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Obstacles and barriers encountered in developing policies and frameworks between different sectors.

ABSTRACT

In this report we consider some of the obstacles or barriers identified by the various Interreg IVA projects and identify areas requiring further research to overcome these barriers across policy areas and sectors in the cross-Channel region.

KEY WORDS

GOVERNANCE
INTEGRATED MARINE STRATEGY
MARINE ECOSYSTEM MANAGEMENT
MARINE ENVIRONMENT

DESCRIPTION OF KEY FINDINGS

Introduction

For the effective management of the marine environment of the Channel, it is necessary to take into account the diverse range of actors (e.g. fishermen, ferry operators, recreational yachtsmen, harbour authorities, Marine Renewable Energies, etc.) using it for different purposes. A wide variety of economic activities can be observed along both sides of the Channel coasts, while the introduction of marine renewable energy activities are set to expand across the region over the next few years. The Integrated Marine Strategy for the Channel region (CAMIS project)¹ highlights the density, and diversity of activities in the region and also the complexity of managing these, noting that "Stakeholders recognise that the Channel is very busy with many users and interests; it is considered that it may be at, or near, saturation point. The projected increase in future use of this space is a concern for many". In some areas, such as the Dover Strait, the concentration of activities is particularly high (NOSTRA)².

At the same time, the region is governed at different levels – by local, regional and national governments and agencies, and the various Directorates-General of the European Commission. This is also supplemented by the standardisation, cooperation and demarcation actions of international agencies ranging from regional convention secretariats to United Nations representative bodies. Additionally, there are a wide range of non-governmental organisations concerned with protection of the environment (e.g. cultural heritage, wildlife and the coastal environment). As the CAMIS project noted, it is important to consider the legislation that manages the use of ecological marine resources in terms of effective alignment between policies, as these resources are not restricted by the limits of national boundaries.

¹ CAMIS (2013). *Integrated Marine Strategy for the Channel Region: A Plan for Action*. Available at: <https://camis.arcmanche.eu/documents>

² A general presentation of the strait issues is available at: <http://www.nostraproject.eu/>

This report aims to identify obstacles and barriers encountered by the Interreg projects regarding policies and frameworks in the different sectors. Some of these projects had the objective of *reconciling various interests related to sectoral issues through improved management or better governance*.

The sectors studied were: Fishing resources (CHARM3 and its predecessor CHARM 2, AARC), Maritime pollution (CAMIS, ARCOPOL), Port and dredging sediments (SETARMS), Marine renewable energy (MERiFIC, OFELIA), Coastal erosion and flooding (LiCCo), and Quality of water (WATER, PORTONOVO). For each of these sectors, different issues were observed concerning policies and framework.

The PISCES project, which set the ecosystem approach for the Celtic Seas within the context of the Marine Strategy Framework Directive (MSFD) identified a number of potential barriers or challenges to multi-scale governance³. The challenges identified are equally relevant to the cross-Channel area regarding policies and frameworks across different sections. Those challenges include:

- **Multiple jurisdictions** with a complex range of political, administrative and management boundaries.
- **Ambiguity of marine governance arrangements**, with considerable legal uncertainties and uncertainty regarding institutional responsibilities leading to policies and regulations having unclear boundaries.
- **Policies and framework are different according to the sector**. Fisheries are currently managed separately on a sectoral basis under the Common Fisheries Policy (and are often excluded from national marine spatial planning regimes), creating challenges for policy coordination with national marine strategy measures. There are also the water framework directive, habitats directive, birds directive, environmental quality standards and the regional sea convention.
- **Regionally coordinated marine spatial planning is not in place**, although it is becoming established through various national and EC-led initiatives. The UK is developing a series of fully integrated marine plans. In France, marine spatial planning is moving forward on a more sectoral basis, including the delineation of marine energy zones and spatial protection measures for biodiversity (marine parks).
- **Some sectors can be more challenging to communicate with than others**. For example, anglers often act independently, while tourism and marine leisure can have multiple associations (e.g. marine federations, yachting associations and marina operators, etc.). These sectors are subject to minimal central regulation, making it harder to fully understand levels of involvement and interaction.
- **The vocabulary is different** between stakeholders, decision-makers and scientists. This was identified by the Channel LIS project, for example, which *particularly identified language as a barrier* which should be partly redressed through the production of a Bilingual Thesaurus as an output of that project. A similar language barrier may have been identified by other projects. This issue was also highlighted at PEGASEAS Cross Channel Forum (CCF1) in Southampton which noted that it is important to verify that all parties are using the same vocabulary and this might be possible through the use of a common glossary.
- It would be easier to discuss issues between sectors if the number of representatives by sector was lower and represented the point of view of the majority of the sector.

Some of the projects are more directly focused on the development of *integrated approaches and enabling tools and methods*: CHARM 3, Channel LIS, VALMER, PANACHE, NOSTRA, and PISCES, while CAMIS considered both sectoral issues and developing integrated approaches.

At the first PEGASEAS Forum in April 2014, it was noted that one of the barriers observed in the projects was that if issues were not made public or communicated to the public, then their importance was considered lower by the policy-makers. As a consequence, it is harder to find funding and to deal with the issues.

³ PISCES Project (2012). *A guide to implementing the ecosystem approach through the Marine Strategy Framework Directive*. Available at: http://assets.wwf.org.uk/downloads/the_pisces_guide.pdf

A further barrier, identified at the first PEGASEAS Forum, was that decision-makers try to improve the system although sometimes the system already in place is efficient and there is therefore no need to change it. Each location is different, and the issues and problems should be identified and solved locally if they are not already tackled at a national level.

Sector Specific Lessons

Fishing

To improve marine resource management in the Eastern Channel, CHARM 2 produced a Channel Habitat Atlas of the different fish species observed in the eastern Channel as there was nothing similar, despite numerous studies on fish species.⁴ The atlas could serve as a marine spatial planning tool and help to develop fisheries conservation planning. One of the gaps identified is **the lack of integration of socio-economic factors and analysis showing a link with policy and legal frameworks**. In the Atlas, there is a review of legal framework (Chapter 2) by sector that showed the application fields (i.e. International, community, French and English laws) and the type of regulation (e.g. directives, statutory instruments, law, regulations). This review shows that it is complicated, as there are several types of application fields and regulations, which are difficult to understand for most of the scientists and stakeholders.

Another of the issues on the fishery sector observed by the AARC Project is the need for different authorities to be involved in the management process of Integrated Water Resource Management (IWRM). Until now, the resources from marine (i.e. few miles from the coast), coastal and fresh-water are currently managed separately, but all aim to deliver a strategy for IWRM.

Marine Pollution

The **Cross Channel Declaration on Shipping Incidents and Marine Pollution developed through CAMIS represents a commitment from local and regional councils to act together in order to reduce the occurrence and the impact of marine pollution from incidents**. It showed that the risk of accidental maritime pollution is not falling, but changing and becoming more complex. Due to the changes in maritime activities new types of risks and pollutions should be anticipated (hazardous or noxious substances, container losses), which is not always the case.

According to the research made by CHARM, the international regulations strongly encourage cooperation between States to facilitate the exchange of knowledge and techniques to combat pollution. There is also a common system from the community regulation that will help to prevent and contend the pollution such as the European Maritime Security Agency.

In order to improve the contingency planning system facing oil and hazardous or noxious substances' spills, the ARCOPOL project developed operational tools including procedures, allowing the assessment of economic and environmental damages caused by marine pollution.

Dredging Sediments

Difficulties were observed in the SETARMS project as national (and also European) guidelines are not always clear. A lack of information and guidance for local organisations makes understanding and applying the different regulations concerning the dredging sediments and the application of procedures more complicated. The time taken to apply procedures may be quite long as studies into their implementation may be done at a local level and on a case by case basis. Some blockages in the process were also observed from the technical administrative points of views. In order to make the regulation clearer, SETARMS produced some guidance for reconciling the need for port dredging and environmental regulations.

⁴ CHARM 2 (2009): Channel Habitat Atlas for Marine Resource Management. Available at: <http://www.charm2.org/doc/2009/rapport-2377.pdf>

An issue relevant to ports in England is that they operate under different types of structures: trust, commercial, etc. and have different strategies which may not comply with the various interests.

Marine Renewable Energy

The social acceptability of projects often represents an issue for the development of MRE. As a result there is a need for involving stakeholders and local communities in an appropriate way. In order to improve their involvement the MERiFIC project has produced a toolkit for successfully engaging stakeholders in the development of MRE activities.

Coastal Erosion and Flooding

In a number of places coastal defence has proven to be a costly and inefficient solution in the long term to address coastal erosion and flooding. However managing retreat is never an easy option as far as local communities are concerned and they may be resistant to any change which puts their homes or livelihoods under threat. The LiCCo project has developed approaches and decision-making tools to assist in the preparation for, and adaption to, the impacts of climate change, sea level rise and erosion on the natural and human environment. It investigates social, economic and environmental impacts and uses workshops and engagement events to discuss coastal management strategies with coastal communities.

Water Quality

Ecosystem services are often not appropriately valued and following this could deteriorate as a result. WATER has been developing market based catchment restoration schemes based on a Payment for Ecosystem Services model. An improved understanding of the economic, social and environmental benefits is highlighted as a key element for implementing this model.

In some areas such as ports, which are dedicated to the development of specific economic activities it is particularly necessary to reconcile those activities with the fulfilment of the environmental objectives of the Water Framework Directive⁵. PORTONOVO has been developing a decision support system for the management of activities taking place in port waters to comply with the European legal framework related to ports water quality under the WFD. Environmental risk assessment is an element of this system and may assist ports in achieving improved management of their environment while maintaining their economic activities.

Development of integrated approaches, enabling tools and methods

CHARM 3 strengthened the multidisciplinary nature of the CHARM 2 research through an ecosystemic approach, i.e. an "integrated" approach of the management of marine resources (living, mineral, human) using data on biological (benthic invertebrates and marine fish) and human activities (for example aggregate extraction, fishing, tourism, etc.). Data is also used to study issues relating to marine conservation planning in the eastern Channel, in order to reduce their impact. This approach has helped delineate sensitive zones of the Channel ecosystem with regard to the conservation of biodiversity, potentially contributing to marine spatial planning, while emphasising a range of constraints to effective governance.

CHARM 3 has also highlighted the value of coastal identity. It was noted at the PEGASEAS Cross Channel Forum 1 in Southampton that fishing can add value to some locations as a tourist attraction. However, non-marketable/intangible benefits, for example the attractiveness of a location, are usually undervalued and need to be taken into account by policy makers.

⁵ European Commission (2000): *The EU Water Framework Directive: integrated river basin management for Europe*. Directive 2000/60/EC. Available online: http://ec.europa.eu/environment/water/water-framework/index_en.html

CAMIS (notably the governance strand thereof) highlighted the benefits of, and need for, integration of governance activities across different aspects and scales of governance, highlighted through that project's Cross Channel Forums. Some examples are provided as regards conflict reduction and cross border resource management when different sectors compete for the same marine resource or area (fishing / offshore wind farms, sand and gravel extraction). There is currently a lack of an overall approach for the various uses of the marine space with no real marine planning being undertaken by French and British authorities. CAMIS provides an integrated maritime strategy for the Channel region, which should be used as a framework for action. An action plan has been established to make progress in this direction. A cross-Channel forum has been tested as an appropriate tool gathering stakeholders from the various sectors with an interest in the Channel management and development.

The ecosystem services approach of VALMER, which undertakes ecosystem services assessment and uses their results to influence management, attempts to better communicate the connection between human wellbeing and ecosystems by linking the benefits that we obtain back to the environmental processes that provide them.⁶ This would also support the *integration of governance activities* between different sectors and stakeholders in the Channel region.

PANACHE assesses various approaches, criteria and methods for ensuring the ecological coherence of MPA networks. The project highlights and addresses the need for crossing and integrating various approaches and data for governance, as well as the need and importance of considering human activities that take place in MPAs. Within the project, discussions between different type of stakeholders have raised the fact that a more integrated approach in the designation, management and monitoring of marine protected areas within wider maritime spatial planning and integrated coastal management strategies could have beneficial effects. Case studies about marine protection in the sector of fisheries highlighted the need for involving all stakeholders to develop a relevant sustainable management strategy.

NOSTRA develops a best practice guide for the sustainable management of straits considering both the preservation of biodiversity and natural heritage and the economic functions of these areas. *The need to engage with stakeholders from various sectors interested in these areas was particularly identified as critical in their effective governance and part of the best practice identified.*

PISCES *recognises the need for stakeholder engagement, and has assessed methodologies and processes for involving representatives from various sectors.* A transnational, multi-sector forum is recommended to foster greater communication, cohesion and integration across borders and sectors, which were identified as constraints that needed to be addressed for effective governance.

⁶ VALMER (undated). Ecosystem Services webpage. Available at <http://www.valmer.eu/ecosystem-services>.

CONCLUSIONS/WORK LEADS

Some common themes are highlighted from the assessment of the projects. These include the need for a cross-sectoral approach when dealing with issues, the need for stakeholder involvement at different levels, and the need for improved communication and awareness both within and between sectors. Also identified, however, are issues around a lack of common language, a lack of equivalency in information available in France and the UK, and conflict between different users, all of which may provide barriers to governing the Channel at multiple scales.

The projects put forward various mechanisms to overcome obstacles and barriers in different sectors through the introduction of integrated approaches, enabling tools, examples of best practice etc.