



Marine
Management
Organisation

Allonby Bay HPMA Anchoring Byelaw Formal Consultation: Introduction

March 2025



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1 Introduction

Following the designation of Allonby Bay Highly Protected Marine Area (HPMA), the Marine Management Organisation (MMO) has launched a formal consultation to notify stakeholders of its proposal to make a byelaw to prohibit anchoring activity in Allonby Bay HPMA.

This document provides a brief background to the HPMA, the role of MMO and the Allonby Bay HPMA marine non-licensable activity (mNLA) assessment, as well as information on how to respond to the consultation and what to expect next.

2 Background

Allonby Bay HPMA was [designated](#)¹ by Defra in 2023 as a Marine Conservation Zone (MCZ) under the [Marine and Coastal Access Act 2009](#) and as such MMO has duties to further the conservation objective by developing byelaws or other management measures where required².

Table 1 details the designated feature and conservation objective for Allonby Bay HPMA. The location of the HPMA is displayed in **Figure 1**.

MMO previously assessed, and proposed management to address, the impacts of fishing activity on the designated feature of all three HPMA's designated in English waters. In August 2023 MMO consulted on the Highly Protected Marine Areas Fishing Byelaw 2024 which prohibits all fishing throughout site boundaries of Allonby Bay HPMA, Dolphin Head HPMA and North East of Farnes Deep HPMA. To ensure appropriate protection of the sites the prohibitions extend outside of each MPA into small buffer areas. Following this consultation, MMO reviewed responses, updated documents and made the byelaw. The byelaw is currently with ministers for consideration.

Table 1: Allonby Bay HPMA designated feature and conservation objective.

Designated feature	Conservation objective
The marine ecosystem of the area, which means all marine flora and fauna, all marine habitats and all geological or geomorphological interests, including all abiotic elements and all supporting ecosystem functions and processes, in or on the seabed, water column and the surface of the sea.	To achieve full recovery of the protected feature, including its structure and functions, its qualities and the composition of its characteristic biological communities present within the HPMA, to a natural state, and prevent further degradation and damage to the protected feature, subject to natural change.

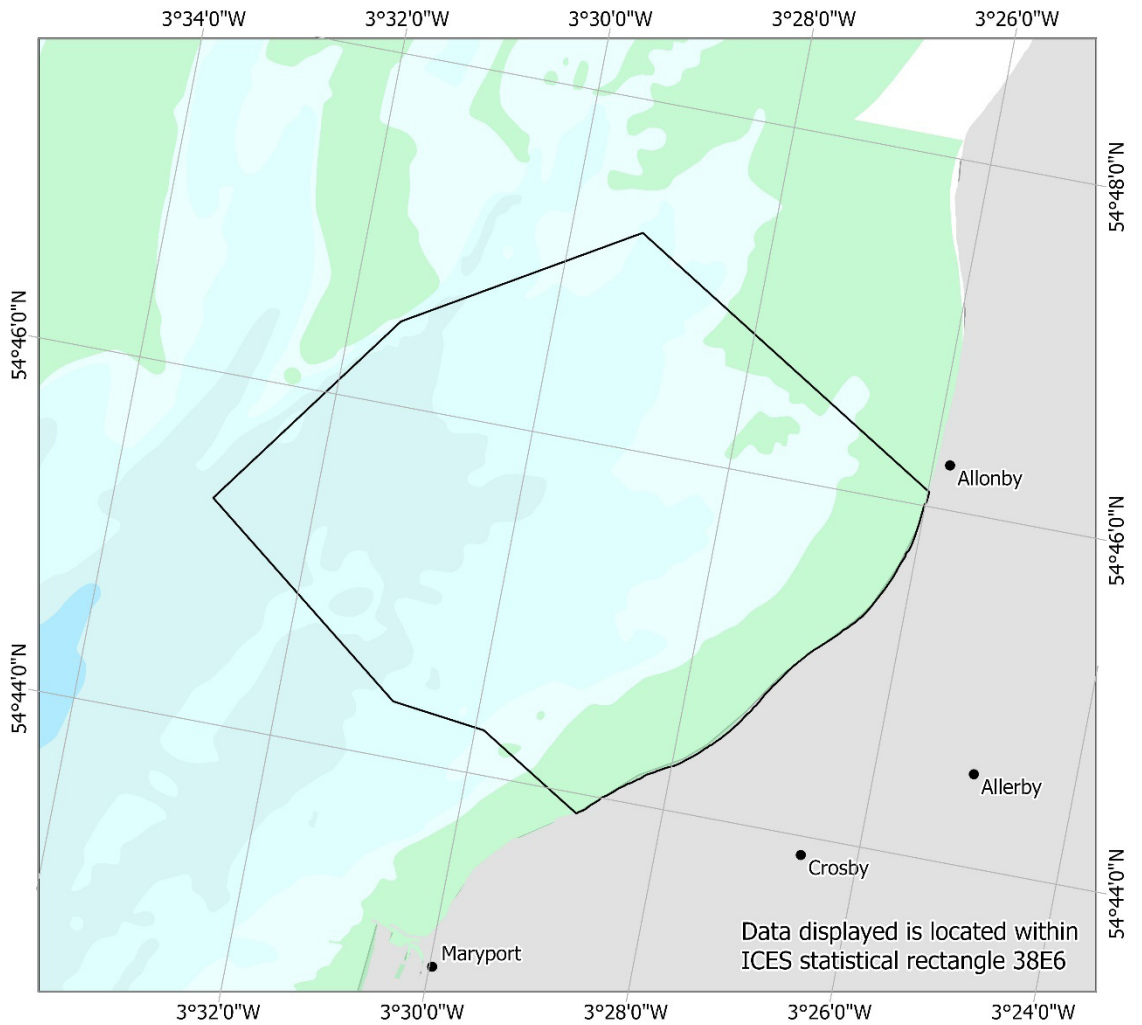
¹ Allonby Bay HPMA Designation Order 2023:

https://www.legislation.gov.uk/ukmo/2023/2/pdfs/ukmo_20230002_en.pdf

² For more information see: www.legislation.gov.uk/ukpga/2009/23/section/126.

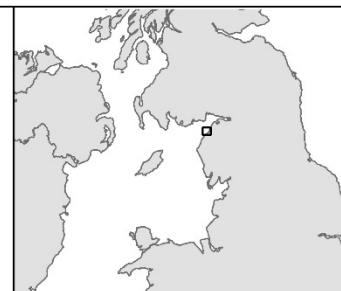


Allonby Bay Highly Protected Marine Area



Highly Protected Marine Area
 □ Allonby Bay HPMA

Sea Depth (metres)
 ■ Drying
 ■ ≥0 to 2.5
 ■ >2.5 to 5
 ■ >5 to 10
 ■ >10 to 25



Date of Publication: 24/01/2025
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 MMO Reference: 10844

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Figure 1: Allonby Bay Highly Protected Marine Area.

3 Allonby Bay HPMA mNLA assessment

Using the best available scientific evidence and advice, MMO assessed the impacts of mNLA (including anchoring) in Allonby Bay HPMA and concluded that in order to further the conservation objective of the site, anchoring should be prohibited throughout the HPMA.

4 Proposed management

The proposed byelaw includes a whole site prohibition of anchoring activity throughout Allonby Bay HPMA.

The proposed byelaw also mandates that an anchor must be stowed when in the specified area.

Note, the provisions in section 141(1)(e) and (f) and section 141(2) of the [Marine and Coastal Access Act 2009](#) remain in force and are not amended by the proposed byelaw. These provide that anchoring can take place within the area prohibited by the proposed byelaw in the event that the act of anchoring:

- 141(1)(e) was necessary for the purpose of securing the safety of any vessel, aircraft or marine installation;
- 141(1)(f) was done for the purpose of saving life.

Please note that subsection (1)(e) does not apply where the necessity was due to the fault of the person or of some other person acting under the person's direction or control.

5 Questions to consider

When reviewing the consultation documents, please provide us with any information you feel could be significant to inform our decision on management. We are interested in understanding the following:

1. Do you have information about the level or nature of [mNLA](#)³ (including anchoring activity) within Allonby Bay HPMA?
2. Do you agree or disagree with the proposed management measures? Please provide reasons for or against.
3. How will the proposed management measures affect you? Please provide supporting evidence if possible.

³ For more information: <https://www.gov.uk/government/publications/managing-marine-non-licensable-activities-in-marine-protected-areas>

4. What other effects could the proposed management measures have? Please provide supporting evidence if possible.

6 How we will consider new evidence

We always seek to use the best available evidence to inform our decisions. The purpose of this consultation is to seek additional evidence and views on the draft byelaw and associated impact assessment.

It is important that we understand the strengths and limitations of any evidence received to understand how it can contribute to our decision making.

Any evidence received will therefore be assessed in accordance with MMO evidence quality assurance process⁴.

7 How to respond

Please respond no later than **7 April 2025**. You can submit your response by [completing our online survey](#)⁵.

You are also invited to attend an online workshop at 1 – 2 pm on **1 April 2025**. This workshop will provide an opportunity for those interested to learn more about our assessment of marine non-licensable, recreational and anchoring activities in Allonby Bay HPMA and our proposed management measure to prohibit anchoring throughout the site. To attend this workshop, please register via Eventbrite: [Protecting Allonby Bay's marine environment - Have your say Tickets, Tue 1 Apr 2025 at 13:00 | Eventbrite](#)⁶

If you are not able to access the above survey, you can respond via the details below. We are asking all stakeholders to use email rather than post if possible.

By email: conservation@marinemanagement.org.uk

By telephone: 0300 123 1032

⁴ Evidence and the Marine Management Organisation (MMO): www.gov.uk/government/publications/evidence-and-the-marine-management-organisation-mmo (Last accessed on: 22 January 2025).

⁵ Allonby Bay HPMA Anchoring Byelaw Formal Consultation - Online survey: <https://consult.defra.gov.uk/mmo/allonby-bay-hpma-anchoring-formal-consultation> (Last accessed on: 10 March 2025).

⁶ Eventbrite invitation: <https://www.eventbrite.co.uk/e/protecting-allonby-bays-marine-environment-have-your-say-tickets-1270318218989>

In writing:

Allonby Bay HPMA Anchoring Byelaw Formal Consultation
Marine Conservation Team
Marine Management Organisation
Lancaster House
Newcastle upon Tyne
NE4 7YH

8 Next steps

We will review the information received during this consultation, alongside any other relevant information to make a final decision on the draft byelaw. If we decide that the proposed management measures are required, we will make the byelaw and submit it to the Secretary of State for confirmation.

More information on MMO byelaw making process can be found at www.gov.uk/guidance/marine-conservation-byelaws

If you have any further questions or queries, please email conservation@marinemanagement.org.uk or call the MMO helpline on 0300 123 1032.

Annex 1 – Glossary of terms

Commonly used terms in the documents provided as part of this consultation include:

Biotope – a habitat and its commonly associated community of species.

Conservation objectives - conservation objectives are set for each designated feature of an MPA, to either maintain or restore a designated feature of the protected site. The conservation objective of a HPMA is to achieve full recovery of the protected feature, including its structure and functions, its qualities and the composition of its characteristic biological communities present within the HPMA, to a natural state, and prevent further degradation and damage to the protected feature, subject to natural change.

Designated features – a species, habitat, geological or geomorphological entity for which an MPA is identified and managed. The designated feature of a HPMA is not a single species or habitat but the entire marine ecosystem of the area, which means all marine flora and fauna, all marine habitats and all geological or geomorphological interests, including all abiotic elements and all supporting ecosystem functions and processes, in or on the seabed, water column and the surface of the sea.

De minimis Assessment (DMA) – is a financial impact assessment is an assessment which addresses the financial and socio-economic impacts of management measures. The purpose of the De minimis Assessment in this case is show the financial impacts of the Allonby Bay Highly Protected Marine Area Anchoring Byelaw 2025.

Ecosystem services – the benefits provided by ecosystems that contribute to making human life both possible and worth living. Ecosystem services is the term used in conservation advice to describe the service provided by the habitat or species. For example: nutrition, nutrient cycling, climate regulation or bird and whale watching.

Impact - the consequence of pressures (such as habitat degradation) where a change occurs that is different to that expected under natural conditions.

Inshore Fisheries and Conservation Authorities (IFCAs) – IFCAs are responsible for fisheries management from 0 to 6 nautical miles (nm). There are ten IFCAs in England, each one funded by local authorities.

Joint Nature Conservation Committee (JNCC) - a public body that advises the government on UK and international nature conservation. This includes aspects related to the marine environment from 12 nm to 200 nm and have a statutory

responsibility to provide conservation advice for MPAs and report on the condition of protected features.

Highly protected marine area (HPMA) - a type of MCZ in English waters designated under the Marine and Coastal Access Act 2009⁷. HPMA's are areas of the sea that allow the protection and recovery of marine ecosystems by prohibiting extractive, destructive and depositional uses and allowing only non-damaging levels of other activities to the extent permitted by international law⁸. Defining non-damaging levels is complex and will likely be species, habitat and site specific.

Marine conservation zone (MCZ) – a type of MPA in English, Welsh and Northern Irish waters designated under the Marine and Coastal Access Act 2009⁹ (for England and Wales) or the Marine Act (Northern Ireland) 2013¹⁰ (for Northern Ireland).

Marine Management Organisation (MMO) - MMO is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs and is the manager and independent regulator of England's seas.

Marine non-licensable activities (mNLA) - activities which do not require a marine licence. These include shore based activities such as bait collection and beach recreation as well as water based activities such as sailing and motor boating¹¹. MMO is responsible for the management of mNLA which take place within its jurisdiction (0-12 nm). However, there are many foreshore mNLA which already fall within the remit of existing regulators¹²: Please note, anchoring is a licensable marine activity that is exempt from licensing. As such, MMO has assessed anchoring (both recreational and commercial anchoring of vessels) along with other mNLA with regards to impacts on the HPMA.

Marine plans – MMO marine plans have been designed to help manage the seas around England.

⁷ For more information see: www.legislation.gov.uk/ukpga/2009/23/.

⁸ For more information: <https://www.gov.uk/government/publications/government-response-to-the-highly-protected-marine-areas-hpmas-review/government-response-to-the-highly-protected-marine-areas-hpmas-review>

⁹ Marine and Coastal Access Act 2009: <https://www.legislation.gov.uk/ukpga/2009/23/contents> (Last accessed on: 4 March 2025).

¹⁰ For more information see: www.legislation.gov.uk/niu/2013/10/contents

¹¹ For more information see: <https://www.gov.uk/government/publications/managing-marine-non-licensable-activities-in-marine-protected-areas>

¹² For more information: https://assets.publishing.service.gov.uk/media/629745f7e90e07039ae3ec0a/Management_of_Marine_Non-Licensable_Activities.pdf

Marine protected area (MPA) - a generic term to cover all marine areas that are a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. This includes special areas of conservation (SAC), special protection areas (SPA) and marine conservation zones (MCZ).

Natural England - government advisor for the environment in England. This includes aspects of the marine environment of 0 to 12 nm. This organisation has a statutory responsibility to provide conservation advice for MPAs and report on the condition of protected features.

Precautionary principle - the precautionary principle is defined in the 1992 Rio Declaration, to which the UK government is a signatory, and states: 'In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation'.

Pressure – the mechanisms through which an activity has an effect on a feature. Individual pressures are broadly defined in [JNCC's Marine Pressures-Activities Database \(PAD\)](#) in the 'pressures' tab of the data tables (JNCC, 2022).

Resilience – the ability of a species or habitat to recover from disturbance or stress.

Resistance – the ability of a species or habitat to absorb disturbance or stress without changing in character.

Sensitivity – the sensitivity of a feature (species or habitat) is a measure that is dependent on the ability of the feature (species or habitat) to resist change and its ability (time taken) to recover from change.

Special area of conservation (SAC) – SACs are MPAs designated under The Conservation of Habitats and Species Regulations 2017¹³, and The Conservation of Offshore Marine Habitats and Species Regulations 2017¹⁴ to protect important habitats and species.

Special protection areas (SPA) – SPAs are MPAs put into place to protect threatened bird species, classified under the Conservation of Habitats and Species Regulations 2017, and the Conservation of Offshore Marine Habitats and Species Regulations 2017.

¹³ For more information see: www.legislation.gov.uk/ukxi/2017/1012/contents/made

¹⁴ For more information see: www.legislation.gov.uk/ukxi/2017/1013/contents/made

Sublittoral zone – extending from the lowest limit of the intertidal to the outer edge of the continental slope. This can be divided into the infralittoral zone (characterised by algae) and the circalittoral zone (the subzone below the infralittoral dominated by animals) (JNCC, 2022).