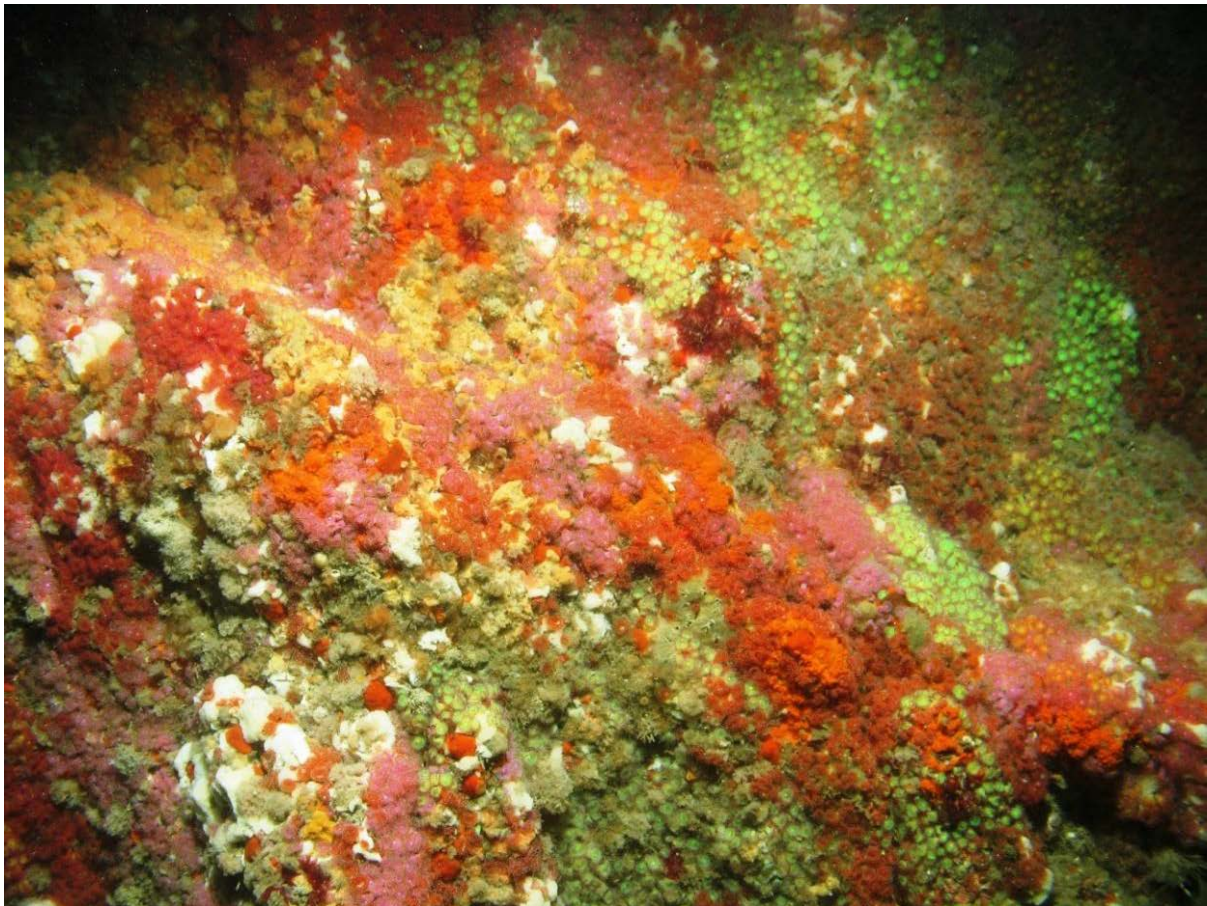




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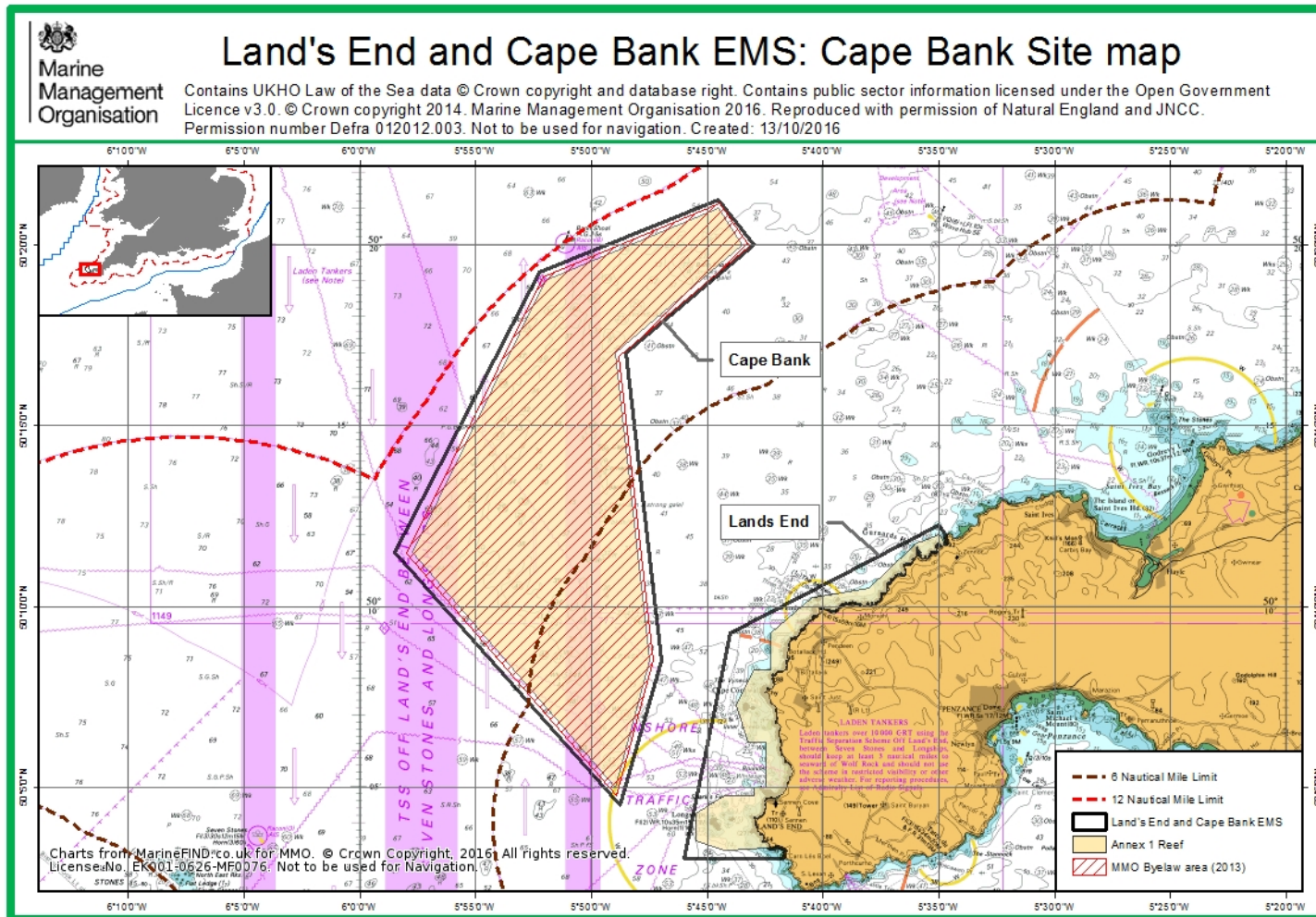
## Land's End and Cape Bank European Marine Site (EMS): Executive Summary

October 2016



Land's End and Cape Bank European Marine Site (EMS)  
Source: Natural England

Figure 1: The Cape Bank portion of Land's End and Cape Bank EMS<sup>1</sup>



<sup>1</sup> Land's End and Cape Bank is a Site of Community Importance (SCI). cSACs are sites that have been submitted to the European Commission, but not yet formally adopted. This site is described as an EMS to avoid confusion with stakeholders.

## 1. Introduction

The Marine Management Organisation (MMO) is conducting marine protected area (MPA) assessments to ensure current and potential commercial fishing activities in MPAs in English inshore waters (0 to 12 nautical miles (nm)) are appropriately managed.

To ensure our findings and conclusions are robust and are based on the best available evidence, we are inviting you to review the executive summary along with the part assessment, if required, and submit any additional relevant evidence that could contribute to this assessments. Evidence will be used to inform management decisions.

All submitted evidence must follow our evidence guidance and be received before Monday 12 December 2016 (see [Approach and Process Overview](#) for more details).

## 2. Site location and features

Land's End and Cape Bank EMS consists of two areas: Land's End, and Cape Bank. The MMO assessment is concerned with the Cape Bank area, which covers a roughly triangular area 480km<sup>2</sup> extending from three to twelve nautical miles (nm) offshore of the coast of Cornwall.

Both parts of the site lie within International Council for the Exploration of the Sea (ICES) rectangle<sup>2</sup> 29E4.

The site has been designated for bedrock reef. More information about the site, including the formal conservation advice package, is available on the Natural England [website](#)

Figure 1 shows the location and extent of the bedrock reef feature within the Cape Bank portion of the site.

## 3. Summary of draft assessment findings

The main pressures identified to the feature from commercial fishing activities are:

- physical damage (abrasion) from potting and netting, in particular to slow growing species such as Ross coral (*Pentapora fascialis*); and,
- removal of the component reef species: European lobster (*Homarus gammarus*), brown crab (*Cancer pagurus*) and crawfish (*Palinurus elephas*) from potting and netting.

Evidence indicates that the levels of fishing observed over the most recent five years for which data are available (2009 to 2013) **have not** caused an adverse effect on

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<sup>2</sup> ICES statistical rectangles are part of a widely used grid system for North Eastern Atlantic waters.

the integrity of the site. For further details on this conclusion please see the full MPA assessment.

The MMO recommend that the management plan for Cape Bank includes provisions:

- to monitor levels of potting and netting and review the MMO assessment if levels of exceed levels observed from 2009 to 2013; and,
- to ensure that appropriate mechanisms are in place to allow the MMO to respond quickly to restrict or prohibit potting and/or netting if required.

Receipt of significant new information about current and potential activities or features at this site will initiate a review of the assessment.

## 4. Assessment process

Site assessments include three phases:

1. Initial test – Is the activity is occurring? Is the activity already sufficiently regulated? Is there existing or potential interaction between the activity and the designated feature?
2. Part A – Is the activity directly connected with or necessary for the management of the site? Is the activity likely to have a significant effect on the site?
3. Part B – Is the activity likely to cause an adverse effect on the integrity of the site?

MPA assessments include current and potential fishing activities. To understand what the potential fishing activities are likely to be, the MMO use historical fishing activity and expert opinion.

### Overview of activities being assessed

**Table 1: Fishing gears being assessed for Cape Bank EMS**

| Phase            | Activities   |
|------------------|--|
| 1 - Initial test | All fishing gears from Part A and:<br>Beach seines/ring nets<br>Fyke and stakenets<br>Bait dragging<br>Cuttle pots<br>Fish traps<br>Demersal drift nets<br>Demersal longlines<br>Commercial diving |

| Phase      | Activities  |
|------------|---|
| 2 – Part B | Pots/creels<br>Gill nets<br>Trammel nets<br>Entangling nets |
| 3 – Part C | Pots/creels<br>Gill nets<br>Trammel nets<br>Entangling nets |

## 5. Fishing activity information

### Fisheries access

Cape Bank is within the 12nm limit (figure 1). UK, French and Belgian vessels have fishing access rights between the 6 and 12nm limits. Within 6nm, only UK vessels have fishing access rights.

### Data sources - fishing activity

To determine the levels of fishing activity in this site, the following data sources have been used:

#### 1. Vessel monitoring system (VMS) and fisheries landings data

This data incorporates two sources:

- a. location reports from vessels carrying the European Union mandated VMS (data available for vessels of 15m length and over); and
- b. landings data reported at ICES rectangle level from landings declarations and logbooks.

#### 2. Sightings data

A number of sightings data sources and expert opinion have been included for non-VMS vessels:

- a. [Understanding the distribution and trends in inshore fishing activities and the link to coastal communities](#): A Defra commissioned project to better understand trends in inshore fisheries, including collating and analysing fisheries sightings data from 2010 to 2012.
- b. [FisherMap](#): 2012 Marine Conservation Zone Project Stakmap looking at commercial fishing for under 15m vessels with data collated by interviewing industry.
- c. MMO and Inshore Fisheries and Conservation Authority (IFCA) expert opinion on fishing activity: MMO marine officers and IFCA officers provided

information on fishing activity within MPAs. Information included number and size of vessels fishing, target species, type and amount of fishing gear used and seasonal trends in activity. Confidence levels were given alongside expert opinion and estimates were provided where exact numbers were not known.

## 6. Ecological information

The MMO has used a number of sources of information to understand the vulnerability<sup>4</sup> of the feature to each fishing gear type. This included looking at whether features are sensitive<sup>3</sup> to each fishing gear type.

The main sources are from Natural England conservation advice packages, peer reviewed papers and government reports

Where appropriate, MMO has categorised sensitivity and fishing effort as 'high', 'medium' and 'low' based on secondary evidence if there is no peer reviewed evidence available. Sensitivity levels are based on Tillin *et al*, 2010<sup>3</sup> and Gibb *et al*, 2014<sup>4</sup> and overall vulnerability of features to gear intensities on Hall *et al*, 2008<sup>5</sup>.

## 7. Summary of evidence

### Fishing activity

VMS and sightings data from 2009 to 2013 show that potting and netting occur throughout the site, with VMS data showing levels of potting peaking in 2010 and 2011.

Landings data are available at ICES rectangle level, but are consistent with observed activity patterns, although landings from netting rose in 2010 and remained higher for the remaining years.

### Sensitivity of features and vulnerability to gears

Surveys using underwater photography and video, and grab samples undertaken by the Centre for Environment Fisheries and Aquaculture Science (Cefas) in 2007 and 2010 found that the reef in Cape Bank was in excellent condition and the 2010 report found "no substantial evidence of changes to the biotope composition" when compared to the earlier survey.

The majority of empirical evidence reviewed found that potting (even at artificially high levels of intensity) had no discernible effect on reef habitat. Very little evidence

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<sup>3</sup> Tillin, H.M., Hull, S.C., Tyler-Walters, H. 2010 Development of a sensitivity Matrix (pressures-MCZ/MPA features). Report to the Department of Environment, Food and Rural Affairs from ABPMer, Southampton and the Marine Life Information Network (MarLIN) Plymouth: Marine Biological Association of the UK. Defra Contract No. MB12 Task 3A, Report No. 22.

<sup>4</sup> Gibb, N., Tillin, H., Pearce, B., Tyler-Walters, H. 2014. Assessing the sensitivity of *Sabellaria spinulosa* to pressures associated with marine activities. JNCC report No. 504.

<sup>5</sup> Hall, K., Paramor, O.A.L., Robinson, L.A., Winrow-Giffin, A., Frid, C.L.J., Eno, N.C., Dernie, K.M., Sharp, R.A.M., Wyn, G.C., Ramsay, G.C. (2008). Mapping the sensitivity of benthic habitats to fishing in Welsh waters – development of a protocol; CCW (Policy Research) Report No: 8/12. 85pp

is available on the effects of netting, but the nature of the impact is similar to that of potting.

Regional stock assessments indicate that populations of *H. gammarus* and *C. pagurus* are below the maximum reference point for both species. This indicates that the populations are sustainable at a regional scale.

### Other activities occurring within the site

Other activities occurring in the site in-combination with fishing activities were also considered in the assessment. These include other infrastructure projects such as windfarms, aggregate dredging, ports, harbours and recreational activities. These include infrastructure projects such as windfarms, aggregate dredging, ports, harbours and recreational activities.

## 8. Management options

Following the completion of the MPA assessment, one of the following management options will be adopted. The MMO intend to adopt Option 1. If there are gaps in evidence, precautionary decisions may need to be made.

**Option 1:** No additional management is required.

**Option 2:** Introduce a monitoring and control plan within the site to monitor activity levels, and introduce restrictions/prohibitions if levels increase

**Option 3:** Restrict levels of potting and/or netting within Cape Bank

**Option 4:** Prohibit potting and/or netting within Cape Bank

Any additional evidence submitted will be reviewed and may inform the decisions as to which management option is adopted.

## 9. Next steps

Any additional evidence submitted will be validated. This will help determine the confidence score in the evidence and determine if it can be used as part of the assessment.

We will then finalise the assessments and share findings with Natural England who will provide conservation advice<sup>6</sup>.

## 10. Consultation and evidence

To respond to the consultation, please visit our [website](#).

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<sup>6</sup> Habitats Directive:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/82706/habitats-simplify-guide-draft-20121211.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/82706/habitats-simplify-guide-draft-20121211.pdf)

Please read the '[Approach and Process Overview](#)' for how to submit evidence.

For further information please contact: [conservation@marinemanagement.org.uk](mailto:conservation@marinemanagement.org.uk)