

SUPPLEMENTARY INFORMATION TO MWT'S SUBMISSION TO THE 2023 REVIEW INTO ASSI DESIGNATION PROCEDURE

Please note that this document forms part of our response and both parts may be published in full.

PART A - LEGISLATIVE AND POLICY TIMELINE FOR ASSIs, INCLUDING NATIONAL & INTERNATIONAL TARGETS AND OBLIGATIONS

UK National Parks and Access to the Countryside Act 1949 – this Act originally set up the process for the equivalent to ASSIs in Great Britain (SSSIs). This laid the foundations for our own Manx legislation, which unfortunately took 41 more years to enact locally.

The modern beginnings of the Manx protected area network – In 1975 the Isle of Man Government commissioned and financed the UK Nature Conservancy Council to provide a report entitled *Nature Conservation in the Isle of Man*, which was itself based upon the Institute of Terrestrial Ecology's 1974 all-Island report *An Ecological Survey of the Isle of Man*. This 1975 review called for 'steps to be taken immediately to develop an official policy and programme for safeguarding the natural heritage of the Isle of Man' including 'especially by designation of nature conservation areas.' The 1975 report proposed 34 areas for urgent designation. Half a century later we have protected only 25.

UK Wildlife & Countryside Act 1981 – The current legal framework for SSSIs in England and Wales was established by this Act, which later formed the basis for our own Wildlife Act 1990. The SSSI system works well in the UK, yet for lack of resource, appears unachievable in the Isle of Man.

Wildlife Act 1990 - This ability to designate land as an ASSI locally was not enshrined in law until the passing of the Wildlife Act 1990. Unfortunately, after the Act's passage it took six years to designate the first ASSI (the Central Ayres; an easy win, being entirely within public ownership). As a result of the passing of this Act, the 1975 report was updated via a further, more comprehensive all-Island *Phase 1 Ecological Habitat Survey* from 1991-4. The best sites for nature conservation underwent a yet more detailed *Phase 2* survey from 1994-6.

These Phase 2 sites represent, for most intents and purposes (see Endnote 1), an updated list of largely botanical candidate ASSIs. This increased the number of proposed ASSIs from 34 to 107. However, despite this initial effort, since that time, only a small fraction (25) of the candidate ASSIs have been designated. This represents only 23% of the 1990s list, which, being botanically focused does not include many species-based or geomorphological sites such as seabird colonies and peatlands. Assuming all 107 Phase 2 sites are valid candidate ASSIs and the only candidate ASSIs – at the current rate of designation this would take 142 years to fully designate them all (circa the year 2132).

Important Bird Areas – In 1992 the JNCC & RSPB published a list of five sites on the Island of global significant to bird life known as 'Important Bird Areas' – to date only one has complete legal protection (the Ballaugh Curragh).

Candidate Ramsar Sites – In 2005 a list of six sites were proposed to by the UK Overseas Territories Conservation Forum (under contract to UK DEFRA) as 'Candidate Ramsar sites' – to date only one has been designated (the Ballaugh Curragh).

Biodiversity Strategy 2015-2025 – Our Government has set itself the following target, ‘By 2025 we will appropriately conserve and manage 20% of land and inland water through statutory designations and other effective conservation management schemes.’ Unfortunately, we are falling considerable short of this target, which has now been superseded through international law.

Convention on Biological Diversity – In December 2022 the 15th Conference of Parties (COP15) of the Convention was held, at which a mandatory target for coverage of protected areas was agreed. The Isle of Man is subject (at our own request, via an extension of the UK’s signature in 2012) to this legally-binding ‘30 by 30’ concept under the Junming-Montreal Global Biodiversity Framework Target 3:

Ensure and enable that by 2030 at least 30 per cent of terrestrial and inland water areas, and of marine and coastal areas, especially areas of particular importance for biodiversity and ecosystem functions and services, are effectively conserved and managed through ecologically representative, well-connected and equitably governed systems of protected areas and other effective area-based conservation measures.

Tynwald’s acknowledgment of an Ecological Crisis – concurrent with COP15, Tynwald made an unprecedented and *unanimous* declaration on the 13th December 2022:

That Tynwald acknowledges the global biodiversity and ecological crisis and recommits its support of the Island’s 2015 Biodiversity Strategy, which aims to:

- *manage biodiversity changes to minimise loss of species and habitats;*
- *maintain, restore and enhance native biodiversity; and*
- *involve society in understanding, appreciating and safeguarding biodiversity.*

Despite Tynwald’s declaration, we do not believe that Government is allocating anywhere near enough resources and ambition to dealing with this crisis. *In the year since this Tynwald declaration, there has been no increase in either staffing or budgetary resource, and no new ASSIs designated.* Unfortunately we do not believe this to represent effective crisis management.

Despite a half century of endeavour, the current network of 25 ASSIs covers only 2491.68 hectares. This represents only 4.36% of the Isle of Man.

PART B – DETAILED ANALYSIS OF PROGRESS TO DATE

Year	Progress and targets towards a completed protected area network
1974	Initial survey work relating to sites for nature conservation
1975	NCC/ITE list of 34 sites proposed for designation
1990	Expanded Garrad list of sites for legal designation
1990	Passage of the Wildlife Act
1992	JNCC / RSPB list of Important Bird Area
1991-4	Phase 1 Survey Report
1994-6	Phase 2 Survey Report
1996	First ASSI – on publicly owned land
2005	DEFRA / UKOTCF list of Candidate Ramsar Sites
2014-9	No ASSIs designated
2015	First Biodiversity Strategy for the Isle of Man
2022	Tynwald declaration of a global biodiversity and ecological crisis
2022	30 by 30 becomes an internationally binding target
2023	Only 4.36% of the Isle of Man is designated. Current review into ASSI designation process
2132	Forecast completion of the protected area network at current rate

Table 1 – Summary of progress and targets towards a completed protected area network.

MWT notes with disappointment that many of the sites recommended for designation in 1975, 1990, 1992, 1994-6 and 2005 remain without any formal protection, including sites of international importance such as the Point of Ayre (which has been highlighted by each of the above reviews as requiring protection) and the Sugarloaf, the single most bio-abundant site within the Island’s entire landmass – again highlighted by an independent, off-Island body as being of international importance.

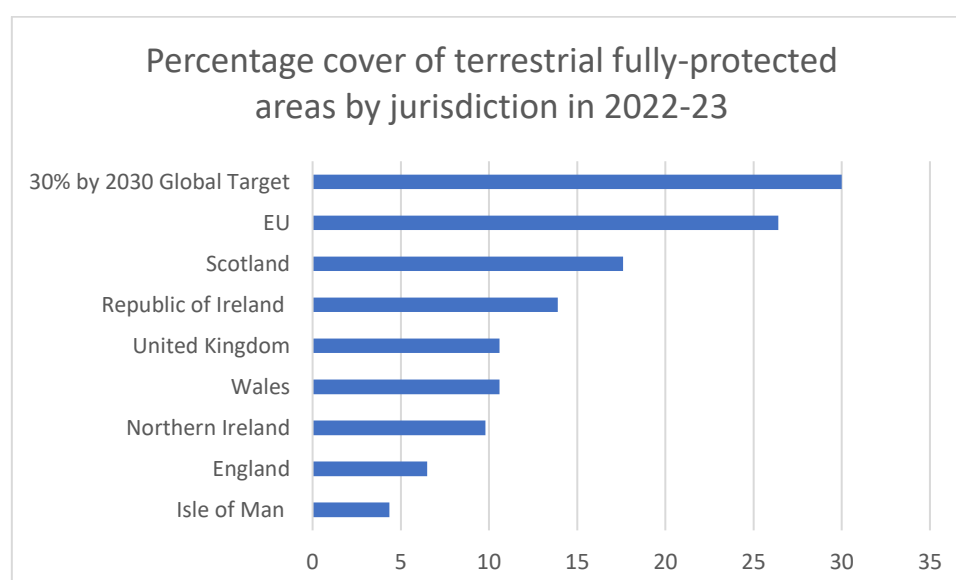


Figure 2 - Percentage cover of terrestrial fully protected areas by jurisdiction in 2022-23.
For references see Endnote 2.



We are disappointed to report that the Isle of Man is ranked bottom in the percentage cover of terrestrial fully protected areas for the British Isles.

Furthermore, noting that not all Phase 2 will meet the strict ASSI designation criteria (see Endnote 1), the majority will. Unfortunately, only 23% of the Phase 2 sites have been designated as ASSIs:

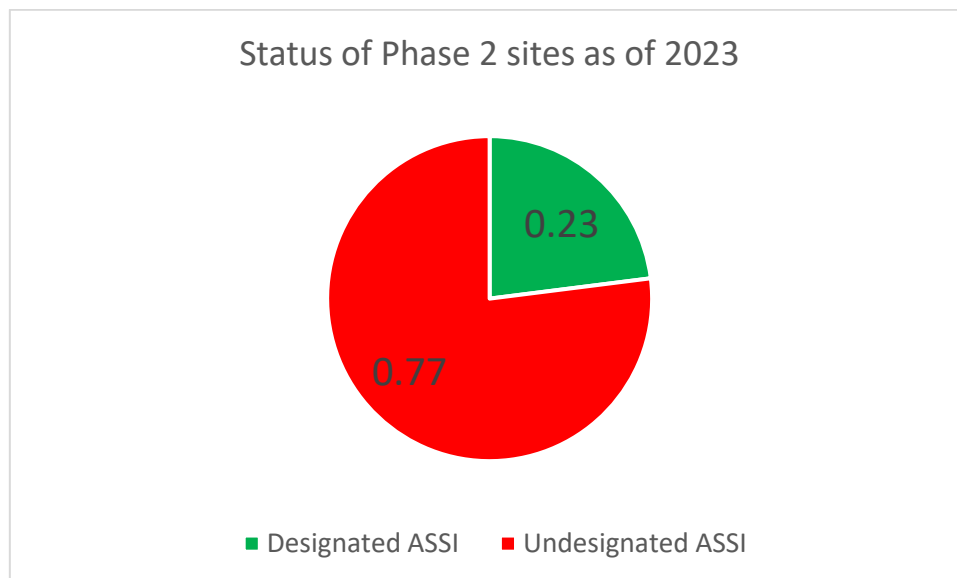


Figure 3 - Status of Phase 2 sites as of 2023. Figures are percentages. Please also see Endnote 1.

The slow rate of designation to date is outlined in the below graph showing a significant tail-off of activity since 2013, albeit with a more recent welcome resurgence.

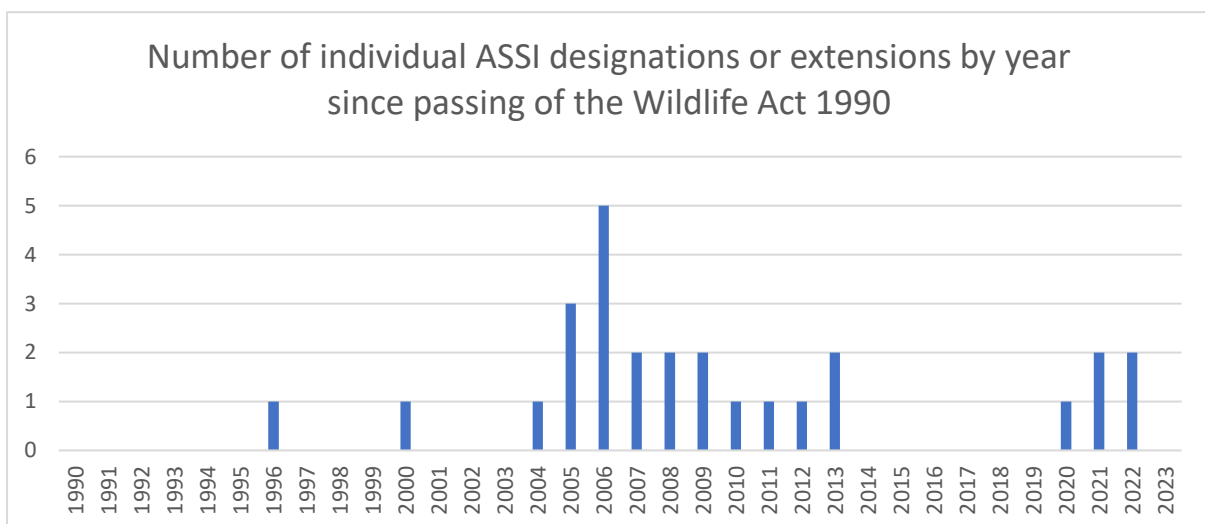


Figure 4 - Number of individual ASSI designations (or extensions) by year since passage of the Wildlife Act 1990.

In contrast to the somewhat positive picture painted by Figure 4 above, the following figure shows that many of the designated sites are incredibly small. Indeed, two ASSIs (and one extension) outlined in Figure 4 included only single fields. The significant designation in 2008 of Greeba



Mountain & Central Hills ASSI, while still welcome, should be taken in the context that the site already had legal protection as Registered Heath and policy/management protection as it is Government-owned land – under a risk based approach it therefore should not have been a priority for designation.

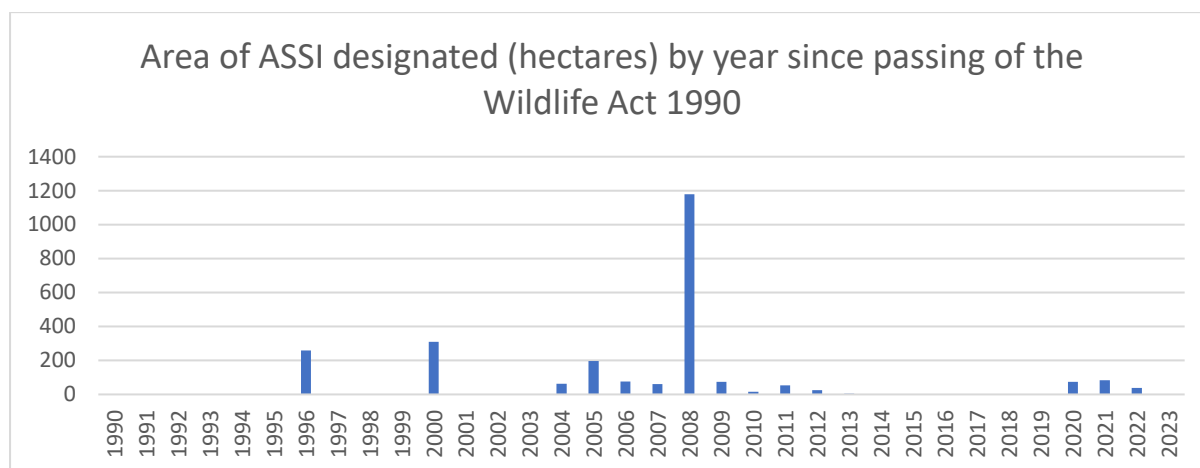


Figure 5 - Annual area of ASSI designations (or extensions) by year since passage of the Wildlife Act 1990.

Owing to the various potential difficulties experienced during the designation of a site, it would appear that Government has often sought out the 'easy wins', primarily by designating its own land. While still welcome in formalising a representative, coherent and connected protected area network, in reality such designations of Government often add little in the way of enhanced protection and should not be prioritised.

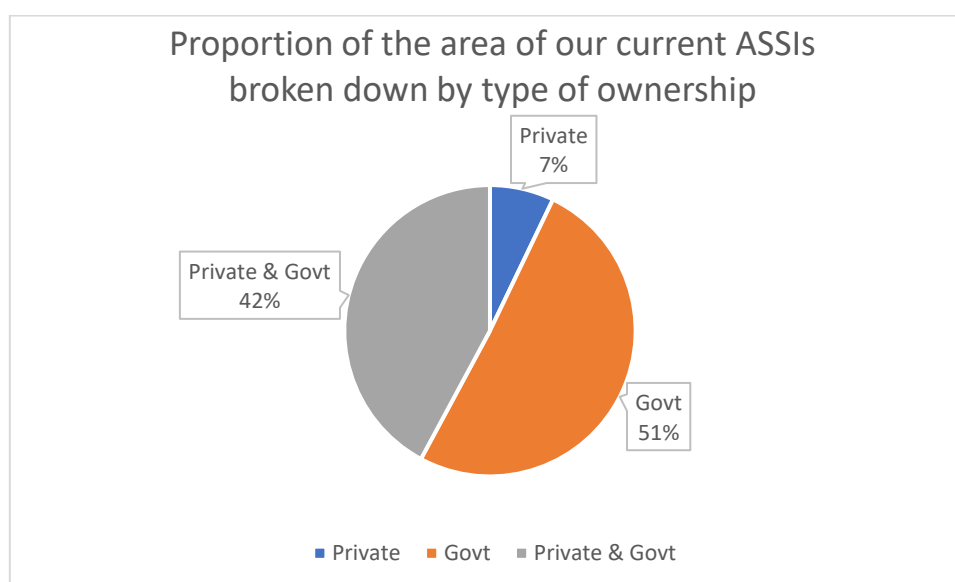


Figure 6 – Proportion of the area of our current ASSIs (n=25) broken down by type of ownership, showing that a significant amount of the area of designated ASSI is owned by Government (including DEFA, DOI and MNH). N.B. Each ASSI has been assigned to a single category, regardless of its internal landowner proportions.

In closing, we look to the single most important part of the Isle of Man for nature: the Ayres, Point of Ayre & Lough Cranstal. This site is of global biodiversity importance by virtue of its status as a Candidate Ramsar Site and a BirdLife International Important Bird Area. It was first proposed for protection in 1975, however much of it remains a Phase 2 site (Candidate ASSI) with the Western Ayres, Eastern Ayres, Point of Ayre and Lough Cranstal remaining without any legal protection. Despite the entire area being of global significance, Government have only designated the 'easy wins', being almost exclusively the public landholdings of DEFA, MNH and DOI along with that of MWT. This does not form a complete, representative, coherent or connected approach to the designation of protected areas which reflects the situation of the Isle of Man as a whole.



Figure 7 – Cronk y Bing ASSI (west, in green) and the Central Ayres (centre, in green) as shown on Island Environment.



Endnote 1: To date, 25 sites have been designated as ASSIs despite some 107 sites being identified in the results of the 1990s Phase 2 Ecological Habitat Survey as being of special botanical note. These are essentially the candidate ASSIs recognising; a) some smaller or nearby sites are grouped together; b) that not all would eventually meet the rigorous ASSI eligibility criteria, including size and present condition; c) as this was primarily a botanical survey, numerous sites worthy of ASSI designation for other reasons (including geomorphology, seabird colonies, peatlands etc) are not necessarily included in the Phase 2 list; and d) several other sites have since come to light, especially sites of special note for grassland fungi. Regardless, the list of 107 Phase 2 sites is a useful academic barometer of overall progress. In the 33 years since passage of the Wildlife Act there have been 25 ASSIs designated, a rate of 0.75 ASSI per year. Assuming all 107 Phase 2 sites are valid candidate ASSIs and the only candidate ASSIs – at the current rate of designation this would take 142 years to fully designate them all (circa the year 2132).

Endnote 2: Isle of Man data as of 2 November 2023 sourced from DEFA data published online via <https://www.gov.im/protectedsites>.
UK data as of 31 March 2023 sourced from data published online via JNCC (see Table C1ii at link) <https://jncc.gov.uk/our-work/ukbi-c1-protected-areas/>.
RoI and EU data as of 15 March 2022 sourced from EU Biodiversity Information System for Europe <https://biodiversity.europa.eu/countries/ireland>.