

Date: 27 April 2022  
Our ref: BFP-MCZ-2022  
Your ref: BFP-MCZ-003



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## By Email Only

Dear Sarah Clark

### **Formal advice to Devon & Severn IFCA: Bideford to Foreland Point Marine Conservation Zone (MCZ) Assessment – demersal trawl and dredges on subtidal sediments**

Thank you for your consultation received 23 March 2022

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In 2012, the Department for Environment, Food and Rural Affairs (Defra) announced a revised approach to the management of commercial fisheries in European Marine Sites (EMS)<sup>1</sup>. The objective of this revised approach is to ensure that all existing and potential commercial fishing activities are managed in accordance with Article 6 of the Habitats Directive. Defra stated their expectations regarding site level assessments and implementation of management in order to conserve site features. The revised approach was subsequently extended to ensure fishing activities in Marine Conservation Zones (MCZ) are managed in accordance with the provisions of the Marine and Coastal Access Act 2009.

Assessments have been made of the effects of the following fisheries activities in Bideford to Foreland Point MCZ:

- Demersal trawl and dredges on subtidal sediments - ref. BFP-MCZ-003

Natural England has considered the assessment prepared by MMO for the purposes of making an assessment consistent with the provisions of the Marine and Coastal Access Act 2009. Please accept this letter as Natural England's formal advice on the assessment and the conclusions it makes.

Natural England does have some minor comments relating to the Bideford to Foreland Point MCZ assessment, but this does not alter our views on the validity of the conclusions drawn (**Appendix 1: Minor comments on MCZ assessment**).

We are content that the best available and most up to date evidence has been used to carry out the assessment by Devon & Severn IFCA officers, to determine whether management of an activity is required to conserve site features, and thus to ensure the protection of the features, from direct and indirect impacts from the collection of marine fisheries resources. It is Natural England's view that through their assessments, Devon & Severn IFCA officers appear to have appropriately identified those

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<sup>1</sup> Defra revised approach: <https://www.gov.uk/government/publications/revised-approach-to-the-management-of-commercial-fisheries-in-european-marine-sites-overarching-policy-and-delivery>

activities that are likely to hinder the conservation objectives of the feature of the MCZ.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

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## **Appendix 1 – Minor comments on the MCZ assessment in relation to the Bideford to Foreland Point MCZ**

- **Page 3; Section 4** - if resource allows, we would advise that the assessment be redrafted to account for the passage of time between the first and the current draft (e.g., Changing the tense, including outcomes of proposed management and removing references to reports that were not available but now are).
- **Page 4; Section 4** - If available, we would advise that the activity of this new vessel be included in the assessment to illustrate that fishery is fully documented and provide assurance that sensitive features of the site are not at risk of impact.
- **Page 4; Section 6** - Resource permitting, we would advise that the assessment incorporates the recently published conservation advice package for this site, available at. [Marine site detail \(naturalengland.org.uk\)](https://naturalengland.org.uk/marine-site-detail)

**Page 10; Section 11; Paragraph 2** - If the data is available, it would be beneficial to quantify the average time spent fishing in the MPA for these vessels that use the site in the winter.