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Management
Organisation

Stage Three MPAs: Independent Scientific Panel Review Report

May 2025



...ambitious for our seas and coasts

MMOEE003: Stage Three MPAs: Independent Scientific Panel Review Report May 2025

Report prepared by:

Marine Management Organisation

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1. Summary

MMO is responsible for managing marine protected areas (MPAs) in England and uses its powers to implement management measures to prevent negative impacts on designated habitats and species. There is an established and documented process for implementing management measures including an assessment of impacts process¹.

In the most recent stage of the programme to manage activities in all English MPAs, MMO has applied this process to 43 MPAs by assessing the impacts of bottom towed fishing gear, anchored nets and lines, and traps. MMO gathered the evidence on impacts of these fishing gears before using it to assess the 43 MPAs.

To review the evidence of impacts and their application in the assessments, MMO asked a panel of five specialists from outside government with applicable expertise to review the documents. The panel were asked to review whether the evidence showed that the conclusions of the assessments were supported.

The panel provided their feedback during meetings attended by the whole panel, a non-executive MMO Board member (acting as chair), the MMO senior responsible officer (SRO) and MMO technical lead. The panel was set up and supported by members of the MMO Evidence and Evaluation team.

Although the panel interrogated aspects of the assessment methodology and the evidence collation and synthesis approach, no matters were raised by the panel that would affect the conclusions of the review of evidence of the impacts of fishing on the MPAs.

2. Review of evidence of impacts on MPAs

2.1 Background

In 2013 the government published the [Revised approach to the management of commercial fisheries in European Marine Sites: overarching policy and delivery](#) which introduced a phased approach to the assessment of fishing in European marine sites (later extended to include marine conservation zones (MCZs)).

The inshore fisheries and conservation authorities (IFCAs) took the lead in implementing the revised approach for MPAs in inshore waters, out to 6 nautical miles (nm) from the coast; MMO took the lead for MPAs within 6 and 12 nm². For MPAs further offshore (beyond 12 nm) a joint recommendation was required between European Union (EU) member states to initiate fisheries management measures under the EU Common Fisheries Policy Regulation (Article 11). The UK

¹ [Understand MMO marine conservation byelaws - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61111/Understand_MMO_marine_conservation_byelaws_-_GOV.UK.pdf)

² Where an MPA straddles the 6nm boundary, MMO and IFCAs agree whether MMO or IFCA leads on the 0-6nm portion.

pursued joint recommendations for offshore MPAs in English waters but was not able to reach agreement at the EU level.

In December 2020 the EU Exit ‘implementation period’ ended, and the UK-EU Trade and Cooperation Agreement (TCA) was agreed. Powers to manage fishing in offshore UK waters, passed from the European Commission to the UK. In January 2021 MMO received new powers (under schedule 9 of the UK Fisheries Act 2020) to make byelaws for the conservation of species and habitats in the UK offshore area. The TCA facilitated engagement and notification to the EU on any proposed management measures.

In June 2021 the UK government committed to ensuring all fishing in offshore MPAs was suitably managed by the end of 2024, and this work is being led by the MMO.

To determine whether ongoing fishing activity is compatible with the conservation objectives of each MPA, MMO undertakes a site level assessment which is consistent with the requirements of a habitats regulations assessment for European marine sites (EMS)³ or a marine conservation zone (MCZ) assessment. Where the assessment concludes that ongoing fishing activities are compatible with MMO’s legal duties to protect the MPA, no management measures are required. MMO continues to monitor fishing activity and reviews the assessment at least every 5 years. Where the assessment cannot conclude that ongoing fishing activities are compatible with MMO’s legal duties, MMO develops and implements suitable management, such as an MMO byelaw to address the risks to the MPA.

The key legal duties that apply to MMO when considering management of the impacts of fishing on MPAs are different but similar for MCZs and EMSs. For EMSs [Article 6 of the Habitats Directive](#) requires MMO to “...avoid...the deterioration of natural habitats and the habitats of species...” (Article 6.2). To achieve this MMO undertakes site-level assessments consistent with a habitats regulation assessment, which allows for fishing to continue only where “it will not adversely affect the integrity of the site concerned...” (Article 6.3).

For MCZs the Marine and Coastal Access Act (2009)⁴ requires that a “public authority must exercise its functions in the manner which the authority considers best furthers [or if not possible, least hinders] the conservation objectives stated for the MCZ” (section 125). To achieve this, MMO undertakes site-level assessments consistent with an MCZ assessment, which allows for fishing to continue only where “there is no significant risk of the act hindering the achievement of the conservation objectives stated for the MCZ.” (section 126).

2.3 MPA site assessments – review of fishing impacts

MMO is delivering this work in four stages⁵. Stage one, completed in June 2022, included an assessment of fishing impacts for the management of four priority MPAs.

³ EMS comprise of special areas of conservation (SACs) and special protection areas (SPAs) designated to protect habitats/species and birds of European importance, respectively.

⁴ <https://www.legislation.gov.uk/ukpga/2009/23/section/125>

⁵ [Managing fishing in marine protected areas - GOV.UK \(www.gov.uk\)](#)

Stage one was a proof of concept which tested and implemented the new legislation and processes arising following EU Exit. Stage two focussed on the impacts of bottom towed fishing gear on all rock and reef MPA features which included 13 MPAs. Stage two is complete, and corresponding byelaws came into force in March 2024. Stage three looks at the remaining impacts of fishing (except those already managed in stages one and two) across a further 43 MPAs designated to protect seabed habitat. As such, this stage is the largest in scale.

To facilitate delivery of this work, MMO undertook assessments for each MPA. To start the process, available evidence on the impacts of bottom towed gear, anchored nets and lines and traps on the designated features of the MPAs, was gathered. The evidence was used to assess, for each site, whether management was needed to meet site conservation objectives, and what that management should be.

MMO asked a panel of five independent specialists with experience and knowledge in this scientific field to review the evidence of impacts documents and the site assessments. The panel were asked to provide advice and judgement to MMO on the documents and scientific conclusions. The panel were asked specifically to consider MMO's draft conclusions as to whether it could be concluded beyond reasonable scientific doubt, that ongoing fishing activity will not result in an adverse effect on site integrity/significant risk of hindering the conservation objectives of the site.

3. The Review Panel

3.1 The choice to review

As an evidence-led marine regulator, MMO has established quality assurance and engagement and consultation processes to enable use of stakeholder and scientific evidence in decision making. MMO can also invite further review of its decision making.

Given the extent of management measures proposed and the associated impacts on the commercial fishing industry, MMO sought a further review of its evidence and assessment documents externally. Establishing the panel was a voluntary action by MMO and the panel had an advisory role.

3.2 Selection of the panel

Panel members were selected by MMO under advice from the MMO Chief Scientist. Panel members were selected to include a range of perspectives on the evidence base and the application of that evidence in MMO's decision making.

The panel consisted of the following;

- Nathan de Rozarieux: inshore fisherman, fisheries consultant with experience in fisheries and the seafood supply chain and marine spatial planning
- Prof. Jan Hiddink: Academic with research examining the effect of human disturbance on benthic ecosystems, including fishing and climate change

- Prof. Katherine Yates: Academic with interest in spatial conservation planning, both from ecological and socio-economic perspectives
- Prof. Richard Barnes: Academic who focuses on environmental law and particularly the interface between law and other academic disciplines, such as politics, geography, economics and marine biology
- Dr Bryce Stewart: Academic marine ecologist and fisheries biologist focusing on how to improve the management of fisheries through stock and habitats surveys, marine protected areas and stakeholder engagement.

3.3 Scope of the panel

Panel members were provided with terms of reference. The panel were asked “*To provide independent scientific knowledge, advice and judgement to MMO on the MMO’s Stage 3 fisheries assessment draft conclusions as to whether it can be concluded beyond reasonable scientific doubt that ongoing fishing activity will not result in an adverse effect on site integrity/significant risk of hindering the conservation objectives of the site.*”

Given the extent of the draft management measures for bottom towed gear, the limited evidence available for static gear impacts, and the impacts on fishing stakeholders of such measures, the panel was asked to focus on the assessment and management of the impacts of bottom towed fishing and the impacts of static gears on rocky reef habitats. Assessment of the wider policy and legal frameworks around MPAs and fisheries were not within the scope of the request.

3.4 Materials supplied to the panel

To inform the panel review the following documentation was supplied;

- Three ‘Impacts Evidence Documents’ that capture and interpret the best available evidence on the impacts of i) anchored nets and lines, ii) bottom towed gears, and iii) traps on each of the features designated in Stage 3 MPAs
- A representative (covering designation type and gear/feature interactions) sample of 8 of 43 MMO MPA fisheries site assessments and associated maps that synthesise their impacts evidence with site-specific factors such as biotope level information and observed levels of fishing activity
- Draft conclusions as to whether or not MMO can rule out that *ongoing fishing activity will result in an adverse effect on site integrity/significant risk of hindering the achievement of the conservation objectives of the site.*

3.5 The panel process

The panel were brought together virtually over three days for three two-hour sessions with the Head of Marine Protection and Operational Services who is the SRO for this work, the Head of Marine Conservation who is the technical lead, the Head of Evidence and Evaluation who set up the panel, and a non-executive member of the MMO Board who was the panel chair. The chair was able to take on the role when the MMO Chief Scientist left MMO to take up a new role during the duration of the review.

3.6 Reporting from discussions

This document reports the advice from the panel. This report has been drafted by the MMO and agreed with the panellists and chair. In addition to virtual sessions, several panellists provided supplementary written comment which have also informed this report.

4. Advice from the panel

4.1 High-level advice

During the review meetings there were a range of discussions that covered the confidence in the evidence used and the application of the evidence to arrive at the assessment conclusions. Although the panel interrogated aspects of the assessment methodology and the evidence collation and synthesis approach, no matters were raised by the panel that would affect the conclusions of the review of evidence of the impacts of fishing on the MPAs. They made some additional suggestions to improve the clarity of the documents for readers. The panel:

- suggested that further clarification for readers could be incorporated to show where the evidence specifically led to the conclusion and where the evidence indicated that a precautionary approach should be taken
- indicated that stating the confidence in the different evidence sources used might further support the understanding of readers of the report
- recommended that the evidence that would negate the need to use the precautionary approach could be set out separately to support the fulfilment of the evidence gaps in due course.

4.2 Acting on the review

MMO has reviewed and consolidated comments made via the virtual panel sessions and written submissions into key themes. The key themes are listed in table 1 below, alongside further detail on how MMO will address points to improve the way in which MMO present information for this and future management proposals.

Table 1: MMO actions and responses to themes raised by MPA Panel

Themes raised by MPA panel	MMO Actions / response	When
Decision process – covering comments related to MPA objectives, the precautionary principle, and MMO decision-making processes.	MMO will ensure that all factors regarding decision making are clearly outlined in the overarching Stage 3 Consultation Document and Stage 3 MPA site assessment methodology published for formal consultation. This will include specific information on conservation objectives and legislative tests applied.	Ready for formal consultation
Evidence gathering – to provide transparency on how evidence was collated, quality assured and how these methods may impact on conclusions. Also includes explicit recognition of uncertainty and data gaps.	MMO will include more information on the approach taken to evidence gathering and MMO's approach to evidential uncertainty. This will be included in the Stage 3 MPA site assessment methodology document and the Stage 3 Consultation Document .	Ready for Formal Consultation
Evidence use – covers comments or advice in relation to the evidence utilised and the interpretations made from that evidence.	MMO will provide more information on the use and application of a range of evidence sources, which vary in strength, timeliness and relevance in the Stage 3 MPA site assessment methodology outlined above. A quality assurance assessment drawing on MMOs process for evidence quality assurance ⁶ .	Ready for Formal Consultation
Evidence sources and insights – collated comments that suggest further evidence or offers expert knowledge or insights	MMO will maintain a database of evidence used and will review specific recommendations from the panel. MMO will update the Impacts Evidence documents accordingly.	Ready for Formal Consultation

⁶ [Process for evidence quality assurance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

General evidence – a range of other evidence related comments including graphic presentation, referencing and academic impact	MMO will review the package of information to be published at formal consultation and work with communications and evidence teams to consider best ways to present to the varied audience.	Ready for Formal Consultation
Document content – encompassing document linking, language and terms use and, consistency and editorial elements	MMO will review the package of information to be published at formal consultation and work with communications teams to consider best ways to present to the varied audience.	Ready for Formal Consultation