



essential materials  
sustainable solutions

Marine Biodiversity Team  
Room 1/05  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6EB

**BMAPA**  
Gillingham House  
38 - 44 Gillingham Street  
London SW1V 1HU  
Tel +44 (0)20 7963 8000  
Fax +44 (0)20 7963 8001  
bmapa@mineralproducts.org  
www.bmapa.org

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Email: [marinebiodiversity@defra.gsi.gov.uk](mailto:marinebiodiversity@defra.gsi.gov.uk)

Dear Sir

Delivering Marine Conservation Zones and European Marine Sites  
A draft strategy for marine protected areas

1. Background

1.1 The British Marine Aggregate Producers Association (BMAPA) is the representative trade body for the British marine aggregate sector. The association represents 11 member companies who collectively produce around 90% of the 21.5 million tonnes of marine sand and gravel dredged from licensed areas in the waters around England and Wales each year.

1.2 Marine dredged sand and gravel is principally used by the construction industry, and the marine contribution provides 20% of overall sand and gravel demand in England, 90% of fine aggregate demand in South Wales, 35% of total construction aggregate demand in South East England and over 50% of construction aggregate demand in London. In this respect, marine aggregate supplies play a key role in supporting the delivery of various Government policies, including Sustainable Communities, the regeneration of Thames Gateway and the 2012 Olympic Games. Marine dredged sand and gravel also provide a strategic role in supplying large scale coast defence and beach replenishment projects – over 25 million tonnes being used for this purpose since the mid 1990's. With the growing threats posed by sea level rise and increased storminess, the use of marine sand and gravel for coast protection purposes will become increasingly important.

BMAPA is part of the Mineral Products Association, the trade association for the aggregates, asphalt, cement, concrete, lime, mortar and silica sand industries

Registered in England as Mineral Products Association Limited No. 1634996  
Registered at the above address

1.3 In both cases, the marine aggregate sector is dependant upon identifying and licensing economically viable sand and gravel deposits to secure sufficient reserves to maintain long term supply to existing and well established markets. The location of such deposits is extremely localised around the waters of England and Wales, restricted to their geological distribution and their geographical position related to the markets location.

1.4 At present 1344km<sup>2</sup> of seabed is licensed for marine aggregate extraction, of which around 135km<sup>2</sup> is dredged in a typical year. This represents around 0.15% and 0.016% of the total UK continental shelf area (867,000km<sup>2</sup>) respectively. A further 1931 km<sup>2</sup> of seabed is currently under application or covered by prospecting licence. In this respect, the marine aggregate sector is responsible for managing a significant area of the UK seabed.

## 2. Overview

2.1 As previously stated in our various responses during the Marine Bill development, the marine aggregate sector remains supportive of the proposal to create a network of sites of national nature conservation interest. We also support the intention that such designations would have to take into account socio-economic interests. Given the desire to deliver a more consistent and coherent approach to management and assessment across UK seas, it is essential that proposals for designation be bound by the same robust, evidence-led approach required for marine development licensing.

2.2 The marine aggregate sector welcomes the opportunity to constructively participate in the development of the MPA network. The spatial extent of the sectors interests along with the high resolution data held mean that the industry should be able to make a significant contribution to the successful delivery of the MPA network. However it is essential that the objectives, associated processes and timescales necessary to deliver these are robust, transparent and above all realistic.

## 3. Comments

3.1 An inevitable constraint to the MPA process will be the extent and resolution of baseline data available to identify sites with a high degree of certainty. The designation process has to be evidence led and underpinned by sound science. This not only relates to the site specific information, but also the justification as to how an individual site fits into the regional/national context, in terms of its significance, sensitivity and risk.

3.2 We note that at present there is no clarity over the national conservation features that are to be protected or their conservation objectives. Likewise the processes by which such features are to be identified and brought forward in the regional projects. Given the timescale which is being imposed on the wider MPA strategy, with regional MCZ nominations to be put forward in Q3 2011, we remain concerned that the approach being proposed grossly underestimates the practical realities of delivery. In particular, by adopting a bottom up approach the process is hugely reliant upon a wide range of stakeholders with very different, and

often competing, interests to effectively engage with one another in order to reach consensus (assuming this is possible).

3.4 Putting the delivery of consensus to one side for the moment, for any stakeholder-led process to work effectively it requires time for relationships to be developed, ultimately built on trust and understanding. By compressing the time available for this process to occur rather than allowing it to grow and develop, the potential for consensus is significantly reduced – with stakeholders adopting a defensive position in order to protect their own interests at all costs. This is the complete opposite of what is envisaged and what would be required in practice to deliver the process as presented. By way of an example of the practicalities of stakeholder engagement, the development of marine aggregate sites is through a consensus-type planning approach – whereby the applicant is responsible for identifying issues associated with a site and then resolving them to the satisfaction of the stakeholders concerned. This takes a significant amount of time and effort, and typically for a single application of 10km<sup>2</sup> the process will take around 5 years. While acknowledging the requirement to have some form of project timetable in place, it is nevertheless important to retain some flexibility in deadlines to support the successful delivery.

3.5 Picking up the issue of consensus decisions, the experience of developing MPA networks elsewhere around the world suggests that while such a process may be able to go so far, sooner or later someone will be required to take some difficult decisions. This is no different to development consenting. It is essential that the mechanisms by which difficult decisions will be reached are clearly set out from the beginning of the process, including rights of challenge and appeal. If not, it is easy to see participants in a supposedly stakeholder-led process becoming rapidly disenfranchised.

3.6 As the regional projects are to be stakeholder led, it is important that there is sufficient strategic oversight to ensure that each delivers a consistent and appropriate output in accordance with the overarching strategy. There must be a mechanism to ensure that local, regional and national interests are adequately balanced, and also the means to 'call in' projects if they are not delivering as required.

3.7 While we understand the proposed site selection process is intended to involve a wide range of stakeholders through the regional scale projects (including facilitating access to potential data sources held by industry), it is important to also recognise that the time and resources available to many stakeholder interests will be constrained – particularly where stakeholders have interests in multiple regions, such as the marine aggregate sector. While the regional project teams may have significant additional resources to deliver to the project deadlines defined, local and national stakeholders are unlikely to be in the same position to provide data and to contribute to the various processes. This is a very practical constraint, as without the stakeholder participation or their data the ability to successfully deliver will be significantly reduced. Unless this constraint is acknowledged in the context of the wider MPA/MCZ strategy and resulting processes, stakeholders could become disenfranchised.

3.8 The experience of the marine aggregate sector in engaging with the nearshore SAC process over the last 4 months has flagged up some useful lessons in the practicalities of site identification and boundary definition. Although the sites in question were already defined, a significant amount of time has been spent by the marine aggregate sector re-examining the evidence used to develop the initial Site Assessment Dossiers, and contributing and considering new sources of data and evidence to refine feature extents and boundary limits so they are based on the most robust and up to date scientific evidence. The marine aggregate sector has worked very closely with the nature conservation agencies to positively and constructively contribute to this process, but it consumes a significant amount of time and effort on both sides.

3.9 While this process has only focussed on a small number of sites related to the interests of a single stakeholder interest group, it nevertheless represents a microcosm of the challenges to be faced when developing the wider MCZ/MPA network. This is not only in terms of the requirement for the process to have sufficient time to allow relationships between stakeholders to develop, but also the time and effort that is required for new data and evidence to be worked up into a suitable form to be of practical value to the process.

3.10 We trust that you find these comments of interest. BMAPA is also a member of the Seabed User and Developer Group (SUDG) and would wholly endorse the comments made in their response to this consultation.

3.11 If you require any further information on any of the points raised above please do not hesitate to contact the undersigned.

Yours faithfully

A handwritten signature in black ink, appearing to be 'M Russell', written over a vertical line.

Mark Russell  
Director BMAPA