



# MMO1347 Evaluation Plan for MMO Conservation Byelaws Final Report

03 May 2023

**Submitted to:**

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# MMO1347 Evaluation Plan for MMO Conservation Byelaws

## Final Report

A report submitted by [ICF Consulting Services Limited](#)  
in association with

[LIVE Economics LTD](#), [Howell Marine Consulting](#)

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## Executive Summary

This project is a follow up to MMO1289 Evaluation Plan for an Evaluation of Conservation Measures, which looked at options for a process evaluation of the Marine Management Organisation's (MMO) programme of work on assessing marine protected areas (MPAs).

The MMO is considering whether byelaws are needed in a large number of MPAs in English waters where fishing activity could potentially damage environmental features. This is a new programme and the MMO are interested in evaluating the work for learning and accountability purposes.

Whilst the previous project investigated possible evaluation approaches and sought to begin to develop evaluation expertise in the MMO's Marine Conservation Team, this short project made a start on a process evaluation by going through the initial inception and scoping process.

A **theory-based approach** was recommended for this process evaluation.

The approach in this project involved testing a Theory of Change model to validate, refine, or refute expected causal pathways and understand the extent to which the processes undertaken by the MCT contribute to the intended outcomes of the MPA byelaw making strategy. The Theory of Change created in MMO1389 was revisited with the MCT to add more detail and see if any circumstances have changed.

A new stakeholder mapping exercise was carried out as a first step to explore the stakeholder engagement process. This included looking at the MMO aims of engagement, and different possible strategies. The MCT grouped stakeholders by their perceived level of interest, influence and impact.

A workshop was held to revisit the Evaluation questions from MMO1289 to see if they were still fit for purpose. The evaluation questions identified the areas of inquiry for a future evaluation, covering themes of 'Governance and management', 'Stakeholder Engagement & Participation' and the 'Use of evidence'. The data needs for the evaluation questions and methods which could be used for primary and secondary data collection were also investigated, such as interviews and surveys.

Interviews were undertaken with internal MMO decision makers and staff involved in the process to understand changes and updates in the process, areas that are working well or have improved, as well as any challenges. External stakeholders were not engaged as part of this project although are recommended for engagement as part of any future process or impact evaluation as outlined in the evaluation framework.

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# 1 Introduction

ICF and partners were contracted to undertake the development of an evaluation framework for the Marine Management Organisation (MMO). The framework is to support a process evaluation, and the object of the evaluation is the offshore MPA byelaw-making process for fisheries management. While other parts of the MMO have the power to make byelaws, for the purposes of this report, 'the Byelaw-making Process' will be used throughout to specifically refer to offshore MPA byelaws created in a fisheries management context.

The MMO's implementation of the 'MMO MPA Byelaw-making Process' (henceforth 'the byelaw-making process') is led predominately by the MMO Marine Conservation team (from now on MCT). The byelaw-making process was developed following the UK exit from the EU, which increased the regulatory competency of the MMO and required legislative action to ensure protection of sensitive features within all MPAs. The objective of the byelaw-making process is to develop byelaws, supported by evidence and stakeholder consultation, that will manage fishing activity within MPAs, protect marine environment features, and support MPA conservation objectives.

Achieving the objectives of the byelaw-making process is complex and involves trade-offs that will bring the byelaw-making process into conflict with existing fisheries activities within MPAs. To support the process underlying the byelaw-making process, to ensure it is effective and to navigate this complexity, the MMO require a process evaluation that can generate rapid feedback to support ongoing enhancement of the implementation of conservation management. The evaluation will also provide for enhanced transparency and better allow stakeholders to hold the MMO to account on issues regarding implementation of the byelaw-making process.

The Magenta Book (the UK Government's guidance for evaluation) requires process evaluations to answer the following question:

*What can be learned from how the intervention was delivered?*

The evaluation framework builds on work conducted by the ICF team for the MMO in MMO1289 Evaluation Plan for an Evaluation of Conservation Measures (2022).

This evaluation framework is structured as follows:

- **Section 2:** A description of the background and context surrounding the strategy and a breakdown of the process for developing MPA byelaws.
- **Section 3:** A Theory of Change and narrative for MCT byelaw-making process
- **Section 4:** A detailed description of the stakeholders of the MMO byelaws including the MCT goals for participation, stakeholders of the strategy and some of the methods of engagement utilised so far. This section was developed from a stakeholder mapping workshop undertaken with the MCT as part of this project.
- **Section 5:** The evaluation questions and evaluation timeline considerations.
- **Section 6:** Includes the data needs for the evaluation and methods for primary and secondary data collection.

## 2 The MMO MPA Marine Conservation Byelaws

### 2.1 Background

The MMO is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs (Defra), and is the government's principal regulator for most activities in English waters.

The MMO is responsible for the management of activities within MPAs including:

- Marine licensable activities within English waters
- Principal fisheries regulation to 200 nm offshore, management of fishing in MPAs in English waters offshore of 6nm and working collaboratively with IFCAs to deliver management in the 0 to 6 nm.
- Marine non-licensable activities from 0 to 12 nm

The MMO's remit is to protect and conserve the marine environment and to support marine communities by enabling sustainable marine activities. To fulfil this purpose the MMO is responsible for ensuring that the management of fishing and marine non-licensable activities support MPA conservation objectives set out by the statutory nature conservation bodies (SNCBs), Natural England (NE) and Joint Nature Conservation Committee (JNCC).

The management of fishing and marine activities can be done through voluntary measures or through regulation by the development of byelaws. Whilst in the European Union (EU), regulatory measures for offshore fishing required consensus from other member states with a management interest. After leaving the EU, the UK is no longer part of the EU's Common Fisheries Policy<sup>1</sup> and since the end of the transition period in January 2021, the UK has full autonomy to decide management measures to apply to its fisheries within its EEZ. The Fisheries Act 2020<sup>2</sup> is the main framework regulation for the management of the UK's fish and shellfish resources and fisheries.

These new regulatory powers include the developing, implementing and enforcing of marine conservation byelaws (**Error! Reference source not found.**) from 6 to 200 nm. The UK government is also upgrading some of the existing MPAs to include areas designated as Highly Protected Marine Areas (HPMAs). After a consultation in July to September 2022 the UK government intends to designate three HPMAs in English waters by 6 July 2023<sup>3</sup>.

#### Box 2.1 Marine conservation bylaws

*"Byelaws are local laws made by a local council under an enabling power contained in a public general act or a local act requiring something to be done – or not done – in a specified area. They are accompanied by some sanction or penalty for their non-observance."<sup>4</sup>*

The MMO is the lead authority for the management of fisheries in English waters from 6nm to 200nm and is responsible for developing byelaws to protect MPAs from

<sup>1</sup> European Parliament, 2022. *The common fisheries policy: origins and development | Fact Sheets on the European Union | European Parliament*. [online] [Europarl.europa.eu](https://www.europarl.europa.eu/factsheets/en/sheet/114/the-common-fisheries-policy-origins-and-development). Available at: <https://www.europarl.europa.eu/factsheets/en/sheet/114/the-common-fisheries-policy-origins-and-development>

<sup>2</sup> *Fisheries Act 2020*. [online] Available at: < <https://www.legislation.gov.uk/ukpga/2020/22/contents/enacted> >

<sup>3</sup> [Highly Protected Marine Areas \(HPMAs\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/highly-protected-marine-areas)

<sup>4</sup> Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government, 2012. *Local government legislation: byelaws*. [online] GOV.UK. Available at: <https://www.gov.uk/guidance/local-government-legislation-byelaws> [Accessed 31 May 2022].

activities that may cause damage. From 0 to 6 nm IFCAs are the lead authority managing both fisheries and MPAs and can develop byelaws to protect MPAs in the inshore area<sup>5</sup>.

As stated by the MMO, “MMO byelaws can prohibit or restrict:

- entry to a site, movement or other activity by people, animals, vessels or vehicles;
- vessel speed;
- vessel anchoring;
- killing, taking, destroying or disturbing any animals or plants;
- anything that interferes with the seabed or damages or disturbs any object in the sea;
- specific activities in certain parts of the site;
- specific activities in certain periods of a year;
- certain methods of activity within a site.
- A MMO byelaw will apply to everyone, including other member states that hold fishing access rights in the site or its specified areas.

A MMO byelaw will include:

- the law that allows the byelaw to be made;
- details (including coordinates) of the site or specified areas;
- details of the activity being prohibited or restricted;
- details of possible permits – like a scientific exemption;
- the conservation objectives of the site with background information about the byelaw possibly included in an explanatory note.<sup>6</sup>

## 2.2 The MMO MPA Byelaw-making Process

The implementation process of the strategy consists of four, partly simultaneous, stages and a ‘business as usual’ stage. The stages are differentiated by the number of MPAs involved and gear-feature combinations involved within those MPAs.

- **Stage 1** included the review of all gear-feature combinations in four MPAs: Dogger Bank SAC<sup>7</sup>, The Inner Dowsing, Race Bank and North Ridge SAC<sup>8</sup>, The South Dorset MCZ<sup>9</sup>, The Canyons MCZ<sup>10</sup>. These sites were chosen as some of the most at-risk sites as well as providing a representative spread of features, designation types and geographies. The consultation for the byelaws ran from 1st February to 28<sup>th</sup> March 2021<sup>11</sup>. The byelaws were signed off and came into force on 13<sup>th</sup> June 2022<sup>12</sup>.

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<sup>6</sup> Marine Management Organisation, 2022. *Understand marine conservation byelaws*. [online] GOV.UK. Available at: <https://www.gov.uk/guidance/marine-conservation-byelaws> [Accessed 31 May 2022].

<sup>7</sup> [Dogger Bank SAC Byelaw.pdf \(publishing.service.gov.uk\)](#)

<sup>8</sup> [Inner Dowsing Race Bank and North Ridge SAC Byelaw.pdf \(publishing.service.gov.uk\)](#)

<sup>9</sup> [South Dorset MCZ Byelaw.pdf \(publishing.service.gov.uk\)](#)

<sup>10</sup> [The Canyons MCZ Byelaw.pdf \(publishing.service.gov.uk\)](#)

<sup>11</sup> [Dogger Bank SAC Decision Document.pdf \(publishing.service.gov.uk\)](#)

<sup>12</sup> [The Inner Dowsing, Race Bank and North Ridge Special Area of Conservation \(Specified Areas\) Prohibited Fishing Gears Byelaw 2022 - GOV.UK \(www.gov.uk\)](#)



- **Stage 2** includes the review of bottom towed fishing over reef and related features in 13 MPAs. The call for evidence for these byelaws ran from 14<sup>th</sup> May 2022 to 10<sup>th</sup> July 2022. The formal consultation ran from 17<sup>th</sup> January 2023 to 28<sup>th</sup> March 2023. The Fisheries Assessments and byelaws have been drafted and shared for public consultation. The byelaws will then be finalized, pending amendments resulting from the consultation.
- **Stage 3** includes 41 MPAs with a variety of designated seabed features not included in the other stages. The call for evidence for these MPAs ran from 17<sup>th</sup> January 2023 to 28<sup>th</sup> March 2023. The responses to the call for evidence are being considered and byelaws drafted ahead of a formal consultation due in 2024.
- **Stage 4** includes 3 sites and addresses the impacts of fishing on MPAs designated for highly-mobile species e.g., marine birds and harbour porpoise. The first stage of evidence gathering is underway.

All four stages apply common steps to reach their objective of implementing a byelaw to protect the features. These series of 8 steps are detailed in Figure 2.1

Figure 2.1 Byelaw-making process



A **Business as Usual** (BAU) stage follows the implementation of byelaws (post step 8). The BAU stage includes most of the elements listed above but begins with monitoring and reviewing the existing byelaws and ends with either a change to the byelaw, its revocation, or no change. BAU also includes MPA annual reporting, which review activities and trends in the MPAs, e.g. an increase in a certain type of activity, that would signal a re-assessment of the byelaws. The SNCBs provide MMO with environmental advice, highlighting where protected, sensitive features are at risk of being negatively impacted by adverse anthropogenic impacts (such as fishing gear) and as such where management might be required. The MMO will perform an assessment and update management measures as required.

## 3 Theory of Change

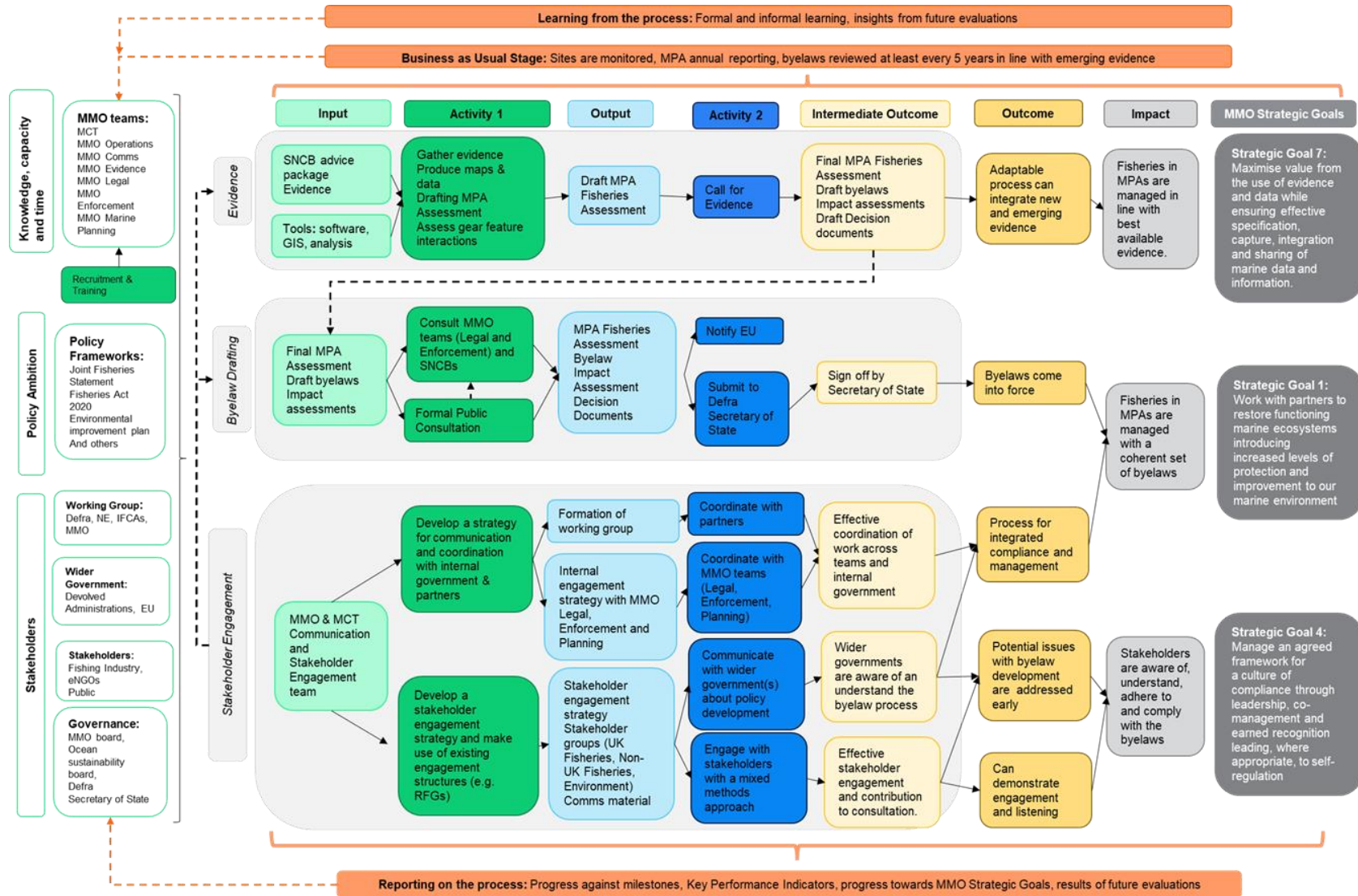
### 3.1 Introduction

A Theory of Change (TOC) tells the story of the project delivery in ideal circumstances. The evaluation tests whether assumptions made in the TOC have held true and expected outcomes directly related to the process have occurred.

ICF conducted a 2-hour workshop on 31<sup>st</sup> March 2023 with the MMO and MCT to co-design the TOC (see briefing material Annex 2). The aim of this workshop was to review, revise and validate the TOC which was developed by the ICF prior to the workshop based on insights from interviews, a stakeholder mapping workshop, and review of MMO documents. The workshop covered the following objectives:

- Critique the TOC produced by ICF and review key causal pathways to document risks, and assumptions.
- Build out the TOC to identify strategic and policy developments in the MMO and ensure that external influences are identified.
- Discuss the priorities for the evaluation against the four themes of the evaluation and draft evaluation questions.
- Develop a comprehensive indicator and data matrix against the evaluation questions building on the draft indicator matrix outlined in the previous report.

### 3.2 MPA byelaw implementation Theory of Change



### 3.3 Theory of Change Narrative

#### 3.3.1 Context

The TOC has three strands which are interdependent and nested. The Central TOC strand is about governance of byelaws - how byelaws are drafted and implemented, as this is the main objective of the MCT’s work.

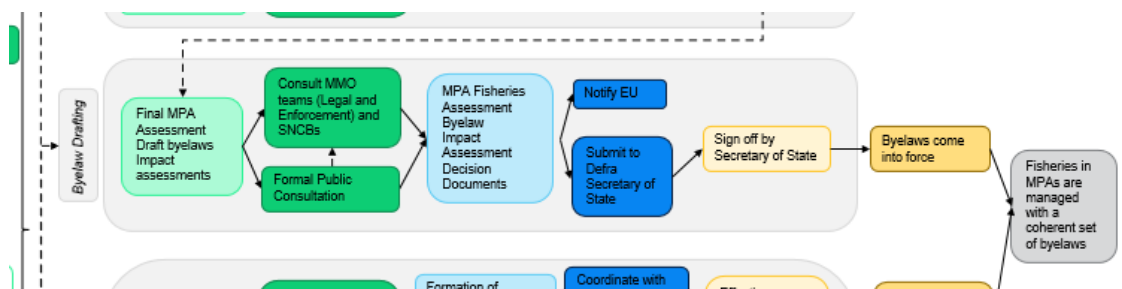
The byelaw design and drafting process depends on robust evidence; therefore the Evidence strand of the TOC (depicted in section 3.2) is about how evidence is collected, assessed and contributes to the byelaws. Another important contributor to the success of the byelaw development process is Stakeholder Engagement. The third TOC strand therefore describes the process of Stakeholder Engagement, which runs alongside and inputs into both the evidence collection and byelaw drafting process.

All three nested TOCs contribute to three Strategic Goals,

- whereby the Central TOC (byelaw drafting) contributes mainly to Goal 1 “Work with partners to restore functioning marine ecosystems introducing increased levels of protection and improvement to our marine environment”,
- the Evidence TOC to Strategic Goal 7: “Maximise value from the use of evidence and data while ensuring effective specification, capture, integration and sharing of marine data and information”.
- And the Stakeholder Engagement TOC to Strategic Goal 4: “A culture of compliance through leadership, co-management and earned recognition leading, where appropriate, to self-regulation”. The TOCs are linked by a learning and continuous improvement process, indicated by the top orange bracket in the figure.

#### 3.3.2 The Central (Byelaw drafting) TOC

Figure 3.1 The Central (Byelaw drafting) TOC



The Central (Byelaw drafting) TOC, as depicted above (Figure 3.1), focuses on the byelaw drafting process. The Impact of the byelaw drafting process is that the fisheries within MPAs are managed with a coherent system of byelaws. This Impact assumes that each byelaw has come into force and is supported by guidance to industry and regulators which is understood and implemented. It also assumes that the enforcement process is effective in monitoring industry behaviour and assuring compliance. Throughout this TOC, there is an essential assumption that there is political support for the protection of marine features and that it is consistent with other marine policies.

A byelaw can only come into force once it has been signed off by the Secretary of State for Defra. The sign off will occur if the draft byelaw has been submitted to Defra and Defra officials feel able to recommend it to the SoS. In parallel to this the EU is notified and the Devolved Administrations are informed. Defra will be content to recommend the byelaw to

the SoS once they have received the necessary documents and consider these of sufficient quality. To achieve this the MCT will submit the Decision Documents which include the Final MPA assessment, the Impact Assessment and the Final byelaw to Defra. Depending on the complexity of the case, there may be discussions and clarifications with the Defra team.

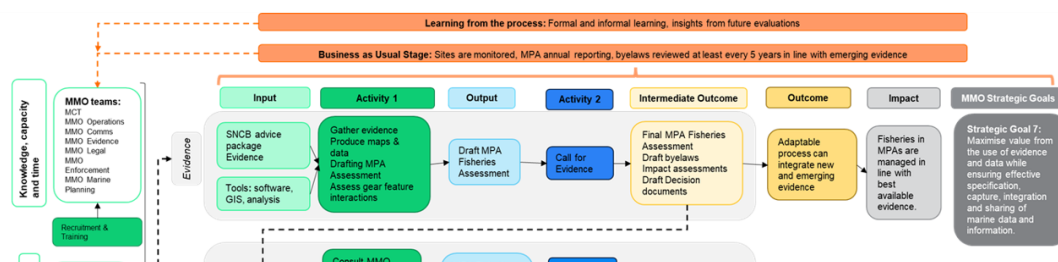
MCT will have assured itself that from the point of view of its own legal and compliance teams that any challenge to the byelaw is unlikely to be successful and is also an effective legal instrument to achieve its objective. The Fisheries Monitoring Centre (FMC) will have considered the spatial restrictions in the light of other restrictions.

The draft byelaw will have been subject to consultation (Activity 1). It is assumed that the consultation process has either not brought up any need to change the byelaw and associated documents or that any changes have been made following consultation responses. The draft byelaw and the associated documents have been prepared by MCT staff in a timely manner to ensure that including the consultation and sign-off delivery was within the envisaged time.

To achieve this, the MCT member(s) responsible for the byelaw in question was/were able to collect the necessary evidence and had the skills and capacity to prepare the draft documents. Throughout the process described above the MMO legal and enforcement teams were consulted where necessary and all other partners such as NE, JNCC and IFCA were able to contribute to the process.

### 3.3.3 Evidence

Figure 3.2 Evidence TOC



The Evidence TOC is depicted in Figure 3.2. Evidence collection and analysis is a key component of the byelaw drafting process. Scientific data on the status of marine features, impact of fishing and wider context such as climate change are uncertain, as are social and economic impacts. The TOC assumes throughout that these uncertainties can be managed, and the evidence documents produced provide sufficient information to inform decision makers.

Evidence will help shape the byelaw outputs itself, the decision document, and the Impact Assessments (Intermediate Outcome)<sup>13</sup>. It also becomes an Input into the central byelaw drafting strand of the TOC. The Impact of the Evidence Process as depicted in the Evidence TOC is that Fisheries in MPAs are managed in line with best available evidence (including precautionary principles), as the outcome of the evidence process is adaptable and can incorporate new, emerging evidence resulting in part from monitoring and review of the existing byelaws. This Outcome is achieved by having an effective process to draw on best

<sup>13</sup> Note: The impact assessment is undergoing changes. Referred to as a Regulatory Triage Assessment in previous byelaws, the document is now being referred to as a De Minimis Impact Assessment. If the financial impacts of the byelaws amount to over £5 million, an Economic Impact Assessment is required.

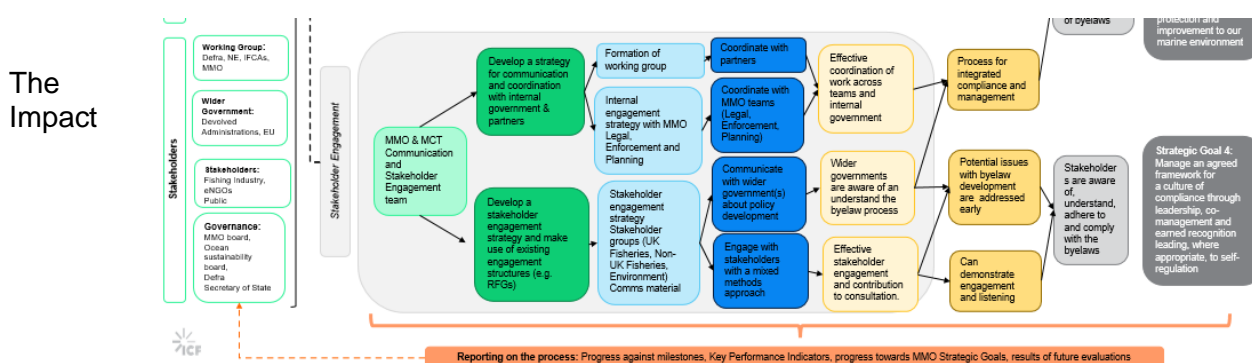
available evidence to produce transparent Fisheries Assessments and Draft Decision Documents, which are based on responses to a call for evidence. One important assumption is that all external stakeholders with relevant knowledge have responded to the Call for Evidence.

The results of the Call for Evidence from external stakeholders (i.e. eNGO and resource users) will then feed into consultations and initial preparatory documents, which provide a basis of information and questions for respondents to the call. Calls can be written submissions or in person gatherings. At the beginning of the process, the MCT member(s) responsible for a particular byelaw will collect the evidence available in the literature and within the MMO itself. This assumes that staff have the relevant expertise and capacity to fulfil their roles. MMO are also supported by SNCBs, who provide an initial advice package on the status, identifying the location of the site, level of sensitivity of selected features and whether the MPAs require management.

### 3.3.4 Stakeholder Engagement<sup>14</sup>

Stakeholders, including the SNCBs, industry and environmental NGOs play an important role in the protection of marine features within MPAs. The third TOC therefore represents the stakeholder engagement process (Figure 3.3).

Figure 3.3 Stakeholder Engagement TOC



included in the Stakeholder Engagement TOC is that stakeholders are aware of, understand, adhere to and comply with the byelaws. This can only be achieved if any issues with the byelaws and their development have been addressed at an early stage and that the MMO and MCT have listened to and are seen to have engaged and listened to the stakeholders. Achieving the Impact assumes that the byelaws and related documents are clear and that the process was transparent and appropriately articulated. It also assumes throughout this TOC that all relevant stakeholders have been identified and were reached<sup>15</sup>.

A third Outcome of the internal Stakeholder Engagement TOC is that the compliance process for the MPA byelaws is integrated into the overall MMO compliance and enforcement strategy. This part of the process is to ensure that those stakeholders who have to comply with the byelaw see the MMO and its processes as one coherent and trustworthy organisation.

Achieving the Outcomes requires that teams within the MMO (and Defra) fully understand the byelaws and the process that led to their creation and that stakeholder engagement by the MMO is effective and stakeholders contribute to the consultation. This can only be

<sup>14</sup> Note: This section of the TOC is true at time of project inception and will need to be updated as per the MMO's stakeholder engagement toolkit and co-management objectives.

achieved if the MCT and all its stakeholders have sufficient resources and are not subject to stakeholder fatigue.

The Intermediate Outcomes are created through a range of activities. The MCT and partners coordinate as part of the working groups to oversee the delivery of the programme and to ensure cohesion in the project delivery as well as to ensure coherence of stakeholder engagement and avoidance of fatigue. They also need to coordinate with the MMO legal team to avoid any risks of future challenges and with the enforcement team to ensure a coherent and consistent approach to enforcement and availability of resources. The MCT needs to communicate with Defra and other Government Departments about policy developments and most importantly engage with stakeholders in the appropriate manner. As stated above, these various processes can only be effective if all have sufficient capacity and are committed to the successful byelaw making process.

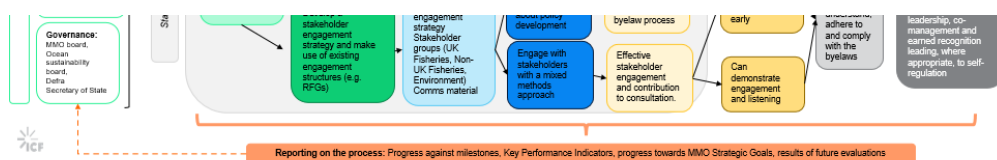
The MCT will have formed the necessary stakeholder engagement groups with the fishing industry and environmental stakeholders. A stakeholder engagement strategy has been prepared or an existing one is used to allow all MMO teams to follow a consistent approach to stakeholder engagement. These are the Outputs of the Stakeholder Engagement TOC. It is also assumed that stakeholder engagement is monitored to make sure all responses by stakeholders can be taken on board, it is known which stakeholders have not engaged and can be approached to allow them to fulfil their role in process.

The Inputs in this TOC are the MMO and MCT Communication and Stakeholder engagement team on the MMO.

### 3.3.5 Ongoing processes

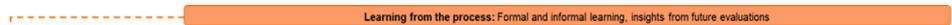
#### 3.3.5.1 Reporting on the process and capturing learning

Figure 3.4 Reporting on the process



Throughout the byelaw making process the MCT reports their progress on key milestones and key performance indicators, including progress towards MMO Strategic Goals, to the MMO board and Defra. This reporting process ensures that governance structures have oversight of the MCT work and their contribution to the MMO strategy. They will also report on any results of future evaluations (Figure 3.4).

Figure 3.5 MCT Learning



Throughout the byelaw making process the MCT capture learning from the process in both formal and informal settings and where appropriate make the necessary changes or improvements to their process (Figure 3.5). As part of any future evaluation, they will work closely with the evaluation team to take on insights so that improvements in the byelaw making process can be made in an adaptive management approach.

### 3.3.5.2 Business as Usual stage

Figure 3.6 Business as Usual stage

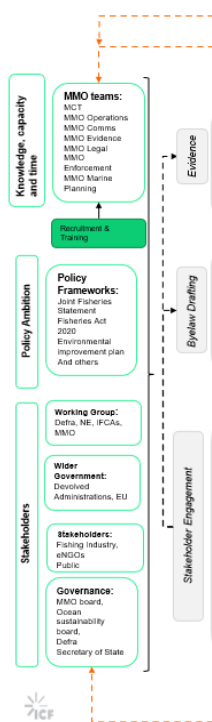


In addition to the three TOCs described above there are three ongoing processes that are depicted in the orange boxes.

A **Business as Usual** (BAU) stage (Figure 3.6) follows the implementation of byelaws to ensure that MPA sites and the associated byelaws are reviewed in line with emerging evidence. The result of the review process will be either a change to the byelaw, its revocation, or no change. Byelaws are to be reviewed at least every 5 years or sooner in response to emerging evidence. This could include results of MPA annual reporting, which reviews activities and trends in the MPAs, e.g. an increase in a certain type of activity, that would signal a re-assessment of the byelaws. The SNCBs provide MMO with environmental advice, particularly if unprotected, sensitive features are being negatively impacted fishing gear.

### 3.3.6 Mutual Resources

Figure 3.7 Resources



The three TOCs described in this document make use of the same resources. There are first of all the MMO teams, including the MCT, the MMO operations, Comms, Evidence, Legal, Enforcement and Marine Planning Teams. To ensure a smooth running of the process described above these teams are assumed to have sufficient resources and are able to recruit and train staff.

In addition, the byelaw creation process is based on Policy Frameworks such as the Joint Fisheries Statement and the Fisheries Act 2020 which give it the necessary legitimacy.

The three TOCs also rely on the resources available within stakeholders. This includes the working groups, Wider Government including the Devolved Administrations and the EU, the fishing industry, environmental NGOs and the general public and a supportive governance structure including the MMO board, the Ocean Sustainability Board and the Defra SoS.

These and their links to the three TOCs are shown in the figure on the left.



## 4 Stakeholders of the MMO MPA Byelaw-making Process

The MMO has clearly expressed an intention to have a collaborative and participatory approach to the management of the UK seas:

*Our aim is that collaboration, partnership and joint stewardship will underpin everything we do, and we will proactively engage, and share best evidence and technology to devise and achieve shared objectives (MMO 2030, Strategic Plan).*

As identified in the literature and TOC, considerations for participatory processes include identifying levels of participation (information, consultation, involvement, collaboration, and empowerment)<sup>15</sup>; the roles of the participating stakeholder (e.g. expert, decision maker, beneficiary, negatively impacted); goals of participation, methods and modes of engagement and opportunities for feedback from participants (i.e. gauging degrees of satisfaction).

The literature recommends that stakeholders are selected based on who would be affected, including who would benefit from the byelaws, who would oppose the byelaws, and who can be a representative of a community or group with shared interests<sup>15</sup>. Identifying reasons for participation from both internal (e.g. MMO) and external stakeholders (e.g. stakeholders outside of government) are of particular importance in defining the level and type of stakeholder engagement conducted. From an internal perspective, understanding the objectives of stakeholder engagement in the byelaw making process is important for determining the most appropriate level of engagement and participation with stakeholders and the most effective methods to engage. From an external perspective, dissatisfactory engagement can lead to distrust of government and feelings of futility amongst external stakeholders.<sup>16</sup> Depending on the level and goals of engagement and participation, tools such as one-way (e.g. websites, newsletters) and two-way (e.g. workshops) approaches can be used<sup>15</sup>. Stakeholders' relationship to and interest in the development of byelaws will likely change over time, and this should be reflected in the stakeholder engagement strategies.

### 4.1 Stakeholder Mapping Workshop

ICF facilitated a workshop with members of the MCT as a first step to explore the stakeholder engagement process with MMO team members. The briefing material for the workshop that provides a description of the activities undertaken during the workshop can be found in Annex 1.

The objectives of the workshop were:

- To understand MMO's goals for stakeholder engagement in the development of byelaws
- To explore why stakeholders may or may not engage with the MMO.
- To reflect on the desired level of participation in byelaw development from the MMO and stakeholder perspective
- To map out the different stakeholders of the byelaws, their stake in the process and how they are impacted.

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<sup>15</sup> Sepp, K., Suškevičs, M., Ehrlich, T., Peterson, K., & Hiimäe, O. (2023). Public participation in environmental assessments in the EU: A systematic search and qualitative synthesis of empirical scientific literature. *Environmental Impact Assessment Review*, 98.

<sup>16</sup> CCRI. (2020) Assessing participation of commercial fishers and recreational anglers in fisheries science and management in England.

- To reflect on the engagement strategies and methods currently used in line with principles of participation, goals of participation and the ability of stakeholders to 'influence' the process.

The evaluation will need to go further to explore whether stakeholder engagement has been effective, by undertaking research with stakeholders.

## 4.2 Objectives of stakeholder engagement

The findings from the workshop with the MCT team are summarised in the bullet points below.

### MMO goals of stakeholder engagement in relation to conservation byelaws:

- For stakeholders to contribute to developing a byelaw that has a) the maximum likelihood of achieving the conservation objective and b) has least impact on a sustainable fishing industry (minimises the socio-economic impacts of measures while achieving the desired protection)
- To identify and address potential issues with byelaw development early in the process.
- To improve the evidence base for the development of goals and ensure best available evidence is used.
- To ensure stakeholders feel included, heard and to improve their support and understanding of the measures.
- To ensure consistency across SNCB advice and decision making within MMO and other marine regulators

### MMO level of stakeholder engagement:

- Calls for Evidence and Formal Consultation are the primary and most efficient sources of engagement to allow stakeholders to provide evidence on the byelaws and share feedback (**Consult**)
- Meetings and face-to-face sources of engagement are utilised for keeping industry, eNGOs and central government aware of the MPA work and informed of any updates so that they are informed and updated on the process and opportunities to engage (**Inform**)
- Working groups and regular meetings with partners in the MPA work – Defra, SNCBs, IFCA – are important for coordination, consistency of decision making and to resolve relevant issues. (**Involve and collaborate**)

### 4.2.1 Stakeholder engagement strategies

During the workshop, MMO and the ICF team discussed the role of stakeholder engagement in the MPA byelaw creation so far and the envisaged role of stakeholders in the MPA legislation and MMO policy making in general.

Stakeholders were listed according to the following groups:

- **Beneficiaries:** those who benefit from the byelaws
- **Decision makers:** those who make decisions about the byelaws.
- **Experts:** those who provide scientific advice, expert opinion and knowledge that inform the development of the byelaws
- **Negatively impacted:** those who may be negatively impacted by the byelaws

The MCT grouped stakeholders by their perceived level of interest, influence and impact using the following matrix developed by the ICF team as part of the evaluation plan<sup>17</sup>. This stakeholder mapping model incorporates features from the Mendelow Model<sup>18</sup> matrix as well as the four stakeholder roles identified in systems thinking in practice (Ulrich and Reynolds, 2020)<sup>19</sup>.

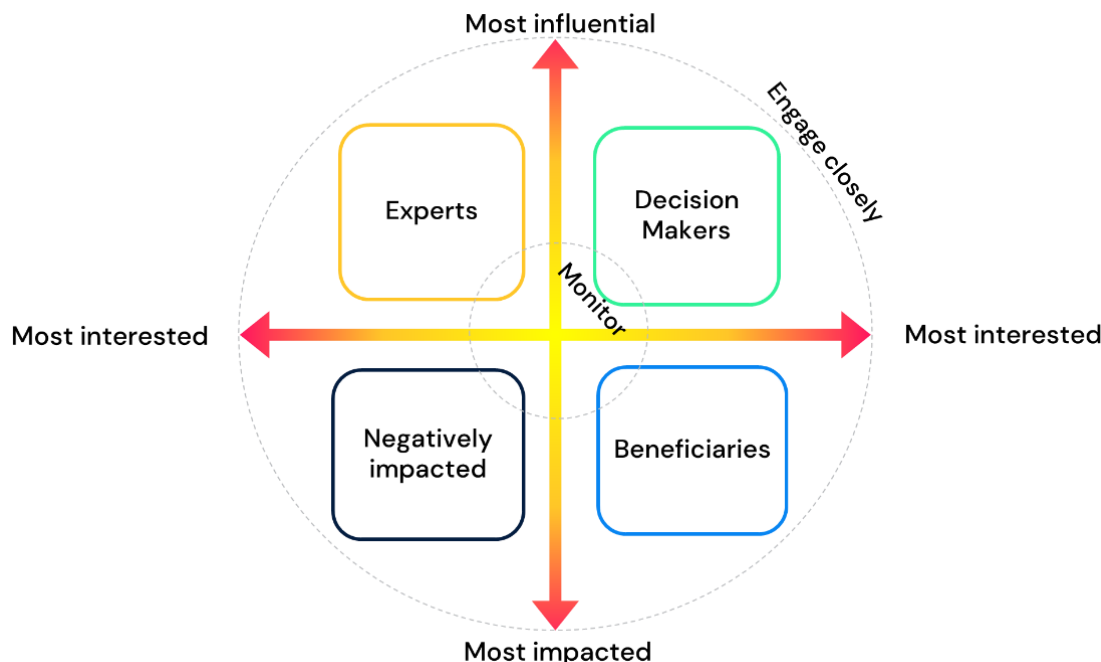


Figure 1 Adapted stakeholder mapping model for use in stakeholder mapping workshop

Those stakeholders with perceived high levels of interest, influence or are most impacted should be more highly engaged in the byelaw decision making process than those less interested, with less influence or not likely to be heavily impacted. After stakeholder mapping, there was a facilitated discussion on the strategy for engaging stakeholders. It is worth noting that several stakeholders fulfil more than one role in the byelaw making process and therefore have been repeated and mapped accordingly.

Findings from these exercises are summarised in Table 4.1. The MCT conducted their own stakeholder mapping exercise which has a more extensive list of stakeholder groups identified for engaging in the byelaw making process. The categorising of some of these groups into their ‘roles’ as ‘experts, decision makers, beneficiaries and negatively impacted’ compliments this work. It is important that the below table is validated by the MCT team to ensure accuracy.

<sup>17</sup> ICF Report. (2022) MMO1289 Evaluation Plan for an Evaluation of Conservation Measures

<sup>18</sup> Mendelow, A. L. (1991) ‘Environmental Scanning: The Impact of the Stakeholder Concept’. *Proceedings From the Second International Conference on Information Systems* 407-418. Cambridge, MA.

<sup>19</sup> Adapted by Reynolds from Ulrich, W. and Reynolds, M. (2020) Ch. 6. Critical Systems Heuristics: The Idea and Practice of Boundary Critique. In: Reynolds, Martin and Holwell, Sue eds. *Systems Approaches to Making Change: A Practical Guide*. 2nd Edn. London: Open University and Springer, pp. 255–305.

Table 4.1 Stakeholders of the MMO MPA Byelaw-making Process

Who are they?	What are their interests? What are their specific issues/concerns?	How are they currently engaged?	Interest and influence or impact
<b>Experts</b>			
SNCBs – Natural England, JNCC, Cefas	Have a statutory obligation to provide scientific evidence and advice on the conservation of habitat features of MPAs.	Provide evidence package at the beginning of the byelaw process, they are part of the working group and they are informed and respond to Formal Consultation (FC) and Call for Evidence (C4E).	High influence High interest
eNGOs - Oceana, Blue Marine Foundation	To protect and conserve the environment so have an interest in providing their views on the strategy. They wish for the highest level of protection of Marine Protected Areas and will put pressure on MMO to do so.	1 of the 2 Stakeholder Groups, FC, C4E	Low-Med Influence High interest
Academia	Ecological aspects of how areas and features are affected by industry	FC, C4E	Medium influence Low interest
Seafish	Impact of byelaws on the fishing industry Fishing technology support to reduce fishing impacts	Evidence produced by Seafish used in the byelaws drafting; FC, C4E	Medium influence Medium interest
Fishing industry	Maintaining their fishing opportunities and economic viability is their key concern. Their concern is minimising short term impacts of byelaws on fishing opportunities and maximising fishing opportunities long term to protect their income source. They may seek to provide evidence to inform byelaws (e.g. information on gears, impacts and socio economic impacts) to improve byelaw design and/or reduce unnecessary regulation. An oft repeated concern is how to meaningfully participate in the design and implementation of byelaws	1 of the 2 Stakeholder Groups, C4E, FC	Medium interest Medium influence (as experts)
MMO Legal team	Ensuring that any proposed legislation is legally sound.	They review and provide legal advice on the byelaws and are engaged internally at the byelaw drafting stage	Med-High Interest Med-High Influence
<b>Decision Makers</b>			
Marine Conservation Team (MCT)	MCT have to deliver the strategy and have a legislative obligation to protect features in MPA.	EOs, HEOs, SEOs, Head of Marine Conservation, Director	High interest, High Influence

Who are they?	What are their interests? What are their specific issues/concerns?	How are they currently engaged?	Interest and influence or impact
		of Operations (in order of increasing seniority)	
MMO Regulatory assurance team	The regulatory assurance and compliance team need to enforce the byelaws	Internal engagement at the drafting of byelaw stage	High interest, High influence
MMO Legal team	Ensuring MCT and MMO are fulfilling their legal obligations as a public body	Internal engagement at the byelaw drafting stage	Medium interest, High influence
Defra Fisheries Policy team	Coordination with wider marine and fisheries policy, ensuring compliance with legislation	Internal engagement with the MCT	High interest, High influence
Defra Environment Policy team	Coordination with wider marine and environment policy	Internal engagement with the MCT	Med-High interest Med-High influence
Secretary of State	Implementation of Fisheries Act 2020 compliance and Oversight of MMO	Final review/approval of the byelaws	Medium interest High influence
MMO Fisheries Management	Coordination with wider marine and fisheries policy	Internal engagement with the MCT	Medium interest, Low influence
Local MPs	Impact on industry, impact on environment, depending on MP/constituents		Low interest, Low influence
Political Influencers			Low-Med interest, High influence
Devolved Administrations	Potential impacts on DAs, e.g. displaced fisheries into other areas, DA-origin vessels with a reliance on fishing grounds within proposed MPAs	Part of the UK fisheries group	Low interest, Low influence
Beneficiaries			
NGO – Oceana	Conservation	1 of 2 Stakeholder Groups, FC, C4E	High interest High impact
NGO – Blue Marine Foundation	Conservation	1 of 2 Stakeholder Groups, FC, C4E	High interest High impact
NGO – Marine Conservation Society	Conservation	1 of 2 Stakeholder Groups, FC, C4E	High interest High impact
NGO – Wildlife Trusts	Conservation	1 of 2 Stakeholder Groups, FC, C4E	Medium Interest Medium Impact
NGO – Wildlife and Countryside Link	Conservation	1 of 2 Stakeholder Groups, FC, C4E	Medium Interest Medium Impact
NGO – RSPB	Conservation	1 of 2 Stakeholder Groups, FC, C4E	Medium Interest Medium Impact
Recreational Fisheries	Maintaining fishing opportunities for leisure	FC, C4E	Medium interest Low impact
Non-prohibited gear fishers	Potential consequences for them	FC, C4E	Low interest High impact
Coastal Communities	Economic and cultural interest/concerns	FC, C4E	Low-Med interest Low impact
Environment Tourism	Economic & environmental (conservation) interests	FC, C4E	Med-High interest Low impact

Who are they?	What are their interests? What are their specific issues/concerns?	How are they currently engaged?	Interest and influence or impact
Public	Effects on public use of the site, wider consequences or knock-on effects, cultural interests, general interest	FC, C4E	Low-Med interest Low impact
FMP programme	Successful implementation of FMPs and how they fit in with wider policies	Internal engagement	Low interest Low-Med impact
<b>Negatively Impacted</b>			
Fishers who use managed area	Reduced fishing opportunities. Identified representative bodies include NFFO, Seafish, Shellfish Industry Advisory Group, Finfish Industry Advisory Group, Shellfish Association of Great Britain, UKAFPO, Scallop industry Consultation Group, Regional Fisheries Groups, Fishermen's Associations, Producer organisations.	FC, C4E, Stakeholder Groups	High interest, High impact
Fishers in adjacent areas	Competition from other fishers/fisheries	FC, C4E, Stakeholder Groups	High interest, High Impact
Coastal Communities	Impact on local culture, including fishing industry, recreation, tourism	Via IFCA input/advice, if relevant to the site?	High interest, High impact
Fish Supply Chains	Includes fishing sector companies such as agents, buyers and sellers who may be impacted from reduced fishing business.	FC, C4E	Medium interest, Medium Impact
EU	How UK policies coalesce with EU policies; how UK policies affect EU citizens e.g., fishers	EU Trade Agreement notification	Medium interest, Low impact

## 5 Evaluation Framework

An Evaluation Framework brings together all the relevant tools for an evaluation including the TOC, evaluation questions, indicators and data sources as well as methods to be used in the evaluation.

A **theory-based approach** is recommended for this process evaluation. The approach involves testing a TOC model to validate, refine, or refute expected causal pathways and understand the extent to which the processes undertaken by the MCT contribute to the intended outcomes of the bylaw making strategy. Methods to collect data to answer evaluation questions include:

- Literature and document review,
- Key Informant Interviews,
- Workshops (or focus groups),
- Surveys of Stakeholders
- Descriptive analysis of statistics collected by MMO will also form part of this evaluation method.

All evaluation questions will require at least two of the methods to provide a robust answer and allow triangulation of results. In most cases it will be more. The first source, such as the document review for example, would establish a proposed answer which then needs to be triangulated with at least one further source.

### 5.1 Evaluation Questions

Evaluation questions articulate the main issues that will be explored by the evaluation.

*Evaluation Questions (EQs) are the high-level questions that an evaluation is designed to answer - not specific questions that are asked in an interview or a questionnaire. Having an agreed set of Evaluation Questions (EQs) makes it easier to decide what data to collect, how to analyse it, and how to report it.<sup>20</sup>*

The high-level evaluation questions can be supported by underlying or Sub Questions which help explore the questions in more depth.

Evaluation questions typically evolve during evaluation design and implementation, depending on feasibility, data availability, practical issues during the evaluation's execution, emerging findings, and other considerations. It is recommended that evaluation questions are co-developed between the evaluator, the evaluated and where appropriate key stakeholders of the evaluation (in this case that could be MMO partners such as JNCC). For this reason, it is vital for the evaluator to maintain strong links with the users of evaluation, so that evaluation designs evolve with their needs in mind.

#### 5.1.1 Evaluation Questions

As part of MMO1289 evaluation questions were co-designed by the ICF team and the MMO, utilising insights from interviews and workshops with MMO, MCT, NE and IFCAs.

These evaluation questions have been revisited and revised as part of the workshop held on 31<sup>st</sup> March 2023 (Annex 2).

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<sup>20</sup> BetterEvaluation. (2016) Specify the Key Evaluation Questions (KEQs). Retrieved from: [http://betterevaluation.org/en/plan/engage\\_frame/decide\\_evaluation\\_questions](http://betterevaluation.org/en/plan/engage_frame/decide_evaluation_questions)

**Governance and management: How is the byelaw-making process managed and governed to ensure the process delivers on its intended outcomes?**

- Does the MMO team have the capacity and knowledge required to meet the requirements of their roles and responsibilities?
- How well are MCT engaging with other MMO teams to ensure that the byelaw-making process supports and does not undermine wider MMO strategy?
- How well are MCT working across external delivery partners and what are the barrier?
- How are the expected, unintended and wider consequences (including risks) identified, understood and communicated?
- How well are MCT resourced and equipped to deal with uncertainty?
- Is there effective process and governance in place to support the delivery of the MMO MPA Byelaw-making Process?

**Stakeholder Engagement & Participation: How and to what extent are stakeholders engaged in the byelaw-making process?**

- What is MCTs strategy for engaging with stakeholders in the byelaw-making process?
- To what extent do stakeholders feel engaged? Do stakeholders feel able to participate in the process where appropriate? Who are these stakeholders and why or why don't they feel engaged?
- Do stakeholders feel that the process is appropriately governed and that decisions are open, transparent, proportionate, accountable and consistent?
- To what extent are stakeholders' expectations and uncertainties managed?

**Use of evidence: How is evidence collected, considered, and used to inform decision making?**

- How do teams work together to ensure that evidence is effectively shared , and do they have the required resources?
- How are different types of evidence including experiential evidence and stakeholder knowledge reviewed and considered in decision making?
- How does the evidence underpinning decisions consider environmental, social and economic impacts, including cumulatively?
- How are outstanding evidence needs identified and prioritised?
- How is uncertainty in evidence managed and to what extent are MCT clear and transparent about uncertainties and limitations in evidence?
- Is there a quality assurance process in place to ensure that decisions are based upon best available evidence and account for uncertainty (robustness and confidence), if so is this being used?



## 5.2 Indicators

Table 5.1 sets out the data needs associated with the evaluation questions and sub-questions. Relevant evidence sources for each item are marked with an 'x' using the following abbreviations:

**Primary data sources** include data collected by the evaluation team, during the evaluation period for the purpose of answering evaluation questions. Primary data sources have been broken down by the following annotations:

- MCT-I: Interviews with MCT
- MMO-I: Interviews with other MMO teams (Evidence and Evaluation, Regulatory assurance, and compliance, Legal, Marine Spatial planning, HPMAs)
- WG-I: Interviews with working group members (Defra, NE, JNCC, IFCA)
- S-I: Interviews with wider stakeholders (eNGOs, Commercial fishing industry)
- S-S: Survey of wider stakeholders (eNGOs, Commercial fishing industry)
- SD: Secondary data sources, include data collected for a purpose and by somebody outside of the evaluation team but can be reviewed and utilised to answer evaluation questions. Secondary data sources will predominately be supplied by the MMO but could also come from partners such as Defra, NE, JNCC and IFCA. Secondary data could also be sourced from public information online relevant to the evaluation. The types of data that could be included under secondary data include documentation, meeting minutes and articles. More detail on the collection methods and a list of known secondary data sources can be found in section 5.4.

More detail on the collection methods for primary data sources can be found in section 5.3.

Table 5.1 Evaluation questions, sub-questions indicators and data sources

Evaluation Question	Sub-Question	Indicator	MCT -I	MMO-I	WG-I	S-I	S-S	SD	Notes
<b>Governance and management:</b> How is the byelaw-making process managed and governed to ensure the process delivers on its intended outcomes?	Do the MMO team have the capacity and knowledge required to meet the requirements of the roles and responsibilities?	Roles and responsibilities documented yes/no  Staff understanding of roles and opinion on capability and capacity to deliver roles.  Staff understanding of roles post-implementation of byelaws.  Staff capacity and capability to deliver roles post-implementation.  MCT delivery against KPIs	X					X	SD: Roles and responsibilities, KPIs, Organogram, MCT Training Schedule
	How well are MCT engaging with other MMO teams to ensure that the byelaw-making process supports and does not undermine wider marine policy and MMO strategy?	MCT delivery against MMO strategic objectives  MCT understanding of MMO strategy and relation to MCT work.  Wider MMO teams understanding of byelaw-making process and experience of engagement with MCT.  Process for recording and sharing information regarding the byelaw making process to retain institutional knowledge.  Cohesion of marine byelaws with existing byelaws or measures  MCT engagement with other teams	X	X	X			X	MMO-I: Interviews with MMO Regulatory assurance and compliance, Legal and Marine Spatial planning, HPMA's and their knowledge of and engagement in the byelaw-making process  WG-I: IFCA's, Defra  SD: Strategic objective reporting, process, recording and project tracking, industry and regulator guidance documents reflecting elements of codesign and mutual understanding

Evaluation Question	Sub-Question	Indicator	MCT -I	MMO- I	WG- I	S-I	S-S	SD	Notes
	How well are MCT working across external delivery partners and what are the barriers?	Staff understanding of roles and opinion on capability and capacity to deliver roles. Staff experience of working with external delivery partners	X		X			X	WG-I: Interviews with NE, JNCC, IFCA, Defra experience of working with MCT. MCT-I: Experience working with delivery partners. SD: Working Group meeting minutes, ToR, documents and emails describing cooperation with delivery partners
	How are the expected, unintended and wider consequences (including risks) identified, understood and communicated?	Mechanism for understanding risks present/absent. Effect on operational delivery	X		X			X	MCT-I: Process for dealing with risk. WG-I: Working groups perceptions of the risk and mechanisms for dealing with risks. SD: Risk registers, uncertainty document, SNCB environmental uncertainty
	How well are MCT resourced and equipped to deal with uncertainty?	Adaptation and learning process (delivery of management) present/absent. Adaptation and learning process (Regulatory assurance and compliance) present/absent. Adaptation and learning process (integration) present/absent. Evidence of change in strategy/PMS	X					X	

Evaluation Question	Sub-Question	Indicator	MCT-I	MMO-I	WG-I	S-I	S-S	SD	Notes
	Is there effective process and governance in place to support the delivery of the MMO MPA Byelaw-making Process?	<p>Documented governance structure present/absent</p> <p>Documented linkages with relevant MMO teams (e.g. Ops/Fisheries Management)</p> <p>Documented decision-making process present/absent.</p> <p>Documented operation process present/absent</p> <p>Understanding present/absent</p> <p>Appeal processes present/absent</p> <p>Evidence of applied legal review process yes/no</p> <p>Effectiveness of legal review</p>	X	X				X	<p>MMO-I: Interviews with MMO Legal, Evidence and Evaluation</p> <p>SD: Organograms, decision making process, operations process, appeal and legal review process. Review of documents demonstrating the governance process such as minutes of leadership meetings, Board meetings etc</p>
<b>Stakeholder Engagement &amp; Participation:</b> How and to what extent are stakeholders engaged in the byelaw-making process?	What is MCT's strategy for engaging with stakeholders in the byelaw-making process?	<p>Stakeholder engagement plan in place and utilised</p> <p>Guidance on engaging with stakeholders and harder to reach stakeholders.</p> <p>Understanding of stakeholder's groups (stakeholder mapping)</p> <p>Process for communicating with all stakeholder groups.</p> <p>Process for responding to stakeholder feedback.</p>	X	X				X	<p>MCT-I: Leads of stakeholder engagement groups.</p> <p>MMO-I: Communications and engagement lead</p> <p>SD: Stakeholder engagement strategy, MPA comms plan and dashboard, guidance on engaging with harder to reach stakeholders, stakeholder mapping, feedback process, stakeholder group TOR and meeting minutes, distribution lists, emails from engagement inbox</p>

Evaluation Question	Sub-Question	Indicator	MCT-I	MMO-I	WG-I	S-I	S-S	SD	Notes
	To what extent do stakeholders feel engaged? Do stakeholders feel able to participate in the process where appropriate? Who are these stakeholders and why or why don't they feel engaged?	<p>Stakeholders experience of engagement and communication from MCT</p> <p>Stakeholder awareness of how they can participate in byelaw-making process</p> <p>Stakeholders experience with participating in byelaw making process</p> <p>Number of queries being received from stakeholders about the byelaw-making process/management</p>				X	X	X	<p>S-I: Targeted interviews with key representative bodies and associations from different stakeholder groups and comparing the experience across these different stakeholder groups.</p> <p>S-S: Stakeholder feedback survey, after stakeholder group meetings, webinars, etc and comparison across different stakeholder groups</p> <p>SD: Stakeholder groups ToR, meeting minutes, stakeholder feedback and queries, feedback section of citizen space surveys (used for consultation)</p>
	Do stakeholders feel that the process is adequately governed and that decisions are open, transparent, proportionate, accountable and consistent?	<p>Levels of awareness of strategy</p> <p>Stakeholder perceptions of process governance, including concepts like transparency</p>				X	X		<p>S-I: Targeted interviews with key representative bodies and associations and comparison across different stakeholder groups</p> <p>S-S: Stakeholder feedback survey after stakeholder group meetings, webinars, etc and comparison across different stakeholder groups, stakeholder emails</p>
	To what extent are stakeholders' expectations and uncertainties managed?	<p>MMO strategy for managing of stakeholder's expectations during and post – byelaw implementation</p> <p>Stakeholder's perception of uncertainty and how it is managed</p>	X			X	X		<p>MCT-I: Process for managing expectations during byelaw design and post-implementation</p> <p>S-I: Targeted interviews with key representative bodies and</p>

Evaluation Question	Sub-Question	Indicator	MCT-I	MMO-I	WG-I	S-I	S-S	SD	Notes
									associations and comparison across different stakeholder groups .  S-S: Stakeholder feedback survey after stakeholder group meetings, webinars, etc and comparison across different stakeholder groups
<b>Use of evidence:</b> How is evidence collected, considered, and used to inform decision making?	How do teams work together effectively to supply the evidence, and do they have the required resources?	Roles and responsibilities for evidence gathering documented  Staff opinion on capacity to obtain evidence	X	X	X			X	MMO-I: Evidence and Evaluation WG-I: SNCBs  SD: SNCB advice, Fishing industry data, research, decision documents, evidence logs
	How are different types of evidence including experiential evidence and stakeholder knowledge reviewed and considered in decision making?	Use of evidence in decision-making	X	X	X			X	SD: Documented use of evidence, call for evidence, decision documents, evidence logs, SNCB advice
	How does the evidence underpinning decisions consider environmental, social and economic impacts, including cumulatively?	Use of evidence for environmental impact assessment  Use of evidence for social impact assessment  Use of evidence for economic impact assessment  Use of evidence for cumulative impact assessment	X	X	X			X	

Evaluation Question	Sub-Question	Indicator	MCT -I	MMO-I	WG-I	S-I	S-S	SD	Notes
	How are evidence gaps identified and prioritised?	<p>Evidence gaps identified yes/no</p> <p>Process to prioritise and respond to priority evidence gaps yes/no</p> <p>Understanding of process present/absent</p> <p>Effectiveness of process to respond to evidence gaps</p>	X	X	X			X	<p>MMO-I: Evidence and Evaluation team</p> <p>SD: Call for evidence, exchanges with scientists</p>
	How is uncertainty in evidence managed and to what extent are MCT clear and transparent about uncertainties and limitations in evidence?	<p>Process for dealing with uncertainty</p> <p>Communication of uncertainty or limitations in evidence in byelaw documents</p> <p>Documented decision-making process that accounts for the risk posed by uncertainties and enabling adaptive decision-making based on new evidence</p>	X		X			X	SD: Uncertainty document, reference to uncertainty in call for evidence and decision document
	Is there a process in place to ensure that decisions are based upon best available evidence and account for uncertainty (robustness and confidence), if so is this being used?	<p>QA process present/absent</p> <p>Use of QA process</p> <p>QA process effectiveness</p> <p>Monitoring and review process present/absent</p>	X	X	X			X	<p>MMO-I: Evidence and Evaluation team</p> <p>WG-I: working group opinions on consultation of draft byelaws/assessments prior to publication</p> <p>SD: Quality assurance documentation, monitoring and review plan</p>

### 5.3 Primary data collection

**Primary data sources** include data collected by the evaluation team, during the evaluation period for the purpose of answering evaluation questions.

#### 5.3.1 In-depth Key Informant Interviews

Key Informant Interviews are semi-structured in-depth interviews which allow the interviewees to express their views, insights, and opinions in an anonymised manner. The interviewer can explore sensitive questions around the ‘How’ and ‘Why’ of the strategy. This will supply useful information to adapt the process and refine it. The interview questions will be informed by the document review and will contribute to answering all the evaluation questions.

Table 5.2 Key Informant Interviews

Group and organisation		Description
Decision Makers	MCT	The Marine Conservation Team of the MMO is responsible for MPA fisheries management, pollution response, wildlife licensing, IFCA byelaw quality assurance, fisheries dispensations and management of non-licensable activities in MPAs. Overall, MCT goals are to further conservation objectives, avoid deterioration of protected sites and support/complement wider marine policies. MCT roles include EOs (Marine Conservation & MPA Officers), HEOs (Marine Conservation & MPA Managers), SEOs (Principal Marine Conservation & Project Managers) and the Head of Marine Conservation.
	MMO	Other MMO teams whose work is directly or indirectly related to the byelaw making process who may need to be engaged and/or participating in byelaw development. Teams include Evidence and Evaluation, Regulatory assurance and compliance, Legal, Marine Spatial planning.
Experts	Working Group	The Working Group includes Defra, IFCA and SNCBs including NE and JNCC. The purpose of this group is to oversee and co-ordinate the delivery of the programme to manage fishing activities in England’s offshore marine protected areas (MPAs). However, their role is directly involved with the delivery function rather than arms-length governance. They coordinate the contributions of the group and advise on wider project delivery. In particular: <ul style="list-style-type: none"> <li>- they provide specialist review comments on many of the documents produced by the project;</li> <li>- they provide the conduit for contact with government, including facilitating project launch and ministerial approval of Byelaws.</li> </ul>
Potentially Negatively Impacted	External Stakeholders: Fishing industry and recreational anglers	Stakeholders that may be affected in some way by the intervention as well as those stakeholders who may be disaffected by the intervention either by intent or as a result of unintended consequences and/or unforeseen events.  The fishing industry could be represented by The National Federation of Fishermen’s Organisation (NFFO); individual Fish Producer Organisations (FPOs); Sea Fish Industry Authority (Seafish); Shellfish Association of Great Britain;



Group and organisation		Description
		<p>New Under Ten Fishermen’s Association (NUTFA), and local fishing associations where specific spatial overlaps with MPAs exist.</p> <p>The fishing industry could also be engaged directly through MMO stakeholder groups, Regional Fisheries Groups and at Port visits utilising knowledge and experience of MEOs</p>
Potential Beneficiaries	External Stakeholders: ENGOS	<p>Those who provide the motivation to hold the implementing body to account, including representatives of non-human nature e.g., the marine environment.</p> <p>This could be defined very widely to include all the ENGOS with an interest in the marine environment e.g., Wildlife Trusts, MCS, WWF and NGOs for specific taxa such as RSPB, Seal Conservation Society, Whale and Dolphin Conservation, Shark Trust etc.</p> <p>This could also include other marine users who have a stake in protecting the marine environment such as anglers e.g., Angling Trust.</p>
	External Stakeholders: Other industry	<p>There are other stakeholders and marine industries that are important to consider as part of strategy, and the evaluation, whose position within the stakeholder landscape may change over time.</p> <p>Marine renewable energy generation (potential overlap with strategic compensation). Other relevant maritime industries could be confirmed through spatial analysis, but could include: shipping &amp; navigation, aggregate extraction, cables and pipelines, aquaculture, recreational fishing &amp; boating</p>

### 5.3.2 Workshops or focus groups

Group discussions add additional insights by providing participants with the opportunity to listen and build on each other’s ideas. The evaluation design will need to consider whether these group discussions should be topic-focused (for example “Evidence Collection”) and bring in all relevant stakeholders or be stakeholder-focused (for example fishing industry) and cover all parts of the process.

Internal workshops might include:

- Members of the Marine Conservation Team (MCT)
- Wider MMO team members (e.g. Compliance and enforcement)
- Colleagues working on policies that have the potential to overlap or conflict with byelaws (e.g. HPMAs)

External workshops might include:

- Representatives from the fishing industry
- Representatives from SNCBs or other government bodies such as Natural England or Defra
- Representatives from eNGOs

The number of workshops and scope for workshops would be dependent on the evaluation timeline and the budget available. Internal workshops with members of the MCT and wider MMO are likely to require less resource and time to organise in comparison to engaging externally.

### 5.3.3 Surveys

Depending on the purpose and sample size of a survey both quantitative data and qualitative data can be collected. However, a survey must balance the requirements of the data collection with the length and ease at which the survey can be filled out in order to optimise the response rate. If effectively designed, surveys can reach a larger audience than interviews although they can be limited in the depth of which questions can be answered based on the constraints of the medium in comparison to interviews or workshops.

Surveys could contribute to answering evaluation questions on the theme of 'Stakeholder Engagement & Participation'. The fishing industry is well dispersed. It is often challenging to ensure reasonable representation and participation in surveys. Online surveys typically result in low returns. Face-to-face or, as a secondary choice, telephone interviews tend to be more successful in reaching a spectrum of fishing sector interests, however, are also more expensive.

Efficiencies can be achieved through making use of existing outreach structures and forums, for example engaging with NFFO and Fish Producer Organisations to publicise surveys and encourage participation. The MMO's Regional Fisheries Groups are also established structures that provide a forum for outreach and face-to-face meetings. There is also a resource of trusted individuals with fisheries liaison experience around the UK who can facilitate contact with individuals, fishing associations, and value-chain actors with interests in fisheries production.

Selection bias and survey power require consideration, and good survey design will benefit from prior knowledge (e.g. VMS data) to identify the location and distribution of fishing vessels operating in or around proposed byelaw areas. MMO coastal offices, through MEOs, are also a source of knowledge about dependent fisheries that can be used to improve survey design, including outreach considerations - times of day, tidal states when fishers are likely to be in port.

Where stakeholders have been engaged by the MMO as part of an engagement strategy, a short online feedback survey could be used to gain an understanding from stakeholders on how well they felt that process went. This provides an opportunity for stakeholders to provide feedback on the MMO process as well as an opportunity for the MMO to take on board recommendations.

Table 5.3 Surveys to contribute to Stakeholder Engagement and Participation

Stakeholder Engagement and Participation	Type of Survey	Description
Do stakeholders feel engaged and able to have a say in the process where appropriate?	Qualitative survey <ul style="list-style-type: none"> <li>- Short feedback survey</li> <li>- Likert scale questions</li> <li>- A small amount of short open ended questions</li> <li>- Opportunity to include email to be interviewed</li> </ul>	Online survey emailed to participants who took part in an engagement/consultation activity as part of the MMO's engagement strategy to get an understanding of their experience and recommendations for improvement.

### 5.3.4 Overview of primary data collection and research targets

Table 5.4 Overview of primary data collection and research targets

Target Group	Delivery	Distribution	Estimation of sample size	Limitations
MCT	Interview		5	
MMO	Interview	Selection of leads in following teams <ul style="list-style-type: none"> <li>- Evidence &amp; Evaluation</li> <li>- Regulatory Assurance</li> <li>- Legal</li> <li>- Marine Spatial Planning</li> <li>- HPMAs</li> </ul>	5-8	
Working Group	Interview	Selection of individuals across following organisations <ul style="list-style-type: none"> <li>- Defra</li> <li>- IFCAs</li> <li>- Natural England</li> <li>- JNCC</li> </ul>	5-8	
External Stakeholders	Online Survey	Survey delivered through MCT stakeholder groups and relevant RFG/s  Survey delivered after events or webinars, distribution lists  Survey shared through associations and representative groups	1 general survey routed through separate questions for Fishing industry and eNGOs  1 feedback survey to send in response to any engagement activity	Selection bias as those that are more engaged and more aware of the strategy will likely respond through these channels.  Low survey response rate
	In-person survey	Survey with fishing industry delivered via appropriate means, which could include through Producer Organisations, through port side ad hoc meetings at ports identified as relevant through prior knowledge (e.g. VMS data) to identify affected fishing vessels operating in or around proposed byelaw areas, their port of operation, and/or utilising MEOs knowledge.		Resource intensive and budget dependent  Difficulties securing interviews with less engaged stakeholders.
	Interview	Interviews with 'engaged' fishing industry representatives i.e. members of Fisheries Stakeholder Groups and/or indicated	10 - 20	

Target Group	Delivery	Distribution	Estimation of sample size	Limitations
		<p>willingness to participate in interview from survey</p> <p>Interviews with members of eNGO stakeholder groups and/or indicated willingness to participate in interview from survey</p>		

## 5.4 Secondary Data collection

**Secondary data sources** include data collected for a purpose and by somebody outside of the evaluation team but can be reviewed and utilised to answer evaluation questions. A description of the different types of data that can be used is provided below, with a full list of known documentation provided in Annex 4.

### 5.4.1 Governance and management

Secondary data sources addressing the 'Governance and management' theme are documents that track the progress of byelaw projects and relate to institutional decision-making.

Examples include:

- Roles and responsibilities of individuals in the teams
- Key Performance Indicators (KPIs)
- Strategic objective reporting, process recording and project tracking, industry and regulator guidance.
- Organograms
- Documentation of project initiation
- Reports made to/for the Board
- Documentation of decision-making processes, operations processes, appeal and legal review processes

Documents listed in Annex 4

- Introduction to the Marine Conservation Team (MCT) slideshow
- MCT Training Schedule
- MCT MPA 3-Year Programme Risk Register
- MMO Marine Protected Area Byelaw-making Process: Dealing with Uncertainty
- Marine Management Organisation Monitoring of Compliance and Enforcement Strategy

### 5.4.2 Stakeholder participation and engagement

Secondary 'Stakeholder participation and engagement' data provides information about how stakeholders are involved and communicated with throughout the byelaw-making process.

Examples include:

- Stakeholder contact or distribution lists (e.g. email)
- Stakeholder feedback and queries
- Call for evidence and formal consultation
- Guidance on engaging with harder to reach stakeholders
- Stakeholder mapping exercises and products
- Citizen Space surveys (used for consultation)

Documents listed in Annex 4

- Marine Planning: Strategic Communications and Engagement Plan 2023-2025
- Stakeholder Engagement Framework
- Stakeholder Groups Slides
- Terms of Reference for Stakeholder Groups and Working Group
- Stage 2 & 3 Call for Evidence, Formal Consultation Action Plan
- MMO MPA Byelaw-making Process Comms Plan

### 5.4.3 Use of evidence

Secondary sources documenting the 'Use of evidence' includes scientific and other data used to inform decisions throughout the byelaw-making process.

Examples include:

- Evidence logs & other documented use of evidence
- SNCB advice, including on environmental uncertainty
- Fishing industry data and research
- Call for evidence

Documents listed in Annex 4:

- MMO Marine Protected Area Byelaw-making Process: Dealing with Uncertainty
- Byelaw documents including: Information Sheet, Byelaw, Fisheries Assessment, Regulatory Triage Assessment, Decision Document

## 5.5 Approach to learning

To support adaptive management and decision-making in the byelaw-making process, the evaluation can incorporate aspects of a developmental evaluation. Possible developmental evaluation methods could include the following:

- Regular sharing of 'insight notes' to provide early findings from the evaluation as and when new information arises. An example template for these insight notes is provided in Annex 3
- Collaborative learning workshops to allow space for reflection and discussion to enable lessons to be shared and knowledge assimilated and acted upon.

## 5.6 Evaluation Timetable

If the focus of a future evaluation remains a formative evaluation that captures learning to support the MCT, then the programme of evaluation research needs to be conducted early enough for learnings to be utilised in the byelaw-making process.

The evaluation programme also needs to take into account the stages in the byelaw making process that are upcoming to ensure that a) the evaluation research requests don't add increasing stakeholder burden at a time when there are significant stakeholder engagement events b) the timing of the evaluation research is optimised so stakeholders can reflect on recent engagement activity. Suggestions for priorities or research themes that could be covered against the MCT milestones is provided in Figure 5.1 Currently the MCT are approaching the stage 3 formal consultation phase. A future commissioned evaluation could take on learning from stage 1, stage 2, and stage 3 to provide learning for stage 4 as well as useful insights to capture for the BAU stage.

Monthly evaluation notes can provide early learning for the MCT on focus areas or topics of interest to ensure that the team can make best use of these insights in their processes. Internal workshops could also be set up and facilitated to ensure learning across the different MMO teams and partner groups in the run up to significant milestones.

Figure 5.1 MCT milestones timetable

Milestone	Expected Date	Status	Evaluation considerations
M1: Stage 1 Make byelaws	13/04/22	Achieved	Learnings from stage 1 were provided as part of ICF 2022 and 2023 project
M2: Stage 1 Byelaws in force	13/06/22	Achieved	
M3: Stage 2 C4E launch	16/05/22	Achieved	Learnings from stage 2 C4E and FC could be provided from internal interviews (MMO and working group) and document review.
M4: Stage 2 FC launch	17/01/23	Achieved	
M5: Stage 2 Make byelaw	14/06/23	Delayed	Evaluation could focus on stakeholder response to stage 2 byelaws and their experience with previous engagement.
M6: Stage 2 Byelaw in force	07/09/23	Delayed	
M7: Stage 3 C4E launch	18/01/23	Achieved	Learnings from stage 3 C4E and FC could be provided from internal interviews (MMO and working group) and document review.
M8: Stage 3 FC	16/04/24	Delayed	
M9: Stage 3 Make byelaws	10/10/24	Delayed	Evaluation could focus on stakeholder response to stage 3 byelaws and their experience with previous engagement.
M10: Stage 3 Byelaws into force	19/12/24	Delayed	
M11: Stage 4 C4E	14/11/23	On track	Early evaluation insights from areas listed above could provide learning in time for C4E
M12: Stage 4 FC	27/06/24	On track	Evaluation could provide findings to support formal consultation.
M13: Stage 4 Make byelaws	18/11/24	On track	Evaluation could provide findings to support development of byelaws and coordination across MMO teams.
M14: Stage 4 Byelaws in force	31/12/24	On track	

## Annex 1 W1: Stakeholder Mapping

Mural board link: [MMO Evaluation Framework - Stakeholder Engagement • ICF Europe & Asia \(mural.co\)](#)

### Briefing Material – MMO Conservation Byelaws Evaluation Plan

#### Workshop 1: Stakeholder Engagement

8th March 15:00 'til 17:00

Timing		Item	Person
5 minutes	1	Welcome and introductions	Jess Lyon
5 minutes	2	Recap on the Evaluation and objectives of the session	Jess Lyon
20 minutes	3	Goals of participation in byelaw creation	Jess Lyon, Ulrike Hotopp, Ed Willsted
60 minutes	4	Stakeholder Mapping	Jess Lyon, Ulrike Hotopp, Ed Willsted
10 minutes	4.1	Who are the stakeholders: <ul style="list-style-type: none"> <li>Beneficiaries</li> <li>Decision makers</li> <li>Experts</li> <li>Negatively impacted</li> </ul>	Jess Lyon, Ulrike Hotopp, Ed Willsted
15 minutes	4.2	Mapping / ranking stakeholders using tool	Jess Lyon
15 minutes	4.3	Stakeholder relevance to rest of MMO	Ulrike Hotopp
20 minutes	4.4	Strategies and methods of engagement (again using the tool)	Jess Lyon
10 minutes	5	Final Discussion	Ulrike Hotopp Jess Lyon
Total 100 minutes		FINISH	

## 1. Introduction

ICF and partners have been contracted to undertake an 'evaluation plan for an evaluation of conservation measures' for the Marine Management Organisation (MMO). The object of the planned evaluation is the process developed to implement the Marine Protected Area regulations following the UK's exit from the EU. This means the evaluation will look at how the MMO has implemented the legislation so far, what has been learnt from the first steps of the implementation and how this learning was implemented to improve the process. Whether the aims of the conservation byelaws are achieved is beyond the scope of this process evaluation and would require a future impact evaluation.

As part of the MMO evaluation framework development, ICF are conducting 2 workshops. This is the 1st workshop, which is expected to last 1.5 hours.

- **Workshop 1 – Stakeholder engagement & mapping**
- Workshop 2 - Theory of Change (TOC) and evaluation framework

This workshop is the first step in exploring the stakeholder engagement process with MMO team members. The evaluation will need to go further to explore whether stakeholder engagement has been effective by asking stakeholders themselves.

## 2. Objectives

The objectives of the session are to:

- To understand MMO's goals for stakeholder engagement in the development of byelaws
- To explore why stakeholders may or may not engage with the MMO
- To reflect on the desired level of participation in byelaw development from the MMO and stakeholder perspective
- To map out the different stakeholders of the byelaws, their stake in the process and how they are impacted
- To reflect on the engagement strategies and methods currently used in line with principles of participation, goals of participation and the ability of stakeholders to 'influence' the process (*Do the methods adopted for consultation provide the participants with sufficient opportunity to influence decisions?*)

## 3. Considerations for participatory processes

The MMO has clearly expressed its wish to have a collaborative approach to the management of the UK seas:

*Our aim is that collaboration, partnership and joint stewardship will underpin everything we do, and we will proactively engage, and share best evidence and technology to devise and achieve shared objectives. (MMO 2030, Strategic Plan)*

This objective is reflected in a participatory approach to working with stakeholders. Considerations for participatory processes include identifying levels of participation (information, consultation, involvement, collaboration, and empowerment)<sup>21</sup>; the roles of the participants (e.g. expert, decision maker, beneficiary, negatively impacted); goals of

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<sup>21</sup> Sepp, K., Suškevičs, M., Ehrlich, T., Peterson, K., & Hiimäe, O. (2023). Public participation in environmental assessments in the EU: A systematic search and qualitative synthesis of empirical scientific literature. *Environmental Impact Assessment Review*, 98.



participation, methods and modes of participation and opportunities for feedback from participants (i.e. gauging degrees of satisfaction).

Participants should be selected based on who would be affected, including who would benefit, who would oppose the change, and who can be representative of a community or group.<sup>1</sup> Identifying the goals of participation are of particular importance in defining the level and type of stakeholder engagement conducted, as unsatisfactory participation opportunities can lead to distrust and feelings of futility amongst stakeholders.<sup>22</sup>

The emphasis of participatory processes should be on collaboration, communication, and learning over time<sup>1</sup> as well as maintaining a balance of credibility, saliency and legitimacy.<sup>23</sup> Depending on the level and goals of the participatory process, mechanisms can include tools such as one-way (e.g. websites, newsletters) and two-way (e.g. workshops) approaches.<sup>1</sup>

#### 4. Stakeholder Mapping

The stakeholder mapping workshop will support ICF's overall evaluation work around the MMO's conservation byelaw process and will focus in particular on how stakeholders are and were involved in the byelaw making processes and the impacts on/of engaging with all stakeholders involved in the process.

The purpose of this workshop is to improve the understanding of 'who' is expected to be impacted by the marine conservation byelaws and 'how' as well as who the source of this impact is. The workshop will inform the design of primary research needs for the evaluation, provide understanding around the social and economic impacts of the byelaws and support the MMO in their development of stakeholder engagement for the byelaw making process.

#### 5. Workshop activities

During the workshop, MMO and the ICF team will discuss the role of stakeholder engagement in the MPA byelaw creation so far and the envisaged role of stakeholders in the MPA legislation and MMO policy making in general.

In order to achieve this, the workshop will:

##### a) List all stakeholders according to the following groups:

- **Beneficiaries:** those who benefit from the byelaws
- **Decision makers:** those who make decisions about the byelaws
- **Experts:** those who provide scientific advice, expert opinion and knowledge that inform the development of the byelaws
- **Negatively impacted:** those who may be negatively impacted by the byelaws

The ICF team will facilitate the discussion by asking questions such as:

- Who are the stakeholders MMO has engaged with?
- What are their interests / stakes?
- Are there stakeholders MMO knows about but has not engaged with?
- Which stakeholders would Defra/JNCC/NE consider important?

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<sup>1</sup> Sepp, K., Suškevičs, M., Ehrlich, T., Peterson, K., & Hiimäe, O. (2023). Public participation in environmental assessments in the EU: A systematic search and qualitative synthesis of empirical scientific literature. *Environmental Impact Assessment Review*, 98.

<sup>2</sup> CCRI. (2020) Assessing participation of commercial fishers and recreational anglers in fisheries science and management in England.

<sup>23</sup> Ballasteros, M., & Dickey-Collas, M. (2023). Managing participation across boundaries: A typology for stakeholder engagement in the International Council for the Exploration of the Sea. *Marine Policy*, 147.

**b) Organise the stakeholders:**

The stakeholders will then be organised by their level of interest, influence and impact using the following stakeholder matrix developed by the ICF team in the development of the evaluation plan<sup>24</sup>. This stakeholder mapping model incorporates features from the Mendelow Model<sup>25</sup> matrix as well as the four stakeholder roles identified in systems thinking in practice<sup>26</sup>.

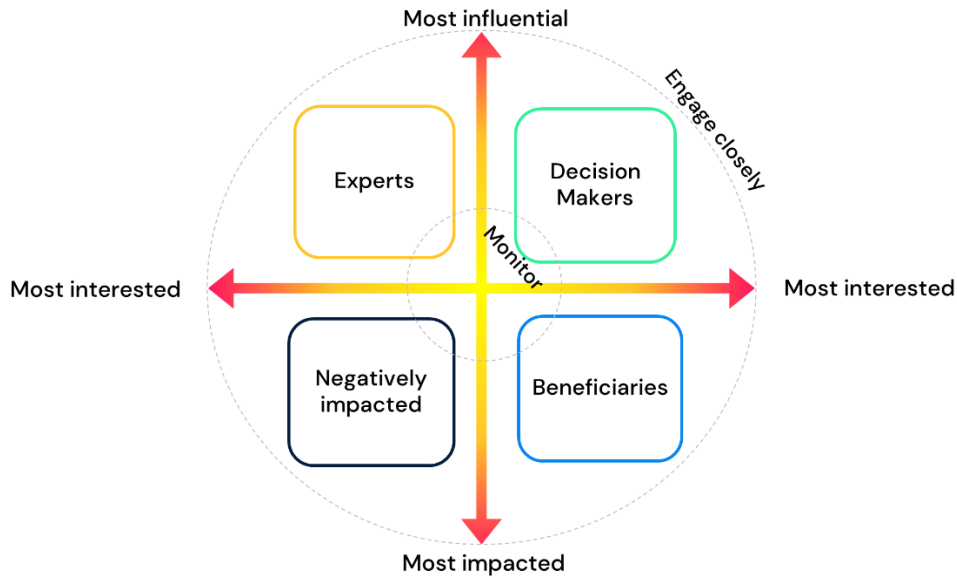


Figure 2 Adapted stakeholder mapping model for use in stakeholder mapping workshop

After identifying the stakeholders according to the four different roles (noting they could be present in more than one role) the stakeholders can then be mapped against influence and interest (if expert or decision maker) and impact on and interest (if beneficiary or negatively impacted).

Those stakeholders with high levels of interest, influence or are most impacted will require higher level of engagement in the byelaw decision making process than those that are less interested, have less influence or are not likely to be heavily impacted.

**b) Explore the lack of engagement by some stakeholders**

- Are there any stakeholders listed that have been harder to reach than others?

**c) Reflect on stakeholder relevance to wider MMO**

- Are the stakeholders listed MMO stakeholders, MPA stakeholders? (Or other parts of MMO?)
- For which part of the MMO are they more important?

<sup>24</sup> ICF Report. (2022) MMO1289 Evaluation Plan for an Evaluation of Conservation Measures

<sup>25</sup> Mendelow, A. L. (1991) 'Environmental Scanning: The Impact of the Stakeholder Concept'. *Proceedings From the Second International Conference on Information Systems* 407-418. Cambridge, MA.

<sup>26</sup> Adapted by Reynolds from Ulrich, W. and Reynolds, M. (2020) Ch. 6. Critical Systems Heuristics: The Idea and Practice of Boundary Critique. In: Reynolds, Martin and Holwell, Sue eds. *Systems Approaches to Making Change: A Practical Guide*. 2nd Edn. London: Open University and Springer, pp. 255–305.

**d) Discuss strategy and methods for engagement**

- What are / is the MMO's engagement strategy?
- Does it differ between stakeholder groups? If so how and why?
- Has there been any feedback? Does the MMO team perceive the engagement strategy to be effective?

**6. Tips for the workshop**

To encourage ideas and conversation, the ICF-led team will ask different questions and prompt discussion. [Mural](#), an online interactive whiteboard, will also be used for people to add and record their ideas.

At the start of the workshop, we will go through and explain how [Mural](#) works. If helpful, [this 3-minute video](#) also provides a quick overview and guide through Mural.

Important things to remember for the workshop:

- **Interactive Session** – The purpose of the session is to co-design, so we are interested in everybody's thoughts and ideas. You can either speak or use Mural to get your ideas across.
- **'Process Evaluation'** – The focus of this work is a 'Process Evaluation' which means that we are focussed on understanding how and what can be learned from the processes MMO have used in setting up conservation measures. Whilst it will be a factor of consideration, the focus is not on evaluating the conservation measures themselves.

## Annex 2 W2: Theory of Change and Evaluation

Mural Board Link:

<https://app.mural.co/t/earemotecollaboration5985/m/earemotecollaboration5985/1679924667309/c33762e1734d99b44bc1977e0f0bf6954f52f6b0?sender=u2f4ec134953cc997b19c8903>

### Briefing Material – MMO Conservation Byelaws Evaluation Plan

#### Workshop 2: Theory of Change and Evaluation Framework

31st March 11:00 'til 13:00

Timing		Item	Person
5 minutes	1	Welcome and introductions	Jess Lyon
5 minutes	2	Recap on the Evaluation and objectives of the session	Jess Lyon
40 minutes	3	Revisiting the Theory of Change <ul style="list-style-type: none"> <li>- Evidence</li> <li>- Byelaw Drafting</li> <li>- Stakeholder Engagement</li> <li>- Assumptions</li> </ul>	Jess Lyon, Ulrike Hotopp, Ed Willsted
20 minutes	4	Revisiting the Evaluation Questions <ul style="list-style-type: none"> <li>- Use of Evidence</li> <li>- Stakeholder Engagement &amp; Participation</li> <li>- Governance and Management</li> <li>- Dealing with uncertainty and ambiguity</li> </ul>	Jess Lyon, Ulrike Hotopp, Ed Willsted
10 mins	5	Break	
35 mins	6	Evaluation Framework <ul style="list-style-type: none"> <li>- Indicator and Data Matrix</li> <li>- Timing of research</li> </ul>	Jess Lyon, Ulrike Hotopp, Ed Willsted
5 minutes	7	Final Discussion	Ulrike Hotopp Jess Lyon
Total 120 minutes		FINISH	

### 7. Introduction

ICF and partners have been contracted to develop an Evaluation Framework for the Marine Management Organisation (MMO). The object of the planned evaluation is the process developed to implement the Marine Protected Area conservation byelaws following the UK's exit from the EU. This means the evaluation will look at how the MMO has implemented the legislation so far, what has been learnt from the first steps of the implementation and how this learning was implemented to improve the process. Whether the aims of the conservation byelaws are achieved is beyond the scope of this process evaluation and would require a future impact evaluation.

As part of the MMO evaluation framework development, ICF are conducting 2 workshops. This is the 2nd workshop, which is expected to last 2 hours.

- Workshop 1 – Stakeholder engagement & mapping
- **Workshop 2 - Theory of Change (TOC) and evaluation framework**

## 8. Objectives

- Critique a revised Theory of Change and review key causal pathways to document risks, assumptions, surface any potential unintended outcomes.
- Build out the Theory of Change to identify strategic and policy developments in the MMO and ensure that external influences are identified.
- Discuss the priorities for the evaluation against the four themes of the evaluation and draft evaluation questions.
- Develop a comprehensive indicator and data matrix against the evaluation questions building on the draft indicator matrix outlined in the previous report.

## 9. What is a Theory of Change (TOC)?

A Theory of change (TOC) is a comprehensive visual and narrative description that aims to map out a phenomenon by describing a progression of steps from the inception, middle, and the end. It aims to understand how a series of activities can lead to a desired long-term impact. A TOC covers 4 key components and the links between them:

- **Inputs** – Resources or activities
- **Outputs** – What is delivered or what is produced as a result of the resources/activities
- **Outcomes** – Early to medium term goals
- **Impacts** – Long term results and desired impact

As part of the TOC there may also be 'assumptions' that are made. These tend to include supporting activities that are required that will be assumed to take place.

The TOC co-designed between MMO and ICF as part of the 2022 Evaluation Plan can be found in report<sup>27</sup>. This TOC has been adjusted and updated since this work based on findings from interviews, workshops and document review as part of the next stage of the evaluation framework development. As part of the workshop, we will work through this TOC.

## 10. What is an Evaluation Framework?

An 'Evaluation Framework' sets out an approach for conducting an evaluation of a policy, programme, project, or other intervention. It identifies the focus of the evaluation and sets



out a plan for how the evaluation will be conducted, data sourced, and findings analysed and reported.

The ICF Team are developing an Evaluation Framework for the process evaluation of the MMO MPA Byelaw-making Process. This will include:

- **Theory of Change** – A description of how the strategy works.
- **Evaluation Questions** – The priorities of the evaluation which will be explored by answering the questions.
- **Indicator and Data Matrix** – Indicators are a measure or metric that can be used to monitor changes in a given outcome. As part of the workshop, we will brainstorm what some of the indicators could be for the different to cover the different Evaluation Questions. We will also discuss what data sources could be used to evidence these e.g., surveys, interviews, existing datasets, documentation.
- **Research plan** – A timescale and plan for collecting the data for the evaluation.

As part of the 2022 Evaluation Plan<sup>27</sup> the ICF team developed a suggested approach including an indicator data matrix that could be used for answering evaluation questions. As part of this workshop, we will revisit the Evaluation Questions and the Indicator and Data matrix to ensure that the evaluation questions are fit for purpose and that the indicator and data sources to monitor against the evaluation questions are suitable.

## 11. Workshop activities

During the workshop, MMO and the ICF team will review and explore the **TOC** and Evaluation framework by completing the following activities;

### Reviewing the updated Theory of Change (TOC) to explore:

- Suitability of the TOC (Are there are any components missing or parts that need revising?)
- The links between the three components 'Evidence', 'Byelaw drafting' and 'Stakeholder Engagement'.
- Connections between the TOC and wider MMO strategy and policy.
- Assumptions made in the TOC

### Reviewing the Evaluation Questions to explore:

- Whether the evaluation questions cover the MMO and MCT priorities
- Whether the evaluation questions are clear to the team

### Reviewing the Indicator Data Matrix to explore:

- How could the evaluation questions be answered?
- Is there data that MCT are already collecting that could be used as a data source for the evaluation?

## Annex 3 MCTs Marine Byelaws Monthly Evaluation Updates

### Summary

*INSERT Summary of progress of the byelaw-making process, evaluation work conducted to date and a description of what is supporting the insights.*

Supporting information	Description
Expert Opinion	Opinion of ICF team members from utilising their experience and knowledge
Observations	Observations or informal findings from attending meetings or events inside and outside of MCT work
Document review	Early thoughts from reading through the indicated document
Survey	Early survey findings from an evaluation survey
Interviews	Early interview findings from an evaluation interview

### Insights and early findings by theme

*Each month team members add to this table with their thoughts and insights.*

Theme	Insight	Supported by
<b>Governance and Management</b>		
Capacity and knowledge	<i>Includes a short description of finding or insight</i>	<i>Describes how this insight is supported using table above</i>
Engaging with wider teams and delivery partners		
Understanding of risks and consequences and uncertainties		
<b>Stakeholder Engagement &amp; Participation</b>		
Stakeholder engagement strategy		
Stakeholder opinion on engagement		
Managing expectations		
<b>Use of Evidence</b>		
Use of evidence		
Filling evidence gaps		
Uncertainty in evidence		

## 1. Survey Findings

*Add here any early survey findings this could include:*

- *Numbers of respondents for open surveys*
- *Descriptive statistics of complete surveys*
- *Graphs for complete surveys*

## 2. Interview Findings

*Add here any early interview findings, this could include:*

- *Number of interviews complete*
- *Illustrative quotes from any of the interviews which support any of the findings*
- *Any key themes that have come out of interviews*

## 3. Theory of Change and updates

*Should include the most up-to-date version of the Theory of Change and any notes on updates or changes to the Theory of Change if and when they arise.*



## Annex 4 Literature and document review

Document Title	Publication Date	Document Author/Source	Publication Source
MMO2030 Healthy, Productive Seas and Coasts MMO Strategic Plan	2022	MMO	Gov.uk
The Dogger Bank Special Area of Conservation (Specified Area) Bottom Towed Fishing Gear Byelaw 2022	2022	MMO	Gov.uk
Decision document: Dogger Bank SAC	2022	MMO	Gov.uk
Dogger Bank SAC Fisheries Assessment	2022	MMO	Gov.uk
Dogger Bank SAC Regulatory Triage Assessment	2022	MMO	Gov.uk
Dogger Bank SAC Information Sheet	2022	MMO	Gov.uk
The Inner Dowsing, Race Bank and North Ridge Special Area of Conservation (Specified Areas) Prohibited Fishing Gears Byelaw 2022	2022	MMO	Gov.uk
Decision document: Inner Dowsing, Race Bank and North Ridge SAC	2022	MMO	Gov.uk
Inner Dowsing, Race Bank and North Ridge SAC MMO Fisheries Assessment	2022	MMO	Gov.uk
Inner Dowsing, Race Bank and North Ridge SAC Regulatory Triage Assessment	2022	MMO	Gov.uk
Inner Dowsing Race Bank and North Ridge SAC MMO Information Sheet 2022	2022	MMO	Gov.uk
The South Dorset Marine Conservation Zone (Specified Area) Bottom Towed Fishing Gear Byelaw 2022	2022	MMO	Gov.uk
Decision document: South Dorset Marine Conservation Zone	2022	MMO	Gov.uk
South Dorset MCZ Fisheries Assessment	2022	MMO	Gov.uk
South Dorset MCZ Regulatory Triage Assessment	2022	MMO	Gov.uk

Document Title	Publication Date	Document Author/Source	Publication Source
South Dorset MCZ Information Sheet	2022	MMO	Gov.uk
The Canyons Marine Conservation Zone (Specified Area) Prohibited Fishing Gears Byelaw 2022	2022	MMO	Gov.uk
The Canyons MCZ Decision Document	2022	MMO	Gov.uk
The Canyons MCZ Fisheries Assessment	2022	MMO	Gov.uk
The Canyons MCZ Regulatory Triage Assessment	2022	MMO	Gov.uk
The Canyons MCZ Information Sheet	2022	MMO	Gov.uk
MMO Corporate Plan 2022 – 2025	2022	MMO	Internally shared (not public)
Marine Planning: Strategic Communications and Engagement Plan 2023-2025	2022	MMO	Internally shared (not public)
Stakeholder Engagement Framework	2020	MMO	Internally shared (not public)
Marine Management Organisation Monitoring of Compliance and Enforcement Strategy	2020	MMO	Gov.uk
MCT MPA 3-Year Programme Risk Register		MMO	Internally shared (not public)
MMO Marine Protected Area Fisheries and Conservation Strategy: Dealing with Uncertainty		MMO	Draft - internally shared (not public)
Introduction to the Marine Conservation Team (MCT) Presentation		MCT	Shared from MCT
MCT Training Schedule		MCT	Shared from MCT
Stakeholder Groups Meeting Minutes		MCT	Shared from MCT
Stakeholder Groups Slides		MCT	Shared from MCT
Stakeholder Groups Terms of Reference		MCT	Shared from MCT
Public participation in environmental assessments in the EU: A systematic search and qualitative synthesis of empirical scientific literature	2022	Monika Suškevičsa, Triin Ehrlichb, Kaja Peterson, Olavi Hiimäe, Kalev Sepp	<i>Environmental Impact Assessment Review</i>
Managing participation across boundaries: A typology for stakeholder engagement in the International Council for the Exploration of the Sea	2022	Marta Ballesteros, Mark Dickey-Collas	<i>Marine Policy</i>

Document Title	Publication Date	Document Author/Source	Publication Source
Engaging stakeholders in marine spatial planning for collaborative scoring of conflicts and synergies within a spatial tool environment	2022	Ida Maria Bonnevie, Henning Sten Hansen, Lise Schrøder, Mikko Rönneberg, Pyy Kettunen, Christian Koski, Juha Oksanen	<i>Ocean and Coastal Management</i>
The split ladder of participation: A diagnostic, strategic, and evaluation tool to assess when participation is necessary	2015	Margot Hurlbert, Joyeeta Gupta	<i>Environmental Science &amp; Policy</i>
Assessing participation of commercial fishers and recreational anglers in fisheries science and management in England	2019	CCRI	
Review of Public Engagement: Conducted by the Defra Social Science Expert Group (SSEG), a sub group of the Defra Science Advisory Council	2022	Defra	
Stage 2 & 3 Call for Evidence, Formal Consultation Action Plan		MCT	Shared from MCT
MMO MPA Fisheries and Conservation Strategy Comms Plan		MMO	Shared from MCT