

Isles of Scilly Workshop

27 January 2015

ESRC Ecologies and Identities Project (PI: Dr M. Pieraccini)

Outline

1. Background Information on the ESRC Project
2. Case Studies
3. Key themes arising from the ESRC Project
4. Scilly/Barra comparison- your views
5. Policy Lessons- your views

BACKGROUND TO THE PROJECT



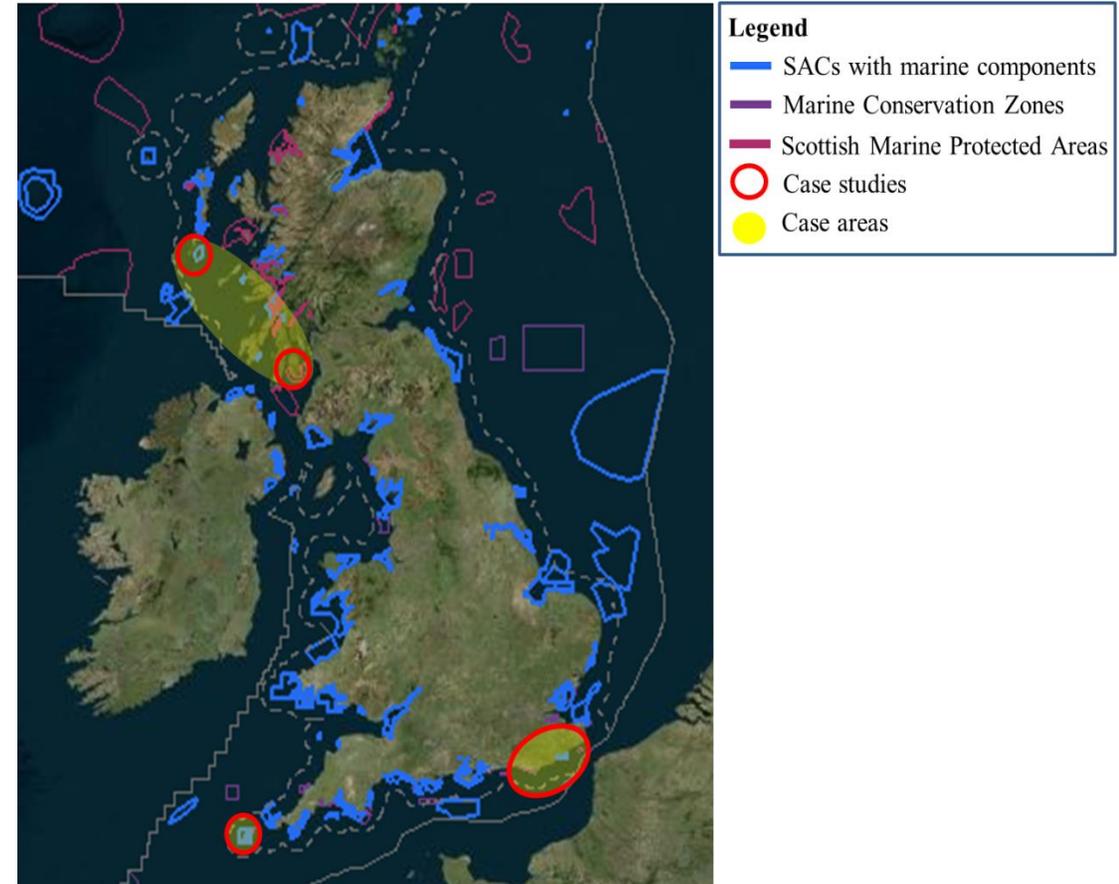
- The ESRC “Ecologies and Identities” project (Oct 2012-Sept 2015) is based at the University of Bristol Law School. The PI is Margherita Pieraccini, joined by Emma Cardwell (Research Assistant) for the year 2013-2014.
- It is a socio-legal project exploring the legal implementation of the establishment of the UK marine protected areas (MPAs) network doctrinally and through interviews with stakeholders in selected case studies.

CASE STUDIES

- **South- East England: Dover to Folkstone**
(2 MCZs designated out of 6rMCZs)

- **Isles of Scilly**
(all rMCZs designated in 2013-
All fall within a SAC, except one)

- **South-West Scotland: Arran and Barra**
(MPA designated in Arran and SAC proposed in Barra)



KEY THEMES ARISING FROM THE PROJECT

1. PARTICIPATION
2. UNCERTAINTY
3. MPAs and CFP:DISPLACEMENT
4. COSTING SOCIO-ECONOMIC EVIDENCE
5. MANAGEMENT INSTITUTIONS (IFCAs and IFGs)

1. PARTICIPATION

- Whose knowledge was important during the designation process of MPAs? And what type of knowledge were stakeholders asked to represent?
- The way the participatory process was implemented sometimes reduced people's complex attitudes, feelings and opinions to those of stakeholders called to represent a single and fixed interest and a single knowledge/stake. This led to an antagonism towards the MCZs.
- E.g. South-West: <https://www.youtube.com/watch?v=BqA8OUMOAcc>

2. UNCERTAINTY

- **Managerial uncertainty:** Uncertainty regarding the management measures that would be applied in MCZs permeated the process of designation in many areas. Fishermen and other stakeholders were also asked to advise on MCZ without knowing (or being able to suggest) how each MCZ, once allocated, should be managed - so they had no idea which activities were to be allowed, and which were to be stopped within the MCZs they suggested.
- **Scientific uncertainty:** Some sites proposed by the regional stakeholder groups were not designated in the first tranche of MCZs because scientific evidence for certain features was lacking. But this contradicts earlier governmental emphasis on taking a precautionary approach to site designation.

3. MPAs and CFP:DISPLACEMENT

- Displacement issue not factored in properly
- E.g. **Hythe Bay**: Local fleet's fishing grounds are in the ICES zone 4c, where the designation of the MCZ was proposed. If the MCZ would have been designated and all fishing banned within it, the local fleet would have been displaced, moving to ICES zone 7d. However, the quota allocation of cod in 'Area 7D' is only 25% of that in 'Area 4C'. Secondly, displacement was not even an option for very small-scale fishermen who have boats that cannot travel long distances.

4. COSTING SOCIO-ECONOMIC EVIDENCE-IAs

- 1) How to model potential socio-economic costs if the activities that could be carried out in the MCZs were unknown? Best estimate figure derived from two extreme scenarios+ uniform 75% displacement figure was adopted for all MCZs regardless of specificities (e.g. size of boats/ICES zones).
- 2) The potential positive impacts of MCZs were not quantified and the positive and negative impacts kept entirely separate in the IA report.
- 3) Calculations in the IAs were features based but by the time the IA was put out for consultation, the government had made the decision to designate on the basis of a fraction of the original features proposed yet the IAs reports still show the impact on all features.
- 4) Double-counting? The socio-economic evidence had already played a part during the stakeholder working groups but then was counted again to justify the non-designation of particular areas.

4. MANAGEMENT INSTITUTIONS

Issues	IFGs	IFCAs
Devolution of powers	<ul style="list-style-type: none">• Non-statutory• They can only advance recommendations to Marine Scotland	<ul style="list-style-type: none">• Statutory bodies• Management and Enforcement powers
Committees' Membership	<ul style="list-style-type: none">• Only commercial fishing• Representatives of large fishermen Associations have seats in more than one IFG (risk of regulatory capture)	<ul style="list-style-type: none">• Wide representation of interest• Members sitting on only one IFCA
Consequences for MPAs	<ul style="list-style-type: none">• IFGs have been very negative about new MPAs	<ul style="list-style-type: none">• More positive attitudes towards MCZs → MCZs likely to have a better local management

SCILLY/ BARRA COMPARISON

- Similarities:
 - Locals have environmental knowledge
 - Both economies are not primarily reliant on fishing
 - Existing fishing practices are sustainable → in both locations the new MPAs will not have substantial managerial impacts
- But why MCZs in the Isles of Scilly have been perceived as a positive addition while in Barra the SACs has been fought by locals?

ISLES OF SCILLY



“We want bottom up management, not from the top, not like the European Marine Site.”

Local regulator

“I don’t think [the fishermen] would have agreed to these areas if they were unsure of what it might mean.”

Environmental NGO

CF.

BARRA



“Removing the power from the very people that have been responsible for [conservation] I find particularly offensive.”

Barra Councillor

“The people that have used the area for years could lose out wholesale if it’s run by bureaucratic bodies who decide this can’t be done,”

Eco-tourism representative

I was married to a hill farmer and my father was a crofter and my father’s entire croft was engulfed in a SSSI and SPA and a Ramsar site, and SNH had just been created and formed. And my fundamental view was that there was something very wrong about the system that took people’s rights away...[the same will happen with the SAC]

Teacher

So I think because of that when it comes to marine designation they tend to think this is going to be similar to the terrestrial one. So there was an element of that and lots of the fishermen were also crofters, so they had that background.

SNH

POLICY LESSONS

1. **PARTICIPATION:** When designing participatory processes, it is important that participants should be allowed to contribute their full knowledge, rather than being boxed up in pre-determined categories and asked to represent a singular knowledge and pre-defined position. This is both because more information will produce better outcomes, and because forcing people to only present single interests will change the way they relate to future participatory processes. Also good communication between the different parties should be facilitated.

2. **SOCIO-ECONOMIC VS ECOLOGICAL:** Separating socio-economics from ecological may not be the most fruitful way to incorporate non-scientific considerations in the designation of MPAs if the socio-economic evidence is not considered more rigorously and if the positive socio-economic consequences are not taken into account. So would “ecosystem services” be a more positive concept to link nature and society?

3. **MANAGEMENT INSTITUTIONS** should incorporate different interests and be subject to stringent procedures to determine membership. Otherwise they are likely to fail both from a democratic standpoint and an ecological one (the IFGs were much more opposed to the MPAs than the IFCAs).

4. **CONTEXT:**

- **Conservation Law** should also consider other resource management policies– vitally, in this case, the Common Fisheries Policy - in order to take into account all the consequences of designation (such as displacement).
- **Historical and everyday engagements** with conservation law of communities affected are to be taken into account because they shape people’s perceptions of current legal measures. A blanket approach to establishing protected areas is not the best means.

Your views? Other recommendations?