30 by 30: Protecting England's seas for nature's recovery

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Wildlife and Countryside Link (Link) is the largest environment and wildlife coalition in England, bringing together 60 organisations to use their strong joint voice for the protection of nature. Our members campaign to conserve, enhance and access our landscapes, animals, plants, habitats, rivers and seas. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline. This response is supported by the following Link member organisations:

- Buglife
- Chartered Institute of Ecology and Environmental Management
- Environmental Investigation Agency
- Friends of the Earth England
- Greenpeace UK
- Institute of Fisheries Management
- International Fund for Animal Welfare
- Marine Conservation Society
- National Trust
- ORCA
- RSPB
- Surfers Against Sewage
- The Wildlife Trusts
- Whale and Dolphin Conservation

Executive Summary

The Government has a target to protect 30% of our seas in a manner that restores and enhances nature by 2030 (the so-called 30x30 target). This briefing highlights the failures of the current approach and sets out the conditions we believe must be met for marine environments to be effectively protected for nature:

- Current policies are failing and on any reasonable assessment we are far from achieving 30x30. With growing climate and nature crises, progress made so far on the Marine Protected Area (MPA) network must be accelerated, with work to 'level up' the network to the highest protections, fill gaps between MPAs, deliver effective and well resourced management, and ensure regular monitoring with long-term commitments.
- Although the Government claims 40% of English seas are protected, only 10% of MPAs in English waters have fully implemented management measures. In other words, a maximum of 4% of England's marine environment could be said to be protected for nature, rather than the 40% suggested by the Government (this figure could be even lower as poor monitoring makes it impossible to adequately assess nature's recovery in MPAs).

- To deliver for nature, the Government should ensure that by 2030 at least 30% of England's seas are within fully or highly protected MPAs, within the context of wider ecologically coherent networks. This status would provide permanent protection for nature, prohibit damaging and destructive activities, and ensure all other impacts are minimised. The Highly Protected Marine Area (HPMA) programme is a welcome step in delivering protections needed for nature.[1]
- MPAs must have demonstrable and ongoing enforceable rules, monitoring, evaluation, adaptive management and conservation outcomes. Programmes of management should be delivered by appropriately resourced agencies with the purpose of achieving conservation objectives.
- By completing a protected and effectively managed network of England's marine environment, delivery of the 30x30 commitment can help to reverse the long-term decline of wildlife in England, deliver climate benefits and set the UK on the path to a nature-positive economy.

Introduction

In this briefing, Link sets out the conditions we believe must be met for marine environments to be effectively protected for nature. These conditions allow us to determine how the Government should deliver its target to protect 30% of our seas in a manner that restores and enhances nature by 2030. We argue that, in order to contribute to meeting the 30% target, areas should be well protected in the long term, managed effectively, and in favourable or recovering condition.

Our criteria determine how the Government should be judged on its evidenced progress for protecting England's seas. Currently, the Government proposes that the domestic MPA network protects almost 40% of English seas. Yet despite a decade of designations, the current approach has failed to halt the degradation of the marine environment. Indeed, the obligation to achieve Good Environmental Status (GES) by 2020 was missed, with failures across 11 of the 15 targets. Recent research has found that all but one of the offshore MPAs designated to protect the seabed have experienced bottom trawling,[2] calling into question Government hopes that "the UK's network of MPAs will play a significant role in supporting the achievement of GES".[3] In addition, an analysis of the JNCC's MPA listings found that, of

[1] For more on the criteria for success of HPMAs, see https://www.wcl.org.uk/the-route-to-success-for-new-highly-protected-marine-areas.asp

[2] https://media.mcsuk.org/documents/marine-unprotected-areas-summary-report.pdf

[3] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921262/marine-strategy-part1-october19.pdf

the 73 UK MPAs which are entirely or partially in offshore UK waters, only 5 'may be' moving towards or achieving their conservation targets.[4]

Further, these findings are compounded by assessments that only 10% of MPAs in English waters have fully implemented management measures.[5] In other words, a maximum of 4% of our marine environment could be said to be protected for nature, rather than the 40% suggested by the Government (this figure could be even lower as poor monitoring makes it impossible to adequately assess nature's recovery in MPAs).

Whilst claims to have achieved the 30% target at sea are true on designation alone, a meaningful commitment must be built upon effective protection and management.[6] This briefing sets out how the Government could meet the 30% protection target at sea. Delivery of these proposals—in combination with more sustainable management across the network of protected sites —will provide a meaningful foundation for both the recovery of habitats and species, and a nature-positive economy.

What area of sea is currently protected for nature in English waters?

In Secretary of State waters (inshore and offshore waters around England and offshore waters around Northern Ireland), Government figures account for 182 MPAs covering 40% of the seas,[7] these include:

- **Marine Conservation Zones (MCZs):** these are designated under the Marine and Coastal Access Act 2009, these protect a range of habitats and nationally important, rare or threatened habitats and species. There are 91 MCZs in Secretary of State waters.
- **Special Areas of Conservation (SACs):** these protect species and habitats which are of European importance including grey seals, common seals, harbour porpoise, reefs, estuaries and sandbanks. Of the 36 SACs in English inshore waters, 17 have had one

[4] This is based on the condition of the protected features at the time of initial vulnerability assessments or initial site condition monitoring https://www.greenpeace.org.uk/wp-content/uploads/2020/09/Bright-Blue-Seas-Greenpeace-report.pdf

[5] see Developing an ecologically-coherent and well-managed Marine Protected Area network in the United Kingdom: 10 years of reflection from the Joint Nature Conservation Committee: Biodiversity: Vol 19, No 1-2 (tandfonline.com). Since this assessment by the Joint Nature Conservation Committee (JNCC) was made in 2018, some improvements could have been made and the Government has since gained powers to improve management in offshore sites following withdrawal from the European Union. However, considerable change is needed putting the new powers to use across the MPA network.

[6] The latest draft of the post-2020 global biodiversity framework calls for 30% of sea to be "effectively and equitably managed"
https://www.cbd.int/conferences/post2020/wg2020-03/documents

[7] see https://questions-statements.parliament.uk/written-questions/detail/2021-07-14/33202, while numerous, in practical terms many of these sites occupy the same area of sea, with different types of designations occupying the same area.

or more habitats assessed with the results showing that 63% of those habitats are in unfavourable condition.[8]

- **Special Protection Areas (SPAs):** these protect seabirds and the habitats upon which they depend. To date the UK Government has yet to determine how it will assess if a SPA has reached favourable condition.
- **Overlapping sites:** some marine areas also carry multiple designations. In addition, some **Sites of Special Scientific Interest** (SSSIs) are coastal.

98 MPAs have management measures in place within inshore English waters to protect sensitive features from bottom towed fishing gears. Upcoming protections to manage activity in 4 of England's offshore MPAs are currently under consultation by the Marine Management Organisation (MMO). These restrictions would protect the sites from some habitat-damaging activity. The MMO is also undertaking a three-year programme to manage impacts from fishing activity in all English offshore MPAs by 2024.[9]

There are also an extremely limited number of small 'No Take Zones', which prohibit all methods of fishing (but not all extractive activities). In England, these are at Flamborough Head, Lundy Island and the Medway Estuary and cover an area of 1km^2, 3.3km^2 and 12.1km^2 respectively. These sites are located away from significant commercial fishing pressure. To date there are no areas of English waters fully protected from all extractive or damaging human activities.

Problems with the existing MPA network

Despite the wide array of designations, covering well over a third of our seas, the current MPA network is failing to deliver adequate protection for nature:

- **Failure to prevent damaging activities:** All but one of our offshore MPAs designated to protect the seabed have experienced bottom trawling and dredging, amongst other activities such as cabling routes and offshore developments. Bottom trawl and dredge vessels spent at least 89,894 hours fishing the seabed inside MPAs protected for their seabed features, over a 3-year period.[10]
- **No potential for entire ecosystems to recover**: Current designations allow single features protection, rather than a whole site approach that delivers recovery of the whole marine ecosystem. Indeed, management objectives are generally only aiming

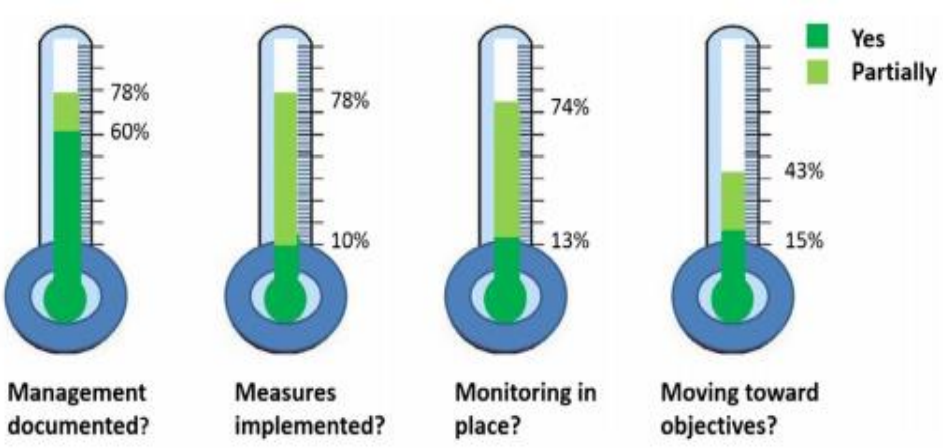
[8] Natural England (2020) cited in: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/890484/hpma-review-final-report.pdf

[9] https://questions-statements.parliament.uk/written-questions/detail/2021-06-09/13262

[10] Figures are based on data spanning the period 2015 and 2018 https://media.mcsuk.org/documents/marine-unprotected-areas.pdf

to maintain site status, against a baseline of degraded condition, rather than restoring it.[11]

- **Poor management of sites:** The UK Government supports the OSPAR (the mechanism by which 15 Governments and the EU cooperate to protect the marine environment of the North-East Atlantic) guidance for assessing MPA management effectiveness.[12] This guidance assesses the transparency, efficacy and progress of MPA management towards conservation objectives. A Joint Nature Conservation Committee (JNCC) assessment of the UK network using OSPAR criteria found that management measures had only been fully implemented in 10% of sites, see below.[13,14]



Progress on the management of all MPAs in the UK – JNCC (2018)

- **Failure of monitoring:** To determine the benefit of the MPA network to nature, appropriate regular scientific and ecological monitoring is vital. But only 13% of MPAs have monitoring plans in place.[15] Therefore, to a large extent we are unable to know whether current management measures in our MPA network are delivering their objectives.
- **Limited and decreasing funding sources:** A 2018 analysis of MPAs in the North Devon Biosphere found that the gap between current spending and that required to achieve a "well managed" scenario was on average £156,000 per MPA per annum[16]. A concurrent assessment of regional MPA management effectiveness found

[11] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/890484/hpma-review-final-report.pdf

[12] https://www.ospar.org/site/assets/files/1431/ospar_management_reporting_guidance_2018.pdf

[13] Correct as of December 2016, see Developing an ecologically-coherent and well-managed Marine Protected Area network in the United Kingdom: 10 years of reflection from the Joint Nature Conservation Committee: Biodiversity: Vol 19, No 1-2 (tandfonline.com)

[14] See also JNCC (2019). Sixth National Report to the United Nations Convention on Biological Diversity: United Kingdom of Great Britain and Northern Ireland. JNCC, Peterborough cited in: https://nbn.org.uk/wp-content/uploads/2019/09/State-of-Nature-2019-UK-full-report.pdf

[15] Ibid

[16] North Devon Marine Protected Areas Cost Evaluation, eftec, 2018

sustainable funding sources to be the criteria on which all MPAs assessed performed most poorly.[17]

Delivering a meaningful 30x30 commitment

The Government's 2030 goals for the marine environment present an opportunity to deliver greatly needed protections. The Government accepts that "scientific evidence indicates that effective protection of at least 30 percent of the global ocean will help to reverse adverse impacts, preserve fish populations, increase resilience to climate change, and sustain long-term ocean health".[18] We believe that 'effective protection' entails stronger action than is currently delivered through the domestic MPA network. The UK Government has promoted the Tristan da Cunha MPA in the UK Overseas Territories, the fourth largest 'no take zone' on the planet,[19] as an example of the 30x30 initiative's success, urging other nations to follow suit.[20] However, domestically the Government is failing to deliver MPAs which offer the same protections as in the Overseas Territories.

To remedy this inconsistency and in order to contribute towards a 30% target, we believe areas must meet the following conditions:

- **30% of English waters are fully or highly protected[21] and managed for nature's recovery by 2030:** by 2030, at least 30% of England's seas are either within fully protected MPAs[22] or licenced to allow only extremely limited activity, within the context of wider ecologically coherent networks. As an absolute minimum, at least a third of this area should be in marine sanctuaries where all human pressures and impacts are removed. This status would provide permanent protection for nature and permanent prohibitions against all extractive or destructive activities.

  Across the wider MPA network, expectations should be reversed. Rather than permitting activities until they are prohibited, all environmentally harmful activities should be restricted by default unless they are licensed. Utilising scientific assessments based on enhanced monitoring, licensing decisions should be made on

[17] Young, S., Nelson, P., Oates, J, Davis, K.. 2019. The compass pilot report for North Devon compiled by WWF as part of the UK SEAS Project.
[18] https://www.gov.uk/government/topical-events/global-ocean-alliance-30by30-initiative/about
[19] https://www.rspb.org.uk/about-the-rspb/about-us/media-centre/press-releases/tristan-da-cunha-mpa/
[20] See https://www.gov.uk/government/news/worlds-most-remote-island-helps-uk-exceed-protected-ocean-target
[21] Based on IUCN definitions, see box below. For full definitions see the Protected Plant Marine Protected Areas Guide https://www.protectedplanet.net/en/resources/mpa-guide. ' Note: The Government's proposed Highly Protected Marine Areas (HPMAs) could deliver the first designations in English seas which meet the criteria for 'fully protected' areas.
[22] 'Fully Protected' is the equivalent of what should be delivered through HPMAs, which the Government is currently developing. For full definitions see the Protected Planet Marine Protected Areas Guide https://www.protectedplanet.net/en/resources/mpa-guide. '

a case by case and site by site basis by relevant authorities, with only light extractive activities considered for consent, restricting all heavy extractive activities. Activities should only be permitted if it can be proven that they neither prevent ecosystem recovery nor inhibit progress towards conservation objectives. All other impacts should be minimised.

There are currently no fully protected MPAs in England, or any which are managed in the manner outlined above, so this would require radical change in management of existing sites or new designations.

International Union for Conservation of Nature definitions:

- **FULLY PROTECTED:** no extractive or destructive activities are allowed, and all impacts are minimized.
- **HIGHLY PROTECTED:** only light extractive activities are allowed, and other impacts are minimized to the extent possible.

Oregon State University, IUCN World Commission on Protected Areas, Marine Conservation Institute, National Geographic Society, and UNEP World Conservation Monitoring Centre (2019) An Introduction to The MPA Guide.
https://www.protectedplanet.net/c/mpa-guide

- **Active, effective management delivering towards good or recovering condition:** marine protected areas that count towards the 30% should be well-managed for nature, and must be regularly monitored at appropriate intervals as part of an ongoing programme of active management. MPAs must have demonstrable and ongoing enforceable rules, monitoring, evaluation, adaptive management and conservation outcomes.[23] Programmes of management should be delivered by appropriately resourced agencies with the primary purpose of achieving conservation objectives. Monitoring should show clear evidence of both good management for nature and that the site is either in good condition or showing demonstrable signs of ecological recovery. Recognising that delivering 30x30 will require significant funding, the Government must deliver the resources required for effective management and properly fund enforcement agencies to deliver conservation goals.

- **A connected network across England:** the connectivity of areas of habitat has been identified as a key criterion in nature's recovery[24][25][26]. While these areas may not always themselves contribute towards the 30%, the Government must set targets and

[23] Ibid
[24] https://www.legislation.gov.uk/ukpga/2009/23/section/123
[25] https://data.jncc.gov.uk/data/94f961af-0bfc-4787-92d7-0c3bcf0fd083/MCZ-Ecological-Network-Guidance-2010.pdf
[26] OSPAR Agreement: 2003-17

introduce policies that will increase the connectivity of areas of habitat and following its own guidance ensure, where possible, sites of similar features are not separated by more than 40 - 80Km. Key gaps in the network remain, such as the lack of protection of any of the feeding grounds of cliff-nesting seabirds. The last UK SPA Review published by JNCC highlights that "review of SPA provision in the marine environment is needed for at least 49 species".[27]

Conclusion

Protecting and effectively managing 30% of land and 30% of sea for nature will help to restore habitats and wildlife populations and has significant co-benefits for climate and people. However, at present the Government's approach is failing and on any reasonable assessment is far from achieving 30x30. With growing climate and nature crises, progress made so far on the MPA network must be accelerated, with work to 'level up' the network to the highest protections, fill gaps between MPAs, deliver effective and well-resourced management, and ensure regular monitoring with long-term commitments.

By completing and effectively managing a well-protected MPA network in England's marine environment, delivery of the 30x30 commitment can help to reverse the long-term decline of wildlife in England, benefit the ambition to achieve net-zero emissions by 2050 and set the UK on the path to a nature-positive future.

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[27] https://data.jncc.gov.uk/data/d1b21876-d5a4-42b9-9505-4c399fe47d7e/ukspa3-status-uk-spas-2000s-web.pdf