

JNCC and Natural England comments on the Report: '*In-depth review of evidence supporting the recommended Marine Conservation Zones*', commissioned by Defra through the MB0116 contract and carried out by ABPmer Ltd.

JNCC and Natural England welcome this report. There are some useful outcomes that will contribute to the MCZ process, particularly the identification of any new datasets that could supplement the evidence base for rMCZ features.

The consultants have pursued a logical approach to identifying new evidence and we are pleased to note that the Report finds that the majority of the most relevant data sources have already been utilised by the regional MCZ projects (2nd paragraph, p.8 Executive Summary; paragraph 6.4, p.60 main text).

The Report documents an independent assessment of the evidence underpinning features in rMCZs and acknowledges that there are cases where the results differ from those generated by similar assessments carried out by JNCC¹ and Natural England². JNCC and Natural England agree with statements in the Report which highlight that these differences are likely to have arisen from different approaches being used for the assessments carried out by the JNCC and Natural England compared with those used for the MB0116 contract. Probably the most significant of these is that the MB0116 contractors assessed data underpinning the extent of features within the rMCZs as mapped on the basis of the spatial data that they had obtained (which, as explained in the report, was not identical to that used by the Regional Projects). In contrast, Natural England and JNCC purposely assessed the extent of features within the rMCZs as mapped by the Regional MCZ Projects using the data available at the time that the final recommendations were drawn up. JNCC and Natural England used this approach to preserve the decisions made by stakeholders regarding the specific location and area of features proposed for designation within rMCZs.

A number of key datasets (such as British Geological Survey data) were not used in the MB0116 assessments as explained in the Report which may be a significant factor accounting for different results. JNCC acknowledges that the MB0116 contractors could not be granted access to the 'restricted' Marine Recorder data held by JNCC, but JNCC have determined that this is unlikely to have significantly impacted the contractor's results.

The Protocols were developed through a series of workshops that included stakeholders, were subject to independent review by appointed experts and were signed off by JNCC, Natural England and Defra. We recognise that Protocol E is open to different interpretations and that while JNCC and Natural England used the Protocol correctly, it was applied differently due to the inherent differences in data availability between inshore and offshore sites. Supplementary advice to clarify the application of Protocol E is being developed for use in subsequent advice on rMCZs. The Report explains that the contractors made modifications to Protocol E (the protocol for assessing confidence in feature presence and extent³) to accommodate 'new data' (i.e the 'new feature extents' that the contractors determined. The supplementary advice will clarify that new data do not preclude the

¹ <http://jncc.defra.gov.uk/page-6228>

² <http://publications.naturalengland.org.uk/publication/2030218>

³ <http://jncc.defra.gov.uk/page-5999>

application of Protocol E, and will explain that Natural England and JNCC used new data in their evidence assessments.

The Report provides examples of some limitations to the data used to underpin the assessments which suggest that some of the issues occurred during the handover of the Regional MCZ Project data. However, these data were provided to ABPmer in the same form as they were received from the Regional MCZ Projects. In those cases where the issue arose, JNCC and Natural England did not exclude data gathered by the Regional Projects purely because they had not been organised according to data management protocols, but instead carefully assessed and scrutinised this.

JNCC and Natural England were also careful to remove duplicate data prior to conducting the assessments, and will continue to check and ensure that this does not occur. Given the large volume of data, not always in an ideal format, it is inevitable that some issues arose. It is possible that some of these were present in the advice published in July 2012, although many were addressed through the subsequent Amendments Report published in December 2012. However data will be further reviewed taking account of the issues identified in this Project when making assessments ahead of final decisions on site designation. .

The work on seeking new sources of information is particularly welcome and valuable. It is reassuring that the Report finds that the many of the most relevant data sources were utilised by the MCZ project and further data are now being incorporated in our current assessment work. Work is underway with the contractors with regard to licensing arrangements to ensure that the additional information that have been identified can be used for future assessments.

JNCC and Natural England would like to acknowledge the effort that has gone into producing the Report, from both the contractors and from other organisations involved.