

Minutes of STAP Meeting 7 – The Royal York Hotel – 25th May 2011

Attendees:

Trevor Jameson - TJ - Chair

Joanna Redhead - JR - Net gain

Dani Sewell - DS - Net gain

Andrew Finlay – AF – Crown Estate

Kirsten Smith – KS – Wildlife Trust (YH Hub)

Rob Spray - RS - MCS & Sea Search - (LW & EE Hub)

Jon Whitton - JW - Whitby Charter Boats - (YH Hub)

Ana Jesus -AJ - JNCC

Aisling Lannin – AL – Natural England (NE hub)

Nigel Proctor - NP - Recreational Fishing – NSRAC (YH Hub)

Neal Hill - NH - Royal Yachting Association

Mick Borwell - MB - Oil & Gas UK

Mark Russell - MR - BMAPA - (LW & EE Hub)

Paul Reynolds – PR - Renewables UK

Nigel Corner – NC – MMO

Dave Lock – DL – BSAC

Evelyn Pizzollo – EP – DECC

Adrian Lester – Ad.L – Chamber of Shipping

Angie Fitch-Tillett – AT – North Norfolk District Council

Apologies:

Dale Rodmell

Phil Walsh

Peter Barham

Iain Mills

Item 1 Expected outputs of this meeting	ACTIONS
<p>TJ: Welcomed everyone to the 7th StAP meeting. The expected outcomes of the meeting are to give the opportunity to feedback on process so far prior to draft final recommendations.</p>	
<p>Item 2 Minutes and Actions from February meeting</p> <p>The previous minutes were approved as fair and accurate record. Some minor clarification points were requested:</p> <p>KS – Item 5 – Clarified comment made to ‘StAP should make firm recommendations to the hubs on the reference areas’.</p> <p>MB – On NG17 – in light of the fact the SAP had said that NG16 & 17 are too big, could the top portion of NG17 be trimmed due to construction there?</p> <p>JR – The site boundaries were amended and we can discuss that later in the day.</p> <p>KS – The comment that ‘Durham Heritage coast suggested as a possible site for a reference area’ needs including.</p> <p>NP – My comments on lack of support for RAs in general from the commercial fishing industry were not included and need adding to the minutes from February.</p> <p>The actions from previous meeting were discussed. Some actions are outstanding and will be addressed asap following submission of draft final recommendations.</p>	<p>JR to address comments and re-circulate the April minutes</p> <p>JR to circulate advice papers on fisheries, licenced and non licenced activities.</p> <p>JR to complete outstanding actions from previous meeting.</p>
<p>Item 3 Update on Progress made at May Regional Hubs</p> <p>Comment: With reference to the vulnerability assessments there is potentially a false sense of security if your activity is shown “in green” for exposed below/not exposed. Many stakeholders would not have got their heads around this process. It is complex and has been on a very swift timescale. Expectations must be managed. It is also the case that green may mean management is required to keep activities at current levels. I am not sure this was understood by all the RSG. The COs can also change as set at current exposure levels. You may think that you have consensus and buy in now but this will weaken as management implications firm up, especially if those ‘green activities’ do require management in the longer term. We need feedback from the SNCB sense check that evidence and discussions had between stakeholders has been taken into account.</p> <p>JR – We are having a 2 day large group meeting where we hope to</p>	

<p>address all of these issues and finalise work there. Any changes made by the SNCBs in their sense check on conservation objectives will be presented at that meeting for clarity. We will be in a much stronger position there, following Public Authorities meetings and feedback from the SNCBs.</p> <p>Comment: The SNCB “licensed/non licensed” advice will give a lot more information on existing mitigation.</p> <p>Comment: Windfarms, gas etc will find it hard to address conservation objectives and mitigation if its unknown whether they will change or not in the future.</p> <p>AL – Although we are saying conservation objectives can change, this will be based on a huge amount of monitoring over a much larger period of time, in consultation evidence will be presented. This is not a short term, disruptive process.</p> <p>Comment: We can feel that you are asking operators to make a judgment in the dark. It is inappropriate to ask any operators to mitigate for MCZs while boundaries are still changing and conservation objectives have not yet been set. SNCBs should clarify at what point do operators need to look at conservation objectives and MCZs in order to apply for licenses. At what point are they solid enough designations to require developers to take account of them?</p> <p>AL – Agreed that communications are required to explain Cos, and management and how things are not set in stone over time.</p> <p>Comment: Must manage likely outcomes of these decisions.</p> <p>Comment: Guidance requested in fact that Net Gain won’t be able to meet one of the BSH targets. There is imbalance between the Regional MCZ Projects. Some projects have focused more on achieving good support for the sites and not necessarily pushing to meet every target while others have been very target driven even if this limits or stops support for sites. This is a concern, this should be addressed next year.</p> <p>JR – We did drive RSG to hit the maximum targets as far as possible. We have been less forceful on reference areas but this was due to the fact that we would rather see good levels of support and there has been insufficient time to progress this adequately.</p> <p>Comment: Better to have a higher stakeholder support and be a couple of % under target.</p> <p>Comment: Between hubs, it seems that some decisions on reference areas were taken out of stakeholder hands. The team appears to be running at speed. Worse example is that of the new area for chalk being proposed. The last group did not have time to start making changes. The</p>	<p>JR – To share levels of evidence document.</p> <p>JR to request communications on the fact that COs can change, the requirement for condition assessment, and potential implications for developers if the condition is found to be unfavourable.</p>
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<p>stakeholder element is being derailed, that's the important point.</p>	
<p>Item 4 Site by site discussion.</p> <p>The StAP were presented with slides of the dMCZs, features and the conservation objectives for each feature.</p> <p>NG1b</p> <p>The StAP asked for confirmation that the boundary misses the cables. This was confirmed. No further comments made.</p> <p>NG1c</p> <p>One of the recommended features for this site is smelt. As yet, no vulnerability assessment has been done as we have no sensitivity information for the mobile species. Natural England suggested that the conservation objective should be set for recover for smelt.</p> <p>NG2</p> <p>Joanna Redhead confirmed that the draft conservation objectives are set to maintain and the current level of fishing activity does seem to fall below the benchmark. However, this conclusion needs to be viewed in context of possibility that the draft conservation objectives may change following sense check and if there is a change to current exposure levels.</p> <p>The StAP discussed the Reference Areas within NG2, and in particular the evidence available for alternative site options:</p> <p>Blue Mussel beds</p> <p>In the May meetings an alternative Blue mussel bed 3miles off Trimmingham was suggested based on IFCA data. The Hub agreed this location but NGO representatives are not content that adequate discussion was held.</p> <p>Subtidal chalk</p> <p>The Gardline survey for subtidal chalk outside the 3nm belt was unable to be completed due to poor weather. The NGOs are not content for this alternative to be included over the previous suggestion at EE2, which was a surveyed area as the evidence is weak. The previous example (EE2) is a well published UK habitat, best known example of subtidal chalk. It would be a shame to lose this site. It had already been discussed at several previous meeting and had a degree of support. If new evidence comes from the Gardline survey then further discussions can be held.</p>	

<p>JR – We have no time for more discussion. Both alternatives will be recommended in the notes but unless we have a clear recommendation with support from the group it cannot be included in the Impact Assessment.</p> <p>Comment: Windfarms in the area have data on location of chalk. This could be a good data source. Cromer Windfarm – Norfolk Offshore Wind Ltd.</p> <p>Comment: This affects the need for clarity going forward. It is “work in progress” not a done deal.</p> <p>Starlet Sea Anemone</p> <p>The decision to cut out the rest of the features and only recommend the lagoons for the starlet sea anemone is welcomed as that coastal strip is very important for coastal activities and maintenance for the groynes.</p> <p>NG4 – Wash Approach</p> <p>The StAP commented that there had been split opinion on the best location for the RA within this site, and understood the precise location of this reference area needed to be refined based on better evidence.</p> <p>Comments:</p> <ul style="list-style-type: none"> • There is no oil and gas infrastructure taken into account. • Has put forward this point of view. • When are shapefiles going to be available? (soon after 1st June) • Please confirm that this site does not cover Race Bank? • It does. • It is quite a busy fishing ground. <ul style="list-style-type: none"> • JR – Conservation objectives set to maintain. <p>Comment: Would like co-ordinates of the site confirmed, there has been an accuracy issue. Narrative and co-ordinates should be clear. They lie adjacent, not overlap.</p> <p>NG5</p> <p>Comment: Why is the conservation objective set to recover?</p> <p>JR – Largely due to the beach replenishment work; this is the activity that would likely be affected. I am unsure if the boundary is supposed to be clipped to the coast all along the west edge of the site.</p> <p>Comment: It is a considerable bait digging area. The fact that you have agreement implies that the boundary is not clipped to the coast in the</p>	<p>MV to see if data is available to us.</p>
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<p>northern part.</p> <p>Comment: If the conservation objective is set because of the beach replenishment, why is the rest of the site set to recover? This will have an economic impact on other activities. There are international cables here as well. Why is it set for recover for the whole MCZ? The key point is “recover” not “maintain”. It is likely that operators will have to do more. Not sure why the whole MCZ is set to “recover”.</p> <p>Comment: This activity is licensed and isn’t going to stop. Do not understand why this activity is singled out.</p> <p>AJ – One CO is set for the whole feature within the site. Although the conservation objective is not necessarily managed the same way across the feature.</p> <p>Comment: The number of renewable sites in this area will want to miss the Humber Estuary.</p> <p>Comment: Trevor Baker has attended meetings for this interest.</p> <p>NG6 – Silver Pit</p> <p>The StAP asked for confirmation if the sabellaria present is a reef. JR confirmed this is the case and reminded the StAP of their steer to EE hub to look for a RA for sabellaria in the Haisborough, Hammond, Winterton SAC. This was not achieved in the hub as they suggested NG6 had better examples of that feature.</p> <p>The StAP commented that there needs to be a reference area in the East of England to balance the network.</p> <p>NG7 – Markhams Triangle</p> <p>Comment: Clarified the location of the nephrops and confirmed discussions had been had with Pim Visser on this site.</p> <p>Comment: Hornsea round 3 windfarm is not included in the vulnerability assessment but should be included on the table.</p> <p>JR & AL – Clarified that as it’s a possible future pressure it was not considered in the vulnerability assessment for setting the conservation objective but will be included in the impact assessment which has a 20 year time frame.</p> <p>NG8 – Holderness Inshore</p> <p>The StAP queried the presence of subtidal chalk in this area. The site has been surveyed before and chalk has never been found at the surface.</p>	<p>JR to set up another EE hub meeting to deal specifically with RA issues.</p> <p>JR to chase NE to obtain detail on “The Binks”</p>
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There is an outstanding action from the YH hub for Natural England to confirm the extent of the Binks feature for inclusion in the site boundary.

geological feature.

NG9 – Damnation Alley/Westernmost Rough

JR advised the StAP of the results of the latest gap analysis and the revised BSH map. This new data now means that we no longer meet the ENG targets for subtidal mixed sediment and subtidal mud. NG9 contains a large portion of subtidal mixed sediment which was previously not recommended as a site feature as there were uncertainties over the management implications and the adequacy target had previously been met. JR advised the StAP that inclusion of this feature at site NG9 would allow us to reach our targets again for that feature. JR updated the group on conversations the liaison team had with fishermen after receiving the new gap analysis. In general the commercial sector had agreed that they would support this zone if restrictions did not increase: I.e. static gear could continue to use the site but benthic trawling, scalloping and otter trawling would be restricted. JR suggested that it was unlikely to affect management measures for trawling as it would be likely that the same measure would be applied to the whole site in any case.

Comment: Must be aware of this displacement and the gentlemen’s agreement with France.

Comment: Please be aware that the straight line between coarse sediment and mixed sediment is likely to be an artifact of the limit of the REC survey points.

The StAP suggested that the SNCB sense check is critical and that if the sense check meant there would be implications for static gear fishermen then the RSG would no longer support inclusion of the subtidal mixed sediment feature.

Comment: If local representatives have put sites forward they have weight and should be carried forward. Potential future pressures should be noted, but not a reason not to take a site forward.

NG10 – Castle Ground

It was noted that this is an important tourist area. All features of the site are intertidal, where there is potential impact from tourists so management should be considered (e.g. signage or awareness raising).

Comment: It is a very dynamic stretch of coastline, so any management on tourism for example would need to reflect natural changes.

NG11 – Boulby Zone

Eastern Boundary should be clipped to the no trawl zone if it has not been done already.

NG12 – Compass Rose

There are data confidence issues at this site, which has meant that the reference area has moved a lot. It could potentially move again in the future if survey evidence found the moderate energy circalittoral rock to be in a different location within the site

AJ – If the only feature to be protected is the moderate energy circalittoral rock then the western boundary could be trimmed where that feature is not present.

JR – suggested to leave it as it is as the hub has agreed it and it gives more room for maneuver should the feature extent change on survey.

NG13 – Coquet to St Marys

The StAP query the reason for moderate rock BSH not being included and suggest inclusion if there is no change to the overall conservation objectives or measures at the site.

NG13a – Aln Estuary

JR discussed the possible inclusion of the managed realignment whereby an adjacent field will be flooded to create more saltmarsh. The StAP agreed that this should be included in the boundary for future proofing the site.

NG14 – Farnes East

The StAP queried the new position of the RA within this site as it appears to be over an international cable. JR clarified the discussions that had taken place and advised the location was based on local knowledge.

There was some concern that this RA could not be managed/enforced well as it is offshore.

NG15 – Rock Unique

No further comments made.

NG16 – Swallow Sand

Concern was raised around the vulnerability assessments as there are some inconsistencies between NE & YH for this feature.

JR – Check about Cley.

<p>JR – Explained that it was about the level of intensity of activity at the site and that is how the different conservation objectives had been reached.</p> <p>Comment: Problem of definitions of trawling, lumping them together can be problematic. Benthic trawling is essentially beam trawling. Gear on sands and rock is very different.</p> <p>AL – Explained that impacts have been split in the SNCB fisheries advice.</p> <p>Comment: More clarity is needed on vulnerability assessment, as it appears there may be inconsistencies across the hubs, as we are not sure how all the decisions were arrived at. An electronic version of the vulnerability assessment has been requested.</p> <p>AL – We must understand they may be amended again following the SNCB sense check.</p> <p>Comment: The vulnerability process was done separately to the stakeholder led process, we need to see the documentation.</p> <p>Comment: If the vulnerability assessment is being checked again, what implications will it have?</p> <p>AJ – Explained the process to date.</p> <p>Comment: Advice is needed on cumulative effects.</p> <p>Comment: Delays on this are removing the stakeholder led nature of the process.</p> <p>NG17 – Fulmar</p> <p>Oil and Gas UK enquired about the possibility of trimming the top of NG17. The reasons behind recent boundary amendments were discussed, including the desire to maintain a fishing corridor between NG 16 and 17, and the desire to keep the northern section of the site for ecological purposes. Oil and Gas stated this is not an issue if the CO is set to “maintain” – if it did change to recover however there would be an issue as this site includes some of the largest installations in the area.</p> <p>AJ – Mitigation measures were taken into account in the discussions, and it is likely that additional measures would not be required for licenced activities. Conversations around decommissioning have also taken place. Duration, intensity and footprints are decision makers.</p> <p>Reference Areas</p> <p>The NGOs raised concerns that they are the only sector in the meetings that want reference areas – this makes it hard to achieve consensus in</p>	<p>JR to circulate the electronic VA document.</p>
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<p>hubs.</p> <p>Comment: Fundamental point is “why do we need them?” with reference areas. They are closed zones, the worry is that it will not stop with these areas.</p> <p>With regards to the Binks it was accepted that there was insufficient knowledge about the site at the Hub. Request that the SAP should give their advice on this.</p> <p>Comment: Taking decisions away from the hubs and giving it to FIMPAS (as was suggested for a possible RA in the Dogger Bank pSAC) could be problematic.</p> <p>Comment: No point putting reference area on top of international telecommunications line – objections will be raised later. We should not propose things that are unworkable or ridiculous. Where there is a reference area over a piece of infrastructure that is undoubtedly going to take precedence – this is stupid.</p> <p>Comment: Was under the impression “common rights” issue would not affect peat and clay. It is a good example of clay. Blue mussel site has been rejected due to the recent development of a fishery there which has probably only occurred as the location of the mussels has been passed to the Net Gain process. Seems another example of a good example being bumped for a hurried alternative site. The previous blue mussel bed had been around for a couple of hubs and was established. New information appears to be taking a superior position over established suggestions.</p> <p>JR – Acknowledged reference areas round this part of the coast require more thought and evidence.</p> <p>Comment: Happy to see all options against each other, not happy that some sites have taken “pole position” over established ones.</p> <p>Comment: Requested clarity on Flamborough Head discussions.</p> <p>JR – Confirmed these discussions will be in the report.</p>	
<p>Item 5 – Next Stages, AOB and Date of next Meeting</p> <p>JR ran through the process in coming months.</p> <p>Comment: Is there provision for building in SAP comments and advice?</p> <p>JR – We only have the large group meeting (LGM) – asked for guidance from SNCBs.</p> <p>AL – Would imagine SAP will still provide advice in the same form –</p>	<p>Get guidance.</p>

<p>whoever will be using it, whether that is for Net Gain, stakeholders, SNCBs or government.</p> <p>Comment: After SNCB sense check, this is when stakeholders will have a much clearer idea on how things stand. This information should be passed onto RSG. Would like complete table of activities, exposures, pressures and vulnerability.</p> <p>AL – All information must be kept in the same place. All of it however small or insignificant it may seem.</p> <p>Comment: If we were relying on EIA process, but with no forecasting, how can economists write an Impact Assessment without consideration of future additional management.</p> <p>Comment: There are huge assumptions being made. More clarity is needed on potential future interests.</p> <p>JR – Clarified the 20 year forecast of the Impact Assessment and the process economists are following.</p> <p>The group agreed to have another StAP meeting first week in July.</p> <p>JR requested approval for the cover note for the draft final recommendations.</p> <p>Comment: Due to constraints on the project team, comments made at regional hub meeting minutes have not always been carried forward. Minutes have not been amended. There is a danger of pasting them in and inaccuracies carried forward. Can there be a caveat to cover this?</p> <p>Comment: Because the minutes and reports haven't been read and amended, its hard for us to endorse something entirely. All of the hub reports used to make up narrative have been commented to – but these comments have been filed, not auctioned, so it may not be a fair representation.</p> <p>Comment: Are there plans to meet with conservation groups on the benefits of MCZs?</p> <p>JR – That's a good point – we should to build the benefits of the sites up.</p> <p>Comment: Would hope by now we would have a good handle on the ecological benefits.</p>	<p>JR to set up a doodle poll</p> <p>MV to set up meetings with NGOs to discuss developing this work.</p>
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