

**REPORT OF CONSERVATION POLICY OFFICER**

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**SUBJECT: EUROPEAN MARINE SITES AROUND THE PEMBROKESHIRE COAST**

Purpose of report

1. To report on the National Park Authority's contribution to management of European Marine Sites around the Pembrokeshire Coast.

Background

2. A report to the National Park Authority in 2017<sup>1</sup> provided an overview of the range of marine conservation designations around the National Park's coastline and statutory provisions for their management.
3. Today's report, together with a presentation by Sue Burton (Pembrokeshire Marine Special Area of Conservation Officer), is intended to supplement that overview.

European Marine Sites

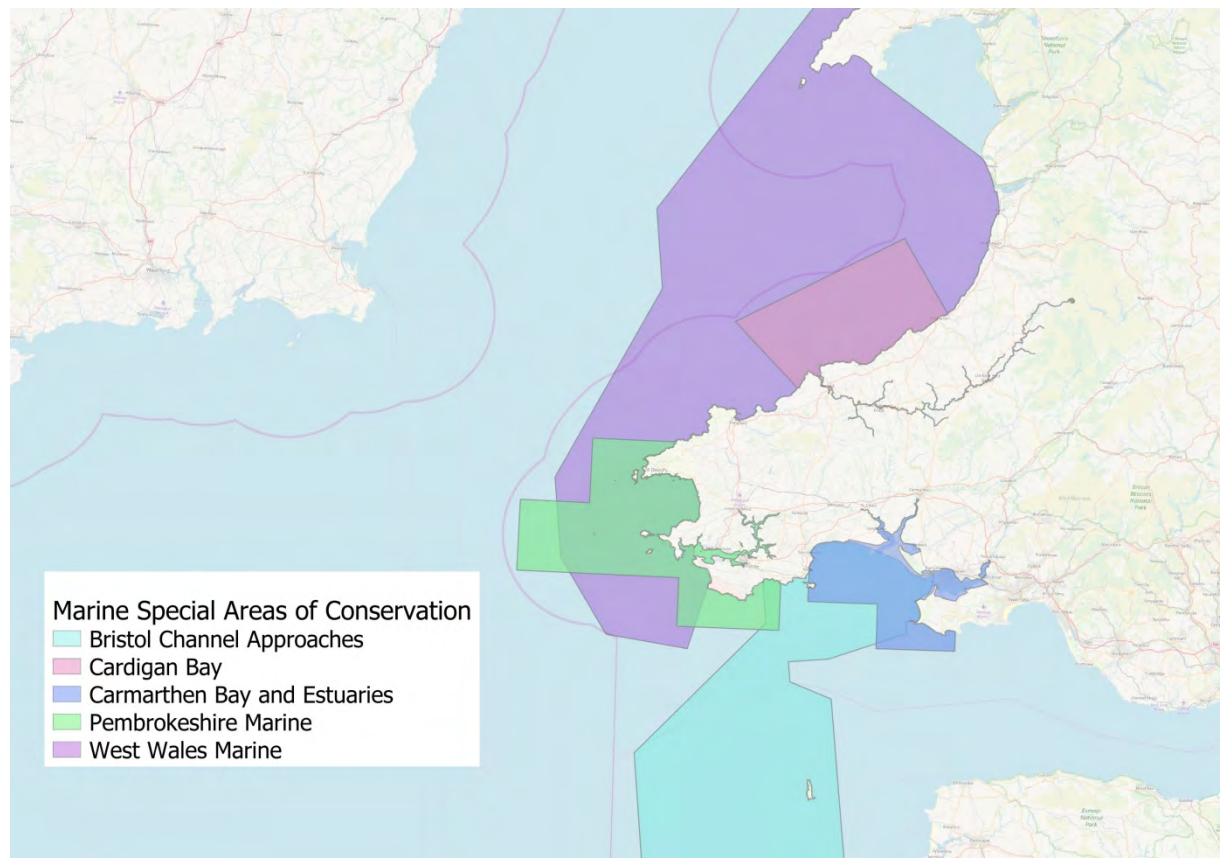
4. Marine Special Areas of Conservation (SACs) and Marine Special Protection Areas (SPAs) are collectively known as European Marine Sites. Marine SACs and SPAs within, partly within or adjacent to the Pembrokeshire Coast National Park are shown on the maps below.
5. The SACs designated primarily for their marine features are Cardigan Bay, Carmarthen Bay and Estuaries and Pembrokeshire Marine. The SPAs designated primarily for their marine features are Carmarthen Bay, Grassholm, and the Skomer, Skokholm and the seas off Pembrokeshire SPA.
6. Candidate SACs are identified for the Bristol Channel Approaches and West Wales Marine (both for harbour porpoise). Possible SACs must be treated as if they are designated.

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<sup>1</sup> Report 26/17 "Marine Protected Areas" (National Park Authority Ordinary Meeting 14 June 2017)

[https://www.pembrokeshirecoast.wales/Files/files/Committee/NPA/2017/14%20June/26\\_17%20Marine%20Protected%20Areas.pdf](https://www.pembrokeshirecoast.wales/Files/files/Committee/NPA/2017/14%20June/26_17%20Marine%20Protected%20Areas.pdf)

*Map 1: Marine Special Areas of Conservation (including candidate sites) around the Pembrokeshire Coast*



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### Relevant Authority Groups

7. Sections 6 and 7 of the Conservation of Habitats and Species Regulations 2017 identify the National Park Authority as a Relevant Authority and as a Competent Authority, i.e. as an authority with powers or functions which have, or could have, an impact on European Marine Sites<sup>2</sup>.
8. In 2015 the Marine Protected Area Management Steering Group established by Welsh Government consulted with stakeholders over four options for European Marine Site management. The process showed a clear preference for application of the local Relevant Authority Group approach across seven management areas of Welsh seas and coastline<sup>3</sup>.

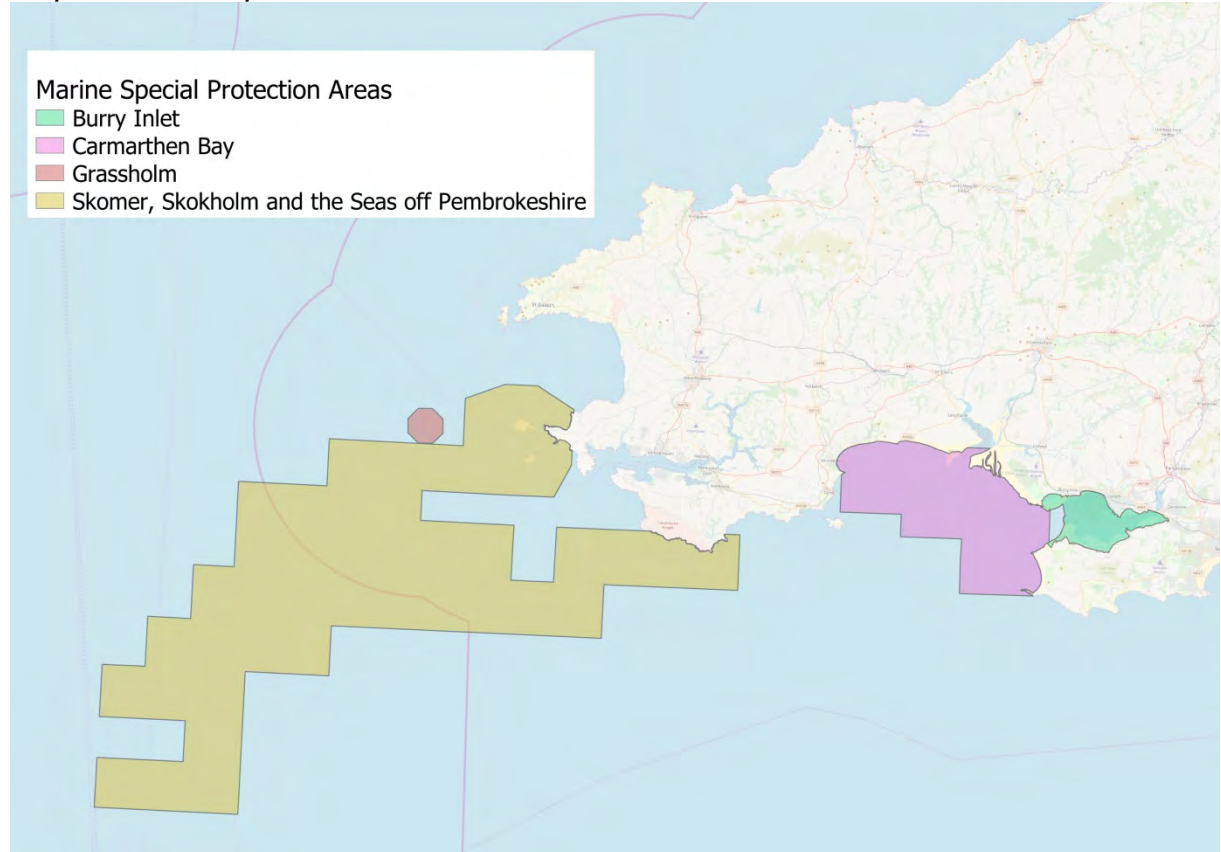
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<sup>2</sup> Indications are that this domestic legislation, which transposes European law, will remain post-Brexit.

<sup>3</sup> The National Park Authority is represented on the Group. The Group published a Marine Protected Area network management framework and action plan in 2018 <https://beta.gov.wales/marine-protected-area-management-steering-group>

9. The National Park Authority is represented on the Relevant Authority Group for each of the following:
- Pembrokeshire Marine Special Area of Conservation
  - Cardigan Bay Special Area of Conservation
  - Carmarthen Bay and Estuaries European Marine Sites.

*Map 2: Marine Special Protection Areas around the Pembrokeshire Coast*



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### Management Schemes

10. Section 38 of the Conservation of Habitats and Species Regulations 2017 makes provision for relevant authorities to establish for a European Marine Site a management scheme under which the authorities' functions are to be exercised so as to secure compliance with the requirements of the relevant Directives<sup>4</sup> in relation to that site.
11. Management schemes have been prepared for the three European Marine Sites for which the National Park Authority is a relevant authority (see 'Background documents' below).

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<sup>4</sup> Special Areas of Conservation (EU Habitats and Species Directive 92/43/EEC, the "Habitats Directive"); Special Protection Areas (EU Directive on the Conservation of Wild Birds 2009/147/EC, the "Birds Directive").

12. The principal delivery mechanism for timely, locally responsive Management Scheme delivery is the European Marine Site Officer<sup>5</sup>.

#### European Marine Site Officers

13. European Marine Site officers are funded through contributions from the local Relevant Authority Group. The officers facilitate partnership working and project delivery within and between Relevant Authority groups and are a source of information on cross-Wales management issues. In promoting awareness and understanding of European Marine Sites they help recruit support for the sites' effective management. Without site officers in post such tasks would have to be undertaken by members of Relevant Authority staff, or support bought in.
14. The UK experience is that Relevant Authority Groups rapidly become ineffective or moribund without a support officer. The Countryside Council for Wales' review of Marine Protected Area management in Wales (2012) stated that:

*“Implementation of positive marine protected area management has been shown to be more effective when facilitated by a dedicated site officer. In the case of current relevant authority groups, European Marine Site officers are considered essential to the development of management schemes (the main function of the Relevant Authority Group) and to coordinate delivery of management actions.*

*Experience has shown that no individual relevant authority has the resources to co-ordinate marine protected area partnerships nor the programme of work encompassed by a management scheme; the absence of a local marine protected area officer means that many aspects of marine protected area management and the benefits of partnership working cannot be realised.”*

15. A paper prepared by the Marine Protected Area Management Steering Group in 2016 noted that the funding provided by relevant authorities in 2014-15 supported 2.7 full-time equivalent officers across five<sup>6</sup> of Wales' seven European Marine Sites at that time. This limited coverage is of concern. The *Inquiry into Marine Protected Areas in Wales*<sup>7</sup>, conducted by the Climate Change, Environment and Rural Affairs Committee in 2017, concluded that more money and staff were needed to protect wildlife and habitats in the waters around Wales, and that each area should have a dedicated officer.

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<sup>5</sup> Actions from the management schemes are being taken forward nationally via workstreams led by Natural Resources Wales. The workstreams include Prioritised Improvement Plans, Thematic Action Plans and the Marine Area Statement (in preparation).

<sup>6</sup> Cardigan Bay Special Area of Conservation, Carmarthen Bay and Estuaries European Marine Site, Pembrokeshire Marine Special Area of Conservation, Pen Llŷn a'r Sarnau Special Area of Conservation, Severn Estuary European Marine Site.

<sup>7</sup> <http://senedd.assembly.wales/mglIssueHistoryHome.aspx?Ild=16663>

### Financial and risk considerations

16. The Authority's financial contribution to the three Relevant Authority Groups totals roughly £5,000 annually. This contribution supports the work of European Marine Sites officers for the three sites and contributes to levering in of match funding from external grant sources. The contribution is considered to represent excellent value for money and is the key means by which the National Park Authority adds value to its statutory responsibilities in regard to European Marine Sites (as a planning authority, statutory consultee and lessee of the foreshore, for example)<sup>8</sup>.
17. While many relevant authorities contribute consistently to core funding, not all are able to do so and the aggregate level of contributions is often unsatisfactory. Competitive grant funding is no substitute: it is unpredictable, usually requires match funding, is rarely aimed at management scheme implementation, and will not support ongoing work. Yet management schemes should by their nature be proactive.
18. In May 2017 Lesley Griffiths (then Cabinet Secretary for Environment and Rural Affairs) issued a letter to all relevant and competent authorities in Wales<sup>9</sup>, reminding them of their obligations in relation to marine protected areas.
19. Adequate core funding of Relevant Authority Groups, i.e. to an extent which allows for the assured employment of a European Marine Site officer, plus sufficient funds for project delivery and for match funding, is considered essential to discharging the National Park Authority's statutory responsibilities.

### Compliance

20. As noted above, the National Park Authority is identified as a relevant and competent authority in relation to European Marine Sites under Sections 6 and 7 of the Conservation of Habitats and Species Regulations 2017.
21. Section 6 of the Environment (Wales) Act 2016 requires that public authorities must seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems.

### Human Rights/Equality issues

22. None are identified.

### Biodiversity implications/Sustainability appraisal

23. Management schemes for European Marine Sites, and the statutory Relevant Authority Groups which help deliver the schemes, are a key delivery mechanism for nature conservation in the marine environment. The approach helps ensure compliance with European Directives on habitats and on the protection of birds,

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<sup>8</sup> The Sustainable Development Fund has supported a number of innovative bids which have contributed to understanding and management of the features of the Special Area of Conservation.

<sup>9</sup> letter dated 8<sup>th</sup> May, 2017

<https://beta.gov.wales/sites/default/files/publications/2018-05/letter-from-the-cabinet-secretary-about-managing-our-marine-protected-areas.pdf>



and for achieving the UK's vision of clean, healthy, safe, productive and biologically diverse oceans and seas.

Welsh Language implications

24. None are identified.

**Presentation**

25. Sue Burton, Special Area of Conservation Officer, has kindly offered to present an overview of the Pembrokeshire Marine Special Area of Conservation and some of the practical measures for its conservation to members of the Operational Review Committee. A list of the site's designated features is included at Annex 1 to this report.

**Recommendation**

**That Members NOTE this report, and the presentation from the Pembrokeshire Marine Special Area of Conservation Officer.**

Background documents

Cardigan Bay Special Area of Conservation Management Scheme 2008

[http://www.cardiganbaysac.org.uk/?page\\_id=96](http://www.cardiganbaysac.org.uk/?page_id=96)

Carmarthen Bay and Estuaries European Marine Sites Management Scheme 2013

<http://english.cbeems.org/management/management-scheme/>

Pembrokeshire Marine Special Area of Conservation Management Scheme 2008

<http://www.pembrokeshiremarinesac.org.uk/english/downloads/sitemandoc.htm>

(For further information please contact Michel Regelous, Conservation Policy Officer)

*Officers Consulted: Tegryn Jones, Chief Executive; Martina Dunne, Head of Park Direction*

## Annex 1 - Features of Pembrokeshire Marine Special Area of Conservation

- (i) Pembrokeshire Marine Special Area of Conservation has been selected for eight Habitats Directive (Annex I) habitat types and seven (Annex II) species. It is considered to be one of the best areas in the UK for:
- Reefs
  - Large shallow inlets and bays
  - Estuaries
  - Grey seal *Halichoerus grypus*
- (ii) The site supports a significant presence of:
- Coastal lagoons
  - Mudflats and sandflats not covered by seawater at low tide
  - Sandbanks which are slightly covered by seawater all the time
  - Submerged or partially submerged sea caves
  - Atlantic salt-meadow
  - Allis shad *Alosa alosa*
  - Twaite shad *Alosa fallax*
  - River lamprey *Lampetra fluviatilis*
  - Sea lamprey *Petromyzon marinus*
  - Otter *Lutra lutra*
  - Shore dock *Rumex rupestris*