be developed by Defra, with input from the Marine Management Organisation and JNCC, following engagement with other EU Member States which have fishery interests in the site. Restrictions or prohibitions of certain fishing activities will be considered as part of this process only where the activities prevent the site from meeting its conservation objectives. Proposals will then be submitted to the European Commission in accordance with the Common Fisheries Policy. The European Commission will then introduce appropriate measures applying to UK and non-UK fishing vessels alike.
  
6. The site makes an important contribution to the Marine Protected Area network, protecting a rare and vulnerable habitat. This site is therefore being designated for the features outlined above.

## Lundy

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Mud habitats in deep water	Mud habitats in deep water		
Guillemot			
Manx shearwater			
Puffin			
Razorbill			
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition

### Summary of consultation responses

1. Many responses supported this site and the inclusion of specific features for protection. Support was received for the reinstatement of seabirds, included by the Regional MCZ Project, as features within the MCZ, noting that this was likely to provide conservation benefits. Conversely, responses were also received which agreed that highly mobile features recommended by the Regional MCZ Project should not be included at this stage as clear evidence had not been provided that site-based protection was an appropriate method for providing protection.
2. Some responses raised a concern that only identifying a limited number of features as 'important' was unhelpful, as there were other important habitats and species within the site. It was considered by some conservation and scientific stakeholder responses that all Features of Conservation Importance (FOCI) habitats and species present within the site should be listed as features, otherwise conservation objectives would not address them.
3. A response from the fishing sector also noted that the north-eastern corner of the site was an important trawling ground and, if mobile fishing activity was prohibited, the activity would be displaced to other areas. Also, restrictions on static gear could adversely affect the income of several inshore vessels. A revised boundary suggestion was submitted which excluded the north-eastern corner to reduce economic effects on the fishing industry.

## Evidence changes since consultation

4. Additional site-specific scientific evidence was submitted during the consultation, but did not contain evidence relating to recommended features. Concerns were raised regarding the validity of the feature 'mud habitats in deep water' and that features were missing from the proposed designation. Responses reporting features known to exist within the site were checked by Natural England, confirming that they were either already protected by the existing Special Area of Conservation or data records did not exist. Evidence assessments undertaken by Natural England were also updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments and consideration of consultation responses resulted in reduced data confidence for the presence of 'mud habitats in deep water'.
5. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

6. It is recognised that there are concerns that seabed features within the site appear to have been omitted. However, many features have not been included as they are already protected by other Marine Protected Area designations (such as the overlapping Special Area of Conservation). It is therefore considered that these features are already receiving adequate protection, will have their own conservation objectives and will be subject to appropriate management measures. This is in line with our policy not to include features which are already protected under existing designation within MCZ designation orders.
7. MCZs specifically to protect marine birds have not been proposed at this time as this would potentially duplicate work currently underway to develop Special Protection Areas for birds under the EU Wild Birds Directive. The need for MCZs for seabirds will be considered when the SPA work has been completed. Also, birds were not features for which the Regional MCZ Projects were asked to identify sites and they were not included in the public consultation. Seabirds therefore have not been included within the Lundy MCZ.
8. The proposal to alter the MCZ boundary has not been progressed. This site already has a zoned management scheme that excludes trawling. However, that exclusion does not extend to the North-Eastern corner of the site that the fishing sector response highlighted for removal and it is considered unlikely that the existing management regime will change significantly in respect of trawling.
9. The site is being designated to protect spiny lobster. This will complement the features already protected by the overlapping Special Area of Conservation (SAC) and with them contribute to completing the network.

## Padstow Bay and Surrounds

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock		High energy circalittoral rock	Maintain in favourable condition
High energy infralittoral rock		High energy infralittoral rock	Maintain in favourable condition
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Intertidal mud			
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
Moderate energy circalittoral rock			
Moderate energy infralittoral rock		Moderate energy infralittoral rock	Maintain in favourable condition
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment			
Ocean quahog			
Pink sea-fan	Pink sea-fan	Pink sea-fan	Maintain in favourable condition
Bottlenose dolphin			
Fulmar			
Guillemot			
Kittiwake			



Puffin			
Razorbill			
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )			
Stalked jellyfish ( <i>Lucernariopsis cruxmelitensis</i> )			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. Some local and fishing stakeholder respondents raised concerns regarding the socio-economic impact of the site, particularly on the fishing industry. Responses said that inshore vessels relied heavily on this area and any restriction on types of gear would inevitably result in operators going out of business. It was also stated that many of the features could be protected in other areas of the south west, and that without evidence that protection is needed, the site should not be designated. The inclusion of the spiny lobster feature was a concern if a workable and accurate measure of the success of the management measures could not be identified.
2. Concerns were raised by a local ports stakeholder regarding the potential impact on the use of the licensed disposal site which overlaps the north east corner of the MCZ. Disposal of dredged sediment at sea was noted as being essential to keep the harbour open and functioning, and there were concerns that the assumption that material could continue to be disposed of adjacent to the MCZ site made in the impact assessment may prove to be incorrect.
3. Support for the site was received from a range of stakeholders, including support for the reinstatement of seabirds and bottlenose dolphins as features of the MCZ.

## Evidence changes since consultation

4. No site-specific consultation responses included additional scientific evidence, however recent verification survey data from the site were available. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation

which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.

5. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

6. Concerns of stakeholders regarding the impact on the local fishing industry and port activity have been considered carefully. Slight adjustments to the site boundary have been made, due to concerns over the practicality of applying management to a curved boundary and to exclude direct overlap with the licensed disposal site. While concerns regarding the proximity of the MCZ to the disposal site will not be fully addressed by the boundary change, simple changes in disposal practices have already been proposed to mitigate impacts on the MCZ and it is not expected that any management measures for the MCZ will require the closure of the disposal site.
7. The concerns of the fishing industry over the impact of an MCZ designation have been carefully considered. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.
8. The site continues to be considered important for the Marine Protected Area network, to protect an area of high biodiversity and specific rare, vulnerable or representative features. It has therefore been decided that this site should be designated for the features outlined above.
9. MCZs specifically to protect marine birds have not been proposed at this time as this would potentially duplicate work currently underway to develop Special Protection Areas for birds under the EU Wild Birds Directive. The need for MCZs for seabirds will be considered when the SPA work has been completed. Also, birds and bottlenose dolphins were not features for which the Regional MCZ Projects were asked to identify sites and they were not included in the public consultation. These therefore have not been included within the Padstow Bay and Surrounds MCZ.
10. Additional data received have improved the certainty for six features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.

## Isles of Scilly

### Bishop to Crim

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
High energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal coarse sediment		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition

## Bristows to The Stones

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
High energy circalittoral rock		High energy circalittoral rock	Recover to favourable condition
High energy infralittoral rock			
Moderate energy circalittoral rock			
Moderate energy infralittoral rock			
Subtidal coarse sediment			
Subtidal mixed sediments			
Fragile sponge and anthozoan communities on subtidal rocky habitats		Fragile sponge and anthozoan communities on subtidal rocky habitats	Recover to favourable condition
Pink sea-fan		Pink sea-fan	Recover to favourable condition
Spiny lobster		Spiny lobster	Recover to favourable condition

## Gilstone to Gorregan

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment	Subtidal coarse sediment	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Tide-swept channels		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Giant goby			
Lagoon snail	Removed		
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013	

		because it is protected by Special Area of Conservation	
Sea-fan anemone			
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Hanjague to Deep Ledge

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock	High energy circalittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy infralittoral rock	High energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy intertidal rock		High energy intertidal rock	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Low energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Low energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	

Moderate energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal mixed sediments	Subtidal mixed sediments	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal sand	Subtidal sand	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal under boulder communities	Intertidal under boulder communities	Intertidal under boulder communities	Maintain in favourable condition
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Sea-fan anemone	Sea-fan anemone	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Sunset cup coral		Feature not being designated in 2013 because it is protected by Special Area of Conservation	

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Higher Town

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Intertidal mud	Removed		
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
Low energy intertidal rock		Low energy intertidal rock	Maintain in favourable condition
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal macrophyte-dominated sediment	Subtidal macrophyte-dominated sediment	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal mixed sediments	Subtidal mixed sediments	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal sand		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal under boulder communities	Intertidal under boulder communities	Intertidal under boulder communities	Maintain in favourable condition
Peat and clay exposures	Peat and clay exposures		



Seagrass beds	Seagrass beds	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Tide-swept channels		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Stalked jellyfish ( <i>Haliclystus auricula</i> )		Stalked jellyfish ( <i>Haliclystus auricula</i> )	Maintain in favourable condition
Stalked jellyfish ( <i>Lucernariopsis campanulata</i> )			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Lower Ridge to Innisvouls

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock	High energy circalittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy		Moderate energy	Maintain in

intertidal rock		intertidal rock	favourable condition
Subtidal macrophyte-dominated sediment		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal mixed sediments		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal sand		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Seagrass beds		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Tide-swept channels		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Sea-fan anemone	Sea-fan anemone	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Sunset cup coral	Sunset cup coral	Feature not being designated in 2013 because it is protected by Special Area of Conservation	

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Men A Vaur to White Island

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy infralittoral rock	High energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Intertidal coarse sediment	Intertidal coarse sediment	Intertidal coarse sediment	Maintain in favourable condition
Intertidal mud	Removed		
Intertidal sand and muddy sand	Intertidal sand and muddy sand	Intertidal sand and muddy sand	Maintain in favourable condition
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock	Moderate energy intertidal rock	Moderate energy intertidal rock	Maintain in favourable condition
Subtidal sand	Subtidal sand	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal under	Intertidal under	Intertidal under	Maintain in

boulder communities	boulder communities	boulder communities	favourable condition
Seagrass beds	Seagrass beds	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Tide-swept channels		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Sea-fan anemone		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )			
Stalked jellyfish ( <i>Lucernariopsis campanulata</i> )		Stalked jellyfish ( <i>Lucernariopsis campanulata</i> )	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Peninnis to Dry Ledge

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock	High energy circalittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	

High energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal coarse sediment	Intertidal coarse sediment	Intertidal coarse sediment	Maintain in favourable condition
Intertidal mixed sediments	Intertidal mixed sediments	Intertidal mixed sediments	Maintain in favourable condition
Intertidal mud	Removed		
Intertidal sand and muddy sand	Intertidal sand and muddy sand	Intertidal sand and muddy sand	Maintain in favourable condition
Low energy intertidal rock	Low energy intertidal rock	Low energy intertidal rock	Maintain in favourable condition
Moderate energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock	Moderate energy intertidal rock	Moderate energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment	Subtidal coarse sediment	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal mixed sediments		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal sand		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal under boulder communities	Intertidal under boulder communities	Intertidal under boulder communities	Maintain in favourable condition

Giant goby			
Lagoon snail	Removed		
Ocean quahog			
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Sea-fan anemone	Sea-fan anemone	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )		Stalked jellyfish ( <i>Haliclystus auricula</i> )	Maintain in favourable condition
Stalked jellyfish ( <i>Lucernariopsis campanulata</i> )			
Sunset cup coral	Sunset cup coral	Feature not being designated in 2013 because it is protected by Special Area of Conservation	

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Plympton to Spanish Ledge

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
High energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	

High energy infralittoral rock	High energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Intertidal sand and muddy sand	Intertidal sand and muddy sand	Intertidal sand and muddy sand	Maintain in favourable condition
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock	Moderate energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock	Moderate energy intertidal rock	Moderate energy intertidal rock	Maintain in favourable condition
Subtidal sand	Subtidal sand	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Fragile sponge and anthozoan communities on subtidal rocky habitats	Fragile sponge and anthozoan communities on subtidal rocky habitats	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal under boulder communities	Intertidal under boulder communities	Intertidal under boulder communities	Maintain in favourable condition
Pink sea-fan	Pink sea-fan	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Sea-fan anemone	Sea-fan anemone	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Sunset cup coral	Sunset cup coral	Feature not being designated in 2013 because it is protected by Special Area of Conservation	

## Smith Sound Tide Swept Channel

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
High energy infralittoral rock	High energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Moderate energy circalittoral rock		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy infralittoral rock	Moderate energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock	Moderate energy intertidal rock	Moderate energy intertidal rock	Maintain in favourable condition
Subtidal sand	Subtidal sand	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Tide-swept channels	Tide-swept channels	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Giant goby			
Pink sea-fan		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Sea-fan anemone			
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Stalked jellyfish ( <i>Lucernariopsis</i> )	Stalked jellyfish ( <i>Lucernariopsis</i> )		



<i>cruxmelitensis</i> )	<i>cruxmelitensis</i> )		
Red seaweed			

## Tean

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy infralittoral rock	High energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
High energy intertidal rock	High energy intertidal rock		
Intertidal coarse sediment	Intertidal coarse sediment	Intertidal coarse sediment	Maintain in favourable condition
Intertidal mud	Removed		
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
Moderate energy infralittoral rock	Moderate energy infralittoral rock	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Moderate energy intertidal rock	Moderate energy intertidal rock	Moderate energy intertidal rock	Maintain in favourable condition
Subtidal macrophyte-dominated sediment	Subtidal macrophyte-dominated sediment	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal mixed sediments	Subtidal mixed sediments	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Subtidal sand		Feature not being designated in 2013 because it is protected by Special Area of Conservation	

Fragile sponge and anthozoan communities on subtidal rocky habitats		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Intertidal under boulder communities	Intertidal under boulder communities	Intertidal under boulder communities	Maintain in favourable condition
Seagrass beds	Seagrass beds	Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Tide-swept channels		Feature not being designated in 2013 because it is protected by Special Area of Conservation	
Stalked jellyfish (2 species)	Replaced by specific species as below		
	Stalked jellyfish ( <i>Haliclystus auricula</i> )		
	Stalked jellyfish ( <i>Lucernariopsis campanulata</i> )		

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. Support for the site was received from local stakeholders, the renewables sector and fishing interests. Concerns were raised by some recreational stakeholders that Defra's proposal would restrict important anchorages that are located within the areas, particularly within the areas at Tean and Higher Town.
2. A proposal was received from the Isle of Scilly IFCA and Isles of Scilly MCZ working group for revised boundaries which had been 'squared off' to make them more practicable. This response also noted the widespread interest and enthusiasm in the islands and the deeply felt sense of ownership during the process of identifying MCZs.

3. Defra's proposal for the Isles of Scilly includes features that are already protected within the existing Special Area of Conservation (SAC) that overlaps the site. During the consultation further discussions were had with the local group, via the Isles of Scilly IFCA, on the overlap between the proposals and the existing SAC.

### **Evidence changes since consultation**

4. Additional site specific evidence was submitted during the consultation from the Isles of Scilly MCZ Working Group, particularly for the Bristows to the Stones sub-site. Recent verification survey data from the site was also available. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This includes evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.
5. The sources of evidence used for the Natural England confidence assessments are listed within their [published advice](#).

### **Government response**

6. The Isles of Scilly site consists of 11 spatially separate areas: Bishop to Crim, Bristows to The Stones, Gilstone to Gorregan, Hanjague to Deep Ledge, Higher Town, Lower Ridge to Innisvouls, Men A Vaur to White Island, Peninnis to Dry Ledge, Plympton to Spanish Ledge, Smith Sound Tide Swept Channel and Tean. As explained above under the heading "Sites with spatially separate parts", Defra has designated each of these areas as an MCZ, and dealt with all 11 designations in a single legal order. The 11 MCZs may together be referred to as "the Isles of Scilly Marine Conservation Zones". The features assigned to each MCZ are listed above.
7. Following the submission of the simplified boundaries during the consultation, boundaries have been amended following further discussion with the Isles of Scilly IFCA to ensure the straightened boundaries were appropriate and reflected the Isles of Scilly working group recommendations.
8. Further consideration has been given to the features within Defra's proposals that are already protected by the existing SAC, Defra consider that this is duplication of existing protection and runs counter to the Government's aim of simplifying regulation and reducing burdens. To avoid this, Defra has removed these duplicate features so that the focus is on features not already protected by the SAC. The duplicated features removed from the MCZ designation will remain fully protected by the Special Area of Conservation.

9. New evidence submitted during the consultation has led to improvements in data certainty for features within site. These have now been added to the sub-sites for inclusion in the designation.

## The Manacles

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Intertidal coarse sediment	Intertidal coarse sediment	Intertidal coarse sediment	Maintain in favourable condition
Intertidal mixed sediments			
Intertidal mud			
Intertidal sand and muddy sand			
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Moderate energy circalittoral rock	Maintain in favourable condition
Moderate energy infralittoral rock	Moderate energy infralittoral rock	Moderate energy infralittoral rock	Maintain in favourable condition
Moderate energy intertidal rock	Moderate energy intertidal rock	Moderate energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment	Subtidal coarse sediment		
Subtidal macrophyte-dominated sediment	Subtidal macrophyte-dominated sediment	Subtidal macrophyte-dominated sediment	Recover to favourable condition
Subtidal mixed sediments	Subtidal mixed sediments		
Subtidal sand	Subtidal sand	Subtidal sand	Maintain in favourable condition
Maerl beds	Maerl beds	Maerl beds	Recover to favourable condition
Basking shark			

Harbour porpoise			
Pink sea-fan	Pink sea-fan		
Sea-fan anemone	Sea-fan anemone	Sea-fan anemone	Maintain in favourable condition
Spiny lobster	Spiny lobster	Spiny lobster	Recover to favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )	Stalked jellyfish ( <i>Haliclystus auricula</i> )	Stalked jellyfish ( <i>Haliclystus auricula</i> )	Maintain in favourable condition
Sunset cup-coral			

### Summary of consultation responses

1. Many responses raised concerns over the impact of the MCZ on the fishing sector, particularly the impact on scallop dredging. The responses highlighted that there is a considerable amount of scallop dredging in the eastern section of the site and outlined concerns that activity had already been excluded from other nearby Marine Protected Areas. Responses stated that exclusion would result in displacement of scallop fishing to other areas and that in poor weather the loss of this fishing area would force small boats to work further afield. Concerns were also raised that there could be a significant knock-on effect to local processors and retailers.
2. A proposal to modify the boundary of the site was submitted which reduced the existing size of the site by modifying the eastern boundary, whilst extending it to a new area north of the site. The proposal was suggested in order to allow scallop dredging and other mobile gear activity to continue, whilst still protecting reef habitat and features in shallower water.
3. Support for the site was received from local and national stakeholders. A response from conservation stakeholders included support for inclusion of mobile species, and a proposal to extend the boundary of the site as a buffer around the reef feature and to protect mobile species (harbour porpoise and basking sharks).

### Evidence changes since consultation

4. No site-specific consultation responses included additional scientific evidence. Some concerns were raised on the sources of evidence for certain features. However, recent verification survey data from the site were available to inform updated advice. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The

Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.

5. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).
6. Socio-economic evidence submitted during the consultation was used to amend costs to the commercial fishing sector in terms of loss of annual earnings to local inshore scallop vessels. Updated costs are provided within the Impact Assessment.

## Government response

7. The concerns raised within the consultation have been considered carefully. Socioeconomic issues have been reviewed, and evidence submitted during the consultation has informed updated costs within the socio-economic impact assessment.
8. The boundaries of the site were considered during the Regional MCZ Project process and modified a number of times to reduce the size of the site and address local fishing concerns, and a potential extension of the site to the north was rejected due to concerns about impacts on fishing activity. The proposed alteration to the eastern boundary would result in the loss of four features entirely, and six features would be reduced by 60% or more, making them unviable. All five of the site's highly-sensitive features would see at least a 50% loss in extent, with a total loss in the species spiny lobster and the stalked jellyfish (*Haliclystus auricula*). Having regard to the boundary alterations and negotiations already undertaken during the Regional MCZ Project process, the uncertainty regarding the feasibility or impact of extending the site northwards, and the ecological impact of reducing the eastern portion of the site, the revised boundary proposal has not been accepted.
9. The concerns of the fishing industry over the impact of an MCZ designation have been carefully considered. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.
10. In light of the revised economic costs, it has been decided that this site should be designated for the features outlined above with the existing boundary to ensure adequate protection of the range of features proposed. Three features (subtidal coarse sediment, subtidal mixed sediment and pink sea-fan) are not included in the designation due to the change in general management approach from 'to maintain at' to 'to recover to' and the need to consult on potential management implications of this change.

## Upper Fowey and Pont Pill

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Coastal saltmarshes and saline reedbeds		Coastal saltmarshes and saline reedbeds	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Intertidal mud	Intertidal mud	Intertidal mud	Maintain in favourable condition
Intertidal sand and muddy sand	Intertidal sand and muddy sand		
Low energy intertidal rock	Low energy intertidal rock	Low energy intertidal rock	Maintain in favourable condition
Estuarine rocky habitats	Estuarine rocky habitats	Estuarine rocky habitats	Maintain in favourable condition
Sheltered muddy gravels		Sheltered muddy gravels	Maintain in favourable condition
European eel	European eel		

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Most responses supported designation of the site but some responses raised issues due to uncertainty over possible restrictions on current activities.
2. The main concern raised was how MCZ designation might affect leisure sailing - on rights to navigation, restrictions on anchoring or laying of moorings. Extensive moorings and pontoons were noted to exist off the town in Pont Pill, and up river in Wisemans Pool.



3. Some concerns were also raised about the possible impact on the mariculture industry as the site contains two EC-designated shellfish waters for production of mussels and pacific oysters. Consultation responses indicated that the consultation Impact Assessment had not included the possibility that aquaculture would need to be managed in the site.

### **Evidence changes since consultation**

4. No site-specific consultation responses included additional scientific evidence. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for some features within the site.
5. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### **Government response**

6. In terms of the effect on existing activities, when an MCZ is designated it does not automatically mean that economic or recreational activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Where the general management approach for features being designated is for them to be maintained in favourable condition, any restrictions on existing activities are likely to be limited. However, decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.
7. A new cost scenario including the possibility that aquaculture may need to be managed on the sites has been added to the Impact Assessment. If additional management measures are required in the future, evidence scenarios will be considered taking full account of any associated socio-economic impacts.
8. Additional data received has improved the certainty for three features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.
9. The feature 'Intertidal sand and muddy sand' is not being designated in 2013 as the proposed general management approach was changed from to 'maintain at' to 'to recover to' and the need to consult on potential management implications.
10. The European eel is not included for designation due to existing protection offered by eel management plans (see paragraph 16 of the Generic Site Issues section).

11. Two spatially separate areas, positioned very closely together, are being designated at the Upper Fowey and Pont Pill site. As explained above under the heading “Sites with spatially separate parts” (page 11) Defra has designated each of these areas as an MCZ, and dealt with both designations in a single legal order. The two MCZs are together being referred to as “the Upper Fowey and Pont Pill Marine Conservation Zones”.
  
12. The features, which were assessed to be suitable for designation at the site as a whole, have not all been assigned to both of the MCZs. We have looked at the evidence and site level assessment and assigned features on a feature by feature basis. The features coastal saltmarshes and saline reedbeds, intertidal coarse sediment, and estuarine rocky habitats have been assigned to the Upper Fowey area but not the Pont Pill area on the basis that there is no evidence of presence in the Pont Pill area. Otherwise, the remaining features have been assigned to both areas on the basis of the evidence and the fact that the two areas are positioned very closely together.

## Whitsand and Looe Bay

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy infralittoral rock			
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Intertidal mixed sediment			
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
Low energy intertidal rock		Low energy intertidal rock	Maintain in favourable condition
Moderate energy circalittoral rock			
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment		Subtidal coarse sediment	Maintain in favourable condition
Subtidal sand		Subtidal sand	Maintain in favourable condition
Seagrass beds		Seagrass beds	Maintain in favourable condition
Giant Goby			
Long snouted seahorse			
Ocean quahog		Ocean quahog	Maintain in

			favourable condition
Pink sea-fan	Pink sea-fan	Pink sea-fan	Recover to favourable condition
Sea-fan anemone	Sea-fan anemone	Sea-fan anemone	Recover to favourable condition
Stalked jellyfish ( <i>Haliclystus auricula</i> )		Stalked jellyfish ( <i>Haliclystus auricula</i> )	Maintain in favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. The majority of responses were in favour of site designation but there were also some concerns raised. Recreational stakeholders highlighted that there was an important anchorage off Looe harbour where boats needed to await sufficient water to enter. It was also used by boats passing through which may also need to anchor along the coast in certain conditions. There was some concern from a range of local conservation and other government stakeholders that designation may impact on the ability of the Rame Head Disposal Site (located to the south-east of the site) to function. Some responses from the fisheries sector highlighted that this site was a traditional trawling ground used by inshore trawlers during periods of poor weather, particularly the eastern area, so there was concern about potential safety implications. As such, a boundary alteration was proposed with the intention of reducing negative economic and safety effects on the fishing industry by excluding the eastern half of the site.

## Evidence changes since consultation

2. No site-specific consultation responses included additional scientific evidence; however, responses highlighted sources of existing evidence which should be considered. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for some features within the site.
3. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

4. The concerns regarding the importance of anchorages, the use of the nearby disposal site and safety implications for inshore trawlers have been considered carefully. However, the SNCB advice was that the proposed boundary alteration for the eastern part of the site would have a significant impact on the viability of certain features (including those at high risk) and on the site as a whole. Therefore, the boundary change proposal has not been accepted and the site is being designated for the features outlined above.
5. In terms of the effect on existing activities such as fishing, when an MCZ is designated it does not automatically mean that economic or recreational activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. However, decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take. Future licence applications for disposal of material at the Rame Head Disposal Site will need to consider the potential effects of disposal activity on the MCZ, this may result in additional costs in preparing the licence applications. Estimated additional costs have been included in the final Impact Assessment.
6. Additional data have improved the certainty for nine features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.

## Tamar Estuary

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Intertidal biogenic reefs		Intertidal biogenic reefs	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Blue mussel beds		Blue mussel beds	Maintain in favourable condition
European eel	European eel		
Native oyster	Native oyster	Native oyster	Recover to favourable condition
Smelt		Smelt	Recover to favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Support was received for the site from a range of responses, which highlighted the importance of designating the site for features at high risk. A number of responses were supportive of the assumption that there would be no significant economic or social impacts, but some raised concerns that the impact of ports has not been adequately assessed.
2. A response from the local IFCA raised concerns regarding the change in general management approach for features and whether 'to recover to favourable condition' was appropriate for features such as blue mussel beds. A number of other government, local and recreational stakeholder responses also raised concerns regarding the uncertainty around future management measures and restrictions.

## Evidence changes since consultation

3. Site-specific scientific evidence was submitted during the consultation from survey work undertaken within overlapping MPA designations. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for one feature within the site.
4. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

5. Concerns regarding uncertainty of management measures are noted.
6. The site provides protection to features not included within existing Marine Protected Areas in the estuary, particularly through the protection of smelt, a migratory fish which has been subject to large declines throughout its range. The European eel is not included for designation due to existing protection offered by eel management plans, under which the Environment Agency has byelaw powers (see paragraph 16 of the Generic Site Issues section). This site is being designated for the features outlined above.
7. Additional data received have improved the certainty for four features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.
8. Two spatially separate areas, positioned very closely together, are being designated at the Tamar Estuary site. As explained above under the heading “Sites with spatially separate parts”, Defra has designated each of these areas as an MCZ, and dealt with both designations in a single legal order. The two MCZs are together being referred to as “the Tamar Estuary Marine Conservation Zones”. The features, which were assessed to be suitable for designation at the site as a whole, have been assigned to both MCZs. This is based on evidence within the site level assessment that all of the features are present in each of the areas and the fact that the two areas are positioned very closely together. The definition of favourable condition with respect to Smelt is different to the definition we have generally adopted for species. Smelt is a highly mobile species and is likely to use the whole of the estuary during different parts of their lifestyle. Favourable condition is therefore defined by reference to the total numbers of Smelt within the areas taken together.

## Skerries Bank and Surrounds

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy infralittoral rock	High energy infralittoral rock	High energy infralittoral rock	Maintain in favourable condition
High energy intertidal rock		High energy intertidal rock	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Intertidal mixed sediments		Intertidal mixed sediments	Maintain in favourable condition
Intertidal mud			
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Moderate energy circalittoral rock	Recover to favourable condition
Moderate energy infralittoral rock		Moderate energy infralittoral rock	Maintain in favourable condition
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal coarse sediment		Subtidal coarse sediment	Maintain in favourable condition
Subtidal mud		Subtidal mud	Maintain in favourable condition
Subtidal sand		Subtidal sand	Maintain in favourable condition
Intertidal under boulder communities			



Pink sea-fan	Pink sea-fan	Pink sea-fan	Recover to favourable condition
Short Snouted Seahorse			
Spiny Lobster	Spiny lobster	Spiny lobster	Recover to favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. The majority of responses supported designation of this site, some on the condition that management measures did not restrict current activities such as fishing and sailing.
2. Consultation responses from fishermen generally supported designation on the understanding that the existing Inshore Potting Agreement (IPA) as currently managed remains in place but it was acknowledged by some that more effective enforcement is required. The IPA is well understood by stakeholders and has wide public support within the area.
3. There were a number of responses from Skerries fishermen saying that they already abided by the guidance in place for the SACs (some of the areas are closed all year while others are open for short periods) but were concerned that if restrictions are tightened they could be forced further out to sea in rough and dangerous conditions.
4. There was support for the introduction of a specific byelaw prohibiting the taking or landing of the spiny lobster particularly berried (with eggs) females by commercial or recreational fishermen noting that this species was currently in unfavourable condition.
5. Concerns were also raised by recreational sailing interests that a ban on anchoring in Start Bay would affect traditional events such as the Dartmouth Regatta, the J80 World Championships and the Squib National Championships as well as normal weekly club racing during the season.

### Evidence changes since consultation

6. Site specific scientific evidence was submitted during the consultation from Seasearch and recent verification survey data from the site was available. Evidence assessments undertaken by Natural England were updated utilising evidence from

a broad range of sources. This includes evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.

7. The sources of evidence used for the Natural England confidence assessments are listed within their [published advice](#).

## **Government response**

8. The issues raised in the consultation have been considered carefully. While the concerns about further restrictions on fishing activity affecting existing marine protected areas are noted, one of the reasons this site was put forward by the Regional MCZ Project was in recognition of the conservation benefits of the management regime that is already in place within the area, as noted by other consultation responses.
9. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take
10. Of the sixteen features proposed by the Regional MCZ Project four were considered to have adequate supporting evidence and included in the MCZ consultation. It has since become apparent that one feature (Intertidal mud) is not present at the site. Additional data have improved the certainty for nine features therefore 13 features in total are being included in the designation. These include the spiny lobster which is included despite low certainty in its extent as it is a high risk feature.

## Torbay

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Intertidal mixed sediment		Intertidal mixed sediments	Maintain in favourable condition
Intertidal mud		Intertidal mud	Maintain in favourable condition
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
Low energy intertidal rock		Low energy intertidal rock	Maintain in favourable condition
Moderate energy intertidal rock		Moderate energy intertidal rock	Maintain in favourable condition
Subtidal mud	Subtidal mud	Subtidal mud	Recover to favourable condition
Intertidal under boulder communities	Intertidal under boulder communities	Intertidal under boulder communities	Maintain in favourable condition
Honeycomb worm reefs			
Seagrass beds	Seagrass beds	Seagrass beds	Recover to favourable condition
Black necked grebe			
Black throated diver			
Great crested grebe			
Great northern diver			

Guillemot			
Harbour porpoise			
Long snouted seahorse	Long snouted seahorse	Long snouted seahorse	Recover to favourable condition
Native oyster		Native oyster	Maintain in favourable condition
Peacock's tail seaweed			
Red necked grebe			
Sea snail	Removed		
Slavonian grebe			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

## Summary of consultation responses

1. Some respondents raised objections to the site being designated citing concerns regarding the social and economic impacts of the MCZ, particularly in relation to port developments. Concerns were raised that management measures would impact on port expansion plans, fishing activity, anchoring, ferry operations and water sport activity, therefore restricting the growth of the local economy. There were concerns that the conservation objectives of the MCZ would conflict with developments, add to the strain on budgets and hinder the implementation of the Marine Economy Action Plan. Respondents referred to the Port Masterplan for Tor Bay Harbour which includes options to expand all three enclosed harbours at Brixham, Paignton and Torquay and some suggested that boundaries should be modified to be well clear of existing built infrastructure at each of the enclosed harbours. Some respondents opposed the proposals on the grounds of significant, unquantified economic impacts.
2. Concerns were also raised regarding the impact of the MCZ on fishing activity and said that the impact assessment had underestimated the costs to this sector. Recreational users also raised concerns that the MCZ could restrict anchoring and the laying of buoys.
3. However support for designation was received from a range of local and national stakeholders, including calls to reinstate the highly mobile features proposed by the Regional MCZ Project and listed in the table above.

## Evidence changes since consultation

4. Site specific scientific evidence was submitted during the consultation from Seasearch and recent verification survey data from the site had become available. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This includes evidence submitted during the consultation which related to multiple sites (such as Wildlife Trust and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for some features within the site.
5. The sources of evidence used for the Natural England confidence assessments are listed within their [published advice](#).

## Government response

6. This site protects a range of habitats and is particularly important for the protection of seagrass beds and the long snouted seahorse, which is listed in the Wildlife and Countryside Act, and an OSPAR and Biodiversity Action Plan species. The IUCN says that urgent population assessments and long term monitoring programmes across the seahorse's geographic range are required to assess its global extinction risk. This is the only site within the first tranche of MCZs that protects the long snouted seahorse. The site has also been identified as an area of high risk, and therefore has a more urgent case for designation.
7. The concerns raised by stakeholders during the consultation, particularly those regarding the social and economic impacts and future development, have been carefully considered. With regard to any port/harbour expansion plans, some features are already covered by existing conservation legislation (such as the Wildlife and Countryside Act 1981 and Natural Environment and Rural Communities Act 2006) so, even without MCZ designation, there is an existing requirement for the impact on them of any proposed harbour developments to be considered. Within the process for licensing developments in MCZs, applications undergo a public interest test which could establish that the benefits of development outweighed any conservation interests of the MCZ. As such, harbour development could potentially be permitted despite impacting on site features if this is considered to be in the greater public interest.
8. In terms of the effect on existing activities, when an MCZ is designated it does not automatically mean that economic or recreational activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.

9. The proposed boundary changes were considered during the Regional MCZ Project process but boundaries were not further modified as this would have resulted in the loss of recommended features. Further boundary alterations were not progressed as there would be a high likelihood of excluding features or parts of features which would not be compatible with the objectives for the site. The current boundaries protect the seagrass beds and other intertidal features, e.g. under boulder communities.
10. MCZs specifically to protect marine birds have not been proposed at this time as this would potentially duplicate work currently underway to develop Special Protection Areas for birds under the EU Wild Birds Directive. The need for MCZs for seabirds will be considered when the SPA work has been completed. Also, birds were not features for which the Regional MCZ Projects were asked to identify sites and they were not included in the public consultation. Seabirds therefore have not been included within the Torbay MCZ. The zone around Berry Head proposed for mobile species protection only (no seabed protection) has not been included in the designation.
11. It has therefore been decided that this site should be designated for the features outlined above. Additional data received have improved the certainty for seven features that were proposed by the Regional MCZ Project so these have now been included as features to be designated.

## Chesil Beach and Stennis Ledges

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy infralittoral rock			
High energy intertidal rock	High energy intertidal rock	High energy intertidal rock	Maintain in favourable condition
Intertidal coarse sediment		Intertidal coarse sediment	Maintain in favourable condition
Subtidal coarse sediment			
Subtidal sand			
Native oyster	Native oyster	Native oyster	Recover to favourable condition
Pink sea-fan	Pink sea-fan	Pink sea-fan	Recover to favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. The majority of the site-specific responses supported the designation of the site. A number of responses gave general support, providing continued management of the beach could continue, as well as allowance being made for access and normal maintenance of outfalls, consented discharge points and associated pipework. The presence of the sea defences within close proximity was noted.
2. Some responses noted that anchoring by leisure craft was essential for safety, and sea angling from Chesil Beach was considered to be of local social and economic importance. Some concerns were raised over increases to water company costs.

## Evidence changes since consultation

3. No site-specific consultation responses included additional scientific evidence. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for some features within the site.
4. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

5. The importance of beach management, sea defences and local moorings for safety are noted and are not expected to be impacted by any proposed management measures for the MCZ. As no significant new issues were raised during the consultation, this site is being designated for the features outlined above. The features high energy intertidal rock and subtidal coarse sediment are not being designated in 2013 as the proposed general management approach was changed from to 'maintain at' to 'to recover to' and the need to consult on potential management implications.
6. Additional data received has improved the certainty for one feature (intertidal coarse sediment) that was proposed by the Regional MCZ Project so this has now been included as a feature to be designated.



## South Dorset

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy circalittoral rock			
Moderate energy circalittoral rock			
Subtidal coarse sediment		Subtidal coarse sediment	Maintain in favourable condition
Subtidal mixed sediments			
Subtidal chalk	Subtidal chalk	Subtidal chalk	Recover to favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Responses were received expressing support for the site from a range of stakeholders including, local government and business stakeholders. Some responses provided conditional support depending on the implication of future management. No concerns were received relating specifically to this site.

### Evidence changes since consultation

2. No site-specific consultation responses included additional scientific evidence. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for some features within the site.

3. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### **Government response**

4. No new evidence was presented during the consultation to suggest that the costs or advantages have changed. Improved data supports the inclusion of an additional feature proposed by the Regional MCZ Project. Therefore, the site is being designated for the features outlined above.
5. Although data certainty for the feature moderate energy circalittoral rock has improved since the consultation it is unclear whether the bottom-towed fishing gear pressure causing the recover general management approach is due to French or English trawling. Therefore, due to uncertainty regarding potential management implications, the feature requires further assessment of socio-economic impact and consultation prior to designation.

## Poole Rocks

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Moderate energy circalittoral rock	Moderate energy circalittoral rock	Moderate energy circalittoral rock	Maintain in favourable condition
Subtidal mixed sediments		Subtidal mixed sediments	Maintain in favourable condition
Subtidal sand			
Couch's goby	Couch's goby	Couch's goby	Recover to favourable condition
Native oyster	Native oyster	Native oyster	Recover to favourable condition

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Most responses supported designation of the site. Some responses gave conditional support: water companies said that allowance must be made for maintenance of discharge pipelines, access and normal maintenance of outfalls, consented discharge points and associated pipe-work. There was concern over a potential increase in costs that MCZ designation may have on water companies through implications for day to day site management, the need for more detailed environmental assessment of any future consent or planning applications/marine licences, and potential impacts on permitted development rights.
2. The ports and harbour sector said that the economic impact of designation of this site was assessed using many unproved assumptions about the actual effect the designation would have on future navigational dredging and disposal operations carried out in Poole Harbour. The response said that any increase in costs could impact adversely on future operations and the health of the local tourism industry, in addition to the cost of coastal protection for Poole and Bournemouth.

3. One response questioned the designation of the area for Couch's Goby and suitability of the data supporting its presence.

### **Evidence changes since consultation**

4. No site specific consultation responses included additional scientific evidence but concerns were raised regarding the evidence supporting the feature Couch's goby. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This includes evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for some features within the site, including Couch's goby based on a detailed consideration of the most up to date evidence.
5. The sources of evidence used for the Natural England confidence assessments are listed within their [published advice](#).

### **Government response**

6. The concerns regarding the impact of the site to the ports and harbour sector are noted and have been considered. The socio-economic impact assessment has assessed the potential impact to this sector which has been incorporated into the decision making process. No new evidence was presented during the consultation to suggest that the costs or advantages of the site have changed.
7. The concerns from water companies outlined above are noted. The two habitat features being designated both have a stated general management approach of "maintain in favourable condition" so the expectation is that current practices will be able to continue, although the exact management measures will be defined by the regulator, taking into consideration that the two species features are not deemed to be in favourable condition currently.
8. The evidence supporting the Couch's goby feature has been reviewed and is considered suitable for designation. Its inclusion within the designation of this MCZ improves the protection of this nationally rare species. Supporting data for the feature subtidal mixed sediments have improved and so, although not proposed in the consultation, it is now being designated with a general management approach to maintain its favourable condition. The site is therefore being designated for the features listed above.

## Cumbria Coast

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
High energy intertidal rock		High energy intertidal rock	Maintain in favourable condition
Intertidal biogenic reefs		Intertidal biogenic reefs	Maintain in favourable condition
Intertidal sand and muddy sand		Intertidal sand and muddy sand	Maintain in favourable condition
High energy infralittoral rock		Moderate energy infralittoral rock <sup>5</sup>	Maintain in favourable condition
Honeycomb worm reefs	Honeycomb worm reefs	Honeycomb worm reefs	Maintain in favourable condition
Intertidal under boulder communities		Intertidal under boulder communities	Maintain in favourable condition
Peat and clay exposures		Peat and clay exposures	Maintain in favourable condition
Black guillemot			
Blue Mussel beds			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

<sup>5</sup> Feature not proposed in consultation as it was thought to be high energy infralittoral rock with low data certainty for its presence and extent. Additional evidence has shown that the feature is moderate energy infralittoral rock for which there is high/moderate data certainty in presence and extent.

## Summary of consultation responses

1. Most responses supported designation of this site. All NGOs and general public responses called for additional features to be included in the designation, particularly black guillemot. The North West Coastal Forum pointed out opportunities to engage the general public, as the site was accessible from popular tourism destinations. Some responses suggested that the estuary next to Ravensglass should be included (it is already a Special Area of Conservation). Fishing sector responses did not support the designation of the site and questioned the cost estimates. The one response from the yachting sector said it would resist any restrictions on anchoring and mooring.

## Evidence changes since consultation

2. No site-specific consultation responses included additional scientific evidence. However, recent verification survey data from the site was available for some features within the site. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

## Government response

3. As no significant new issues were raised in the consultation, it has been decided to designate this for the features listed above.
4. Concerns over the impact of MCZ designation on existing activities have been carefully considered. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.
5. The Black guillemot was recommended by the Regional MCZ Project as a feature for this site but not included in the consultation due to uncertainty about the extent of their foraging area. Although this is considered to be a well-established colony, the most recent survey found only a small number of birds, perhaps reflecting that this location is on the southern edges of the black guillemots' range. We have therefore decided not to include the Black Guillemot as a feature on this site. The North West Inshore Fisheries & Conservation Authority is already planning a netting byelaw to reduce seabird bycatch in the area and Marine Scotland is proposing several Scottish MCZs to protect larger populations of black guillemot.
6. Since the consultation closed, Natural England suggested a slight boundary modification seaward of Barn Scar and around Kokoarra Rock. This may be considered for inclusion at a later date following appropriate public consultation.

## Fylde (formerly Fylde Offshore)

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Subtidal sand	Subtidal sand	Subtidal sand	Maintain in favourable condition
Subtidal sands and gravels	Subtidal sands and gravels		

### Summary of consultation responses

1. Several respondents supported designation of this site. Some responses highlighted cable and pipelines crossing the site which had not been mentioned in the Impact Assessment, with one response noting a prospective future export cable route which was not expected to affect the site significantly. Fishing sector responses objected to the site due to concern that it may restrict potential future expansion of fishing should there be a recovery of fishing opportunities in the Irish Sea.

### Evidence changes since consultation

2. No site-specific consultation responses included additional scientific evidence. However, recent verification survey data from the site were available. Evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This includes evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments did not result in improvements to the data confidence for the recommended features within the site. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### Government response

3. The concerns of the fishing industry over the impact of an MCZ designation have been carefully considered. When an MCZ is designated it does not automatically

mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features. Decisions on whether any restrictions on existing activities are needed are for regulatory authorities to take.

4. As no significant new issues were raised in the consultation, the site has been designated. There is acceptable data certainty to include the subtidal sand feature in the designation. A new feature subtidal mud was identified by the survey work carried out on this this site. It may be considered for inclusion at a later date following appropriate public consultation.



## AIn Estuary

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013*	General management approach
Coastal saltmarshes and saline reedbeds	Coastal saltmarshes and saline reedbeds	Coastal saltmarshes and saline reedbeds	Maintain in favourable condition
High energy infralittoral rock			
Intertidal mud	Intertidal mud	Intertidal mud	Maintain in favourable condition
Estuarine rocky habitats	Estuarine rocky habitats	Estuarine rocky habitats	Maintain in favourable condition
Sheltered muddy gravels		Sheltered muddy gravels	Maintain in favourable condition
Subtidal sands and gravels			

\* Features that appear in this column but which were not proposed in the public consultation for 2013 designation are those recommended by the Regional MCZ Projects where data certainty has now improved sufficiently for their inclusion in designation orders. Inclusion of these features does not significantly increase the costs to sea users or of managing these sites.

### Summary of consultation responses

1. Many correspondents supported this site for designation in 2013, believing the location and type of the specific features put forward were well known and documented and that impacts to the site were minimal and only natural processes were likely to impact the extent of the features. Designation was, however, opposed by one response. It was also noted by many that the AIn estuary has large areas of sand, mud and saltmarsh, acted as an important spawning and nursery area for many species of fish, both commercial and non-commercial, and supported migrating and wintering birds.
2. Concern was raised by some respondents that not designating intertidal mud and coastal saltmarshes in this site would represent a significant loss of these habitats from the network of MPAs. There was also a desire by some that existing leisure

activities, such as angling and boating, and commercial activities, such as fishing, should not be affected as a consequence of MCZ designation. Recommendations for changes to the general management approach were also offered in some responses.

### **Evidence changes since consultation**

3. Additional site-specific scientific evidence was submitted during the consultation, but did not contain evidence relating to recommended features. However, evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.
4. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### **Government response**

5. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features.
6. The site boundary proposed in the public consultation differed from the Regional MCZ Project recommendation. This was due to a mapping error that excluded a small area from the site. To include that area now would significantly alter the site from the consultation proposal and it has therefore been decided not to include this area within the designated site. The area may be included at a later date, subject to the appropriate public consultation.
7. Additional data have improved the certainty for one feature (sheltered muddy gravels) that was proposed by the Regional MCZ Project so this has now been included as a feature to be designated.
8. As no significant new issues were raised in the consultation, the site has been designated.

## Swallow Sand

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Subtidal coarse sediment	Subtidal coarse sediment	Subtidal coarse sediment	Maintain in favourable condition
Subtidal sand		Subtidal sand <sup>6</sup>	Recover to favourable condition
North Sea glacial tunnel valleys (Swallow Hole)	North Sea glacial tunnel valleys (Swallow Hole)	North Sea glacial tunnel valleys (Swallow Hole)	Maintain in favourable condition
Subtidal sands and gravels			

### Summary of consultation responses

1. Most responses supported the designation of this site in 2013, many highlighting that it would contribute the largest area of subtidal sand out of all the proposed MCZs. Most stakeholders agreed this site represented an opportunity to protect important marine habitats and associated marine life.
2. A response from commercial fisheries stakeholders and one from the renewable energy sector raised concerns with respect to potential impacts designation may have upon commercial fishing sectors, specifically around the Swallow Hole area of the site.
3. Given the Swallow Hole geomorphological feature forms an important fishing ground for whitefish otter trawlers, the above response from commercial fisheries stakeholders also raised the possibility of the impact of displaced fishing effort in the future on less productive grounds and hence possibly increasing the impact on the seabed of the wider region.

<sup>6</sup> See text below on this feature.

4. Some responses were also received suggesting additional features for designation and alterations to the general management approach.

### **Evidence changes since consultation**

5. Additional site-specific scientific evidence was submitted during the consultation, but did not contain evidence relating to recommended features. However, evidence assessments undertaken by JNCC were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The updated evidence assessments resulted in improvements to the data confidence for features within the site.
6. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### **Government response**

7. The concerns of the fishing industry over the impact of an MCZ designation have been carefully considered. When an MCZ is designated it does not automatically mean that economic (or recreational) activities in that site will be restricted. Restrictions on an activity will depend on the sensitivity of species, habitats and other features (for which a site is designated) to the activities taking place in that area and on the conservation objective for those features.
8. The additional feature Subtidal sand has been included. This was proposed by the Regional MCZ Project but not proposed in the consultation for designation due to uncertainty over the appropriateness of the general management approach. We have now been advised by JNCC that this was not a result of insufficient evidence but because the general management approach would need to vary across the site. Some fisheries stakeholders raised concerns about management of Swallow Hole area of the site which is also fished by Danish, Scottish and other EU vessels. This feature has now been included on the expectation of zoned management and that the current levels of fishing activity will not be substantially affected.

## North East of Farnes Deep (formerly Rock Unique)

Features proposed by the Regional MCZ Project	Features proposed in the Consultation for 2013 Designation	Features being designated in 2013	General management approach
Low energy circalittoral rock			
Subtidal coarse sediment	Subtidal coarse sediment	Subtidal coarse sediment	Maintain in favourable condition
Subtidal sand	Subtidal sand	Subtidal sand	Maintain in favourable condition
Subtidal sands and gravels	Subtidal sands and gravels		

### Summary of consultation responses

1. Most responses supported this site because of its contribution of broadscale habitats and its ecological importance. One respondent was opposed to the site. Several respondents, including the one opposed to designation of the site, considered that further research should be undertaken to confirm (or otherwise) the presence of low energy circalittoral rock before it could be put forward for designation. Boundary changes were also recommended by some responses in relation to the potential absence of this feature.
2. There was a desire by some NGOs to consider the importance of the site for seabirds and marine mammals noting that there were sightings of marine mammals within this area throughout the year, including white-beaked dolphin, harbour porpoise and minke and humpback whales. Additional features were recommended for inclusion in designation by three responses. Recommendations for the general management approach were given by some responses, as well as concerns expressed in one response about future restrictions to shipping activities.

### Evidence changes since consultation

3. Additional site-specific scientific evidence was submitted during the consultation, but did not contain evidence relating to recommended features. However, evidence assessments undertaken by Natural England were updated utilising evidence from a broad range of sources. This included evidence submitted during the consultation which related to multiple sites (such as The Wildlife Trusts and Seasearch data), as well as data from verification surveys, marine recorder and local studies. The

updated evidence assessments resulted in improvements to the data confidence for features within the site.

4. The sources of evidence used for the Natural England confidence assessments are listed within its [published advice](#).

### **Government response**

5. Recent survey work reported in 2012 showed that low energy circalittoral rock was not present and this feature is therefore not being designated. Given this new information, a change to the name of the site was deemed appropriate. The site still remains important as an MCZ with designation for subtidal coarse sediment and subtidal sand.

# Sites subject to further consideration

## Hythe Bay

### Summary of consultation responses

1. This site generated a large number of responses, particularly from the local inshore fishing sector based in Folkestone, Hythe and Dungeness who raised concerns directly, lodged these through local MPs and submitted petitions to Government. These responses disputed the evidence over presence and extent of the features proposed and the need for the features to be recovered as they suggested current activity levels have not damaged the features.
2. Some respondents also questioned the process of designing MCZs. During the Regional MCZ Project process, this site had been put forward under the agreement of incorporating 'management units', therefore allowing current activities to continue across the majority of Hythe Bay. This agreement was discussed and agreed between NGOs and local fishing interests outside of the Regional MCZ Project process, and was put forward by the Project as a compromise.
3. A number of respondents called for improvements to the evidence base, including a re-evaluation of the vulnerability assumptions.
4. The socio-economic valuation of the site was also questioned, with the fishing industry stating the economic impact is considerably undervalued (the value of lost profits) and the displacement assumptions misleading.
5. There was support from local conservationists, who highlighted the importance of the site as a biodiversity hotspot.

### Government response

6. As part of providing their formal advice to Government, Natural England and JNCC reviewed the proposals developed by the Regional Projects, taking into account the conservation objective/s to be achieved at each site. They concluded that the proposed management units were too small to deliver the appropriate ecological benefits necessary and so recommended that a recover management approach would be necessary in order for the conservation objectives of the features proposed to be met.
7. In light of the strong opposition from the fishing industry to the current proposals, and the need to gather additional information on the socio-economic impacts of designating this site, the decision to designate it is being deferred to allow for discussions with the local fishing industry to explore the development of a suitable compromise that might both meet industry wishes and enable the conservation

objective to be achieved. This work will be led by the Kent and Essex Inshore Fisheries and Conservation Authority.



## **North of Celtic Deep**

### **Summary of consultation responses**

1. Several respondents supported designation of this site. Concerns were raised by some fishing interests, noting that there was seasonal activity on the site and that a total ban on trawl gear was undesirable.
2. The Welsh Government expressed concerns about the potential displacement effects of fishing effort into Welsh inshore waters and requested that the site is not designated in 2013.

### **Government response**

3. This MCZ is not being designated at this time due to the concerns raised by the Welsh Government. We will review the proposal for designation of this site in light of further developments, including Welsh Government consideration of plans for Marine Protected Areas in Welsh inshore waters.

# Sites not being designated

## Stour and Orwell Estuaries

### Summary of consultation responses

1. There was significant opposition to this site from the ports/harbour sector. Site-specific scientific evidence was submitted during the consultation from the Harwich Haven Authority. Port and harbour authorities did not see designation as being justified, with significant socio-economic impact for little conservation benefit. They considered that existing environmental designations were sufficient to meet conservation needs and that the majority of the suggested MCZ habitat simply did not exist. A partnership of local and port authorities highlighted how ports and harbours were vital economic drivers for restoring economic prosperity and how any restrictions to maintenance dredging, shipping or proposed development would have serious economic implications. Port operators considered that the sector already had a high degree of environmental stewardship in the area. Port sector responses sought, as a minimum, the exclusion from MCZs of port and harbour approaches, berths and operational boundaries, or perhaps limiting the MCZ boundary to the extent of the existing SSSI and SPA boundaries. The site was acceptable to shipping interests on the basis of current surface navigation & port activity continuing.
2. Environmental organisations considered this site to contain one of the best examples of estuarine rocky habitat, and that it was an important nursery area for flat fish species, bass, birds and other marine creatures. Reef features provided protection for tiny life-forms and were a nursery for juvenile fish. MCZ designation was seen as being the only legal instrument that could deliver the required monitoring of dredging activity and deliver the legal obligations of other environmental designations in the area.

### Government response

3. We recognise that the site as proposed would make a good contribution to the network for certain broadscale habitats and contains sensitive features at risk of damage or disturbance. The site also provides the most distinctive example of estuarine rocky habitat in the biogeographic region, and provides a number of other ecological benefits.
4. However, significant concerns were raised during the public consultation by Felixstowe and Harwich port authorities and other local interests regarding the risk of the site restricting their activities and future expansion, and the associated socio-economic impacts. The Government has explored the feasibility of adjusting the site boundaries to exclude port and harbour operational areas but, given the layout

of the site and the areas of port activity, there is not a viable option to do this and still retain the ecological integrity of the site. In light of this, the presence of a number of other national and international environmental designations in the area and the environmental stewardship provided by port and harbour authorities and others, we have decided not to proceed with designation of this site.

## **Hilbre Island Group**

### **Summary of consultation responses**

1. Several respondents supported designation of this site. One cable, three disposal sites and two underground coal gasification licenses which were not mentioned in the consultation Impact Assessment were noted. Opportunities to engage the general public as the site was accessible from popular tourism destinations were highlighted. Concerns were raised about restrictions on anchoring and mooring and on discouraging future development of a potential tidal energy site. It was suggested the site was an important herring nursery and that the Dee estuary contained a spawning population of smelt.

### **Government response**

2. This was not a contentious site but advice from Natural England and the North West Inshore Fisheries and Conservation Authority is that there is minimal conservation value in proceeding with designation. There were two proposed features for designation: one of these is protected by the existing Special Area of Conservation and the second is a poor example and does not warrant the level of protection that would be provided in an MCZ.

## Next steps

Defra is very grateful for all the time and effort of people, groups and organisations in providing us with evidence, data and information to enable us to make decisions on which MCZ sites to designate in 2013. We are also grateful for all the views on the process undertaken to get us to this position. These have all been given careful consideration in making final decisions on designations.

Now sites are designated, regulatory authorities are considering the management needs for each site and will be engaging with relevant stakeholders in taking these forward.

Further details on sites can be found on site factsheets available from [Natural England](#) and [JNCC](#) websites.

Our intention is to designate two further tranches of MCZs over the next three years. These will combine with other protected areas to complete our contribution to an ecologically coherent network including the waters around our islands. The exact number and location of sites will depend on what is required to meet this.

Future MCZ sites will be identified using the same principles as have been used for this first tranche of sites. This means we will seek to achieve ecological benefits while minimising costs to business and Government. We will also ensure that site selection does not go beyond what the evidence will support and does not unduly compromise coastal development. Proposals for designation of future tranches of MCZs will again be subject to full public consultation and full Impact Assessments before any decisions are taken.

# Annex 1 – List of features protected by 2013 MCZ designations

Black seabream (*Spondyllosoma cantharus*)  
Blue mussel (*Mytilus edulis*) beds  
Celtic Sea Relict Sandbanks  
Clacton Cliffs and Foreshore  
Coastal saltmarshes and saline reedbeds  
Cold-water coral reefs  
Couch's goby (*Gobius couchi*)  
Deep sea bed  
Defolin's lagoon snail (*Caecum armoricum*)  
Estuarine rocky habitats  
Fragile sponge and anthozoan communities on subtidal rocky habitats  
High energy circalittoral rock  
High energy infralittoral rock  
High energy intertidal rock  
Honeycomb worm (*Sabellaria alveolata*) reefs  
Infralittoral muddy sand  
Infralittoral rock and thin sandy sediment  
Infralittoral sandy mud  
Intertidal biogenic reefs  
Intertidal coarse sediment  
Intertidal mixed sediments  
Intertidal mud  
Intertidal sand and muddy sand  
Intertidal under boulder communities  
Lagoon sand shrimp (*Gammarus insensibilis*)  
Littoral chalk communities  
Long snouted seahorse (*Hippocampus guttulatus*)  
Low energy intertidal rock  
Maerl beds  
Moderate energy circalittoral rock  
Moderate energy infralittoral rock  
Moderate energy infralittoral rock and thin mixed sediment  
Moderate energy intertidal rock  
Native oyster (*Ostrea edulis*)  
Native oyster (*Ostrea edulis*) beds  
North Sea glacial tunnel valleys (Swallow Hole)  
Ocean quahog (*Arctica islandica*)  
Peat and clay exposures  
Pink sea-fan (*Eunicella verrucosa*)

Ross worm (*Sabellaria spinulosa*) reefs  
Sea-fan anemone (*Amphianthus dohrnii*)  
Seagrass beds  
Sheltered muddy gravels  
Short snouted seahorse (*Hippocampus hippocampus*)  
Smelt (*Osmerus eperlanus*)  
Spiny lobster (*Palinurus elephas*)  
Stalked jellyfish (*Haliclystus auricula*)  
Stalked jellyfish (*Lucernariopsis campanulata*)  
Stalked jellyfish (*Lucernariopsis cruxmelitensis*)  
Subtidal chalk  
Subtidal coarse sediment  
Subtidal coarse/mixed sediment mosaic  
Subtidal macrophyte-dominated sediment  
Subtidal mixed sediments  
Subtidal mud  
Subtidal sand  
Tentacled lagoon-worm (*Alkmaria romijni*)