

# European Marine Site Risk Review

European marine sites (EMS) are defined in the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations). These are marine areas designated as Special Areas of Conservation (SACs) under the Habitats Directive and Special Protection Areas (SPAs) designated under the Wild Birds Directives. In England there are 45 EMS encompassing 28 SACs and 40 SPAs<sup>i</sup>.

Natural England has a responsibility in England for setting conservation objectives and advising relevant authorities on operations which may cause deterioration to the site's interest features, or disturbance of species for which the site (SPA or SAC) has been designated. This information is contained within advice packages (known as "Regulation 35 packages"<sup>ii</sup>). Competent and relevant authorities must exercise their functions so as to secure compliance with the Habitats Directive. In addition, relevant authorities may choose to establish site "management schemes" which set the framework under which their functions are to be exercised. Management schemes are informed by Regulation 35 packages and aim to establish conservation measures which meet the ecological requirements of the site. These schemes also facilitate collaborative working between relevant authorities.

Defra commissioned Natural England to undertake a strategic review of risks from all ongoing activities within European marine sites, in order to identify and prioritise action required to ensure site features are maintained or restored to favourable condition. Activities included commercial (for example, fishing, dredging, aggregate extraction, land based effluents etc) and recreational (for example, bait digging, angling, walking etc).

## What was done

Natural England developed a simple risk assessment methodology in order to make informed and well documented judgements on risk in a systematic manner across the site series. The risk assessment entailed local officers with a knowledge of the sites recording risk to features using a standardised template. Judgements were then consulted with relevant authorities.

The risk assessment methodology required consideration of the "harm potential" of an activity (a combination of intrinsic harmfulness of the activity; sensitivity of the designated EMS feature; and area of feature which could be affected); the likelihood of the activity happening; and finally the management (or controls) which are in place to reduce any risk.

Activities were classified as those which could pose a high, medium, low, or no risk to EMS features. Activities which could pose a high risk are those which have

## European Marine Site Risk Review

been prioritised by Natural England as potentially requiring additional management measures to avoid deterioration and disturbance in line with the obligations under the Habitats Directive. Activities classified as a medium or low risk are considered to have existing management systems in place and/or they have less potential to pose harm to site features.

Where available, factual evidence was used to inform the process, in liaison with relevant authorities. A lack of full scientific certainty required best available information to be used with expert judgement to determine final risk, albeit at lower confidence.

This review covered ongoing activities within or adjacent to EMS. It did not directly cover: Wider scale ecosystem effects (for example, climate change); future development pressures, both on a small scale (for example, moorings) or a larger scale (for example, renewable energy projects, coastal developments); or oil or chemical spills at sea.

The aim of this review was to establish the level of risk posed by a number of activities on EMS. Where a (relatively) high risk has been identified, Natural England has continued to work with Defra and the relevant authorities who have responsibilities in identifying implementing appropriate measures required to reduce this risk. This report also indicates measures being taken to address the highest risks identified.

### Results and conclusions

In total there were 957 site-based activities which were assessed. Of these, only 18 activities were identified which could pose a high risk, 276 were of medium risk, 633 were of low risk and 30 posed no risk at all.

Various types of commercial fishing were the most common activity assessed across sites. Although there were 9 activities identified that could pose a high risks to sites, this only accounted for 2% of fishery activities assessed. There were 8 instances where recreation could pose a high risk to sites although there was lower confidence associated with many of these assessments due the complexity in determining

the extent to which mobile species (such as birds) are disturbed.

The Solent and Poole Harbour were identified as having the highest number of activities which could pose a high risks, both with 3 high risk activities occurring in the European Marine Site.

The level of confidence associated with the final risk score varies depending on the available evidence to support the assessments. In some cases, there is high confidence associated with both the score of “high” and the subsequent actions required to reduce the risk. In other cases, there is less certainty on both the final score and the specific action that should be taken. The nature and justification of the judgements have been clearly summarised in the report.

### Natural England's viewpoint

The work undertaken for this project is considered to be good practice for Natural England to provide further and more specific advice on operations that may cause damage or deterioration to European Marine Sites. This assessment is therefore considered a useful addition to statutory advice already provided in formal Regulation 35 packages.

The simple methodology and recording of results provides an approach to allow Natural England (and relevant authorities) to prioritise activities which may require additional measures to reduce risk. For some activities identified which could pose a high risk, there is a clear need for prioritised management action to prevent deterioration of EMS. For others, in this category, it is less clear, both on the actual extent of risk, and the measures required or appropriate to reduce any potential risk. In these instances, further work is recommended to determine a higher level of confidence in the risk assessment score, and subsequent identification of appropriate measures.

This is the first national audit of risks posed to European marine sites in England. The benefit of undertaking this exercise is to facilitate a proactive approach to helping ensure that

## European Marine Site Risk Review

conservation objectives within EMS are being met, and that no future deterioration occurs.

### Further information

For the full details of the research covered by this information note see Natural England Research Report NERR038 - *European Marine Site Risk Review*.

Natural England Research Reports and other technical publications are available to download from the Natural England website:

[www.naturalengland.org.uk](http://www.naturalengland.org.uk).

For further information contact the Natural England Enquiry Service on 0300 060 0863 or e-mail [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk).

### Report authors

Michael Coyle, Natural England.

### Keywords

European marine sites, risk assessment, marine management, Habitats and Species Regulation 35 advice.

You may reproduce as many individual copies of this note as you like, provided such copies stipulate that copyright remains with Natural England, 1 East Parade, Sheffield, S1 2ET.

© Natural England 2010

---

<sup>i</sup> A European marine site can contain a number of SACs or SPAs, and these can overlap.

<sup>ii</sup> Most have been published as Regulation 33 packages based on The Conservation (Natural Habitats, &c.) Regulations 1994. The specific Regulations was changed when legislation was amended and updated.