



Mr Daniel Brown
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Scottish Government
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By email to: lamlashbayconsultation@scotland.gsi.gov.uk

Dear Mr Brown

CONSULTATION ON A PROPOSED MARINE RESERVE IN LAMLASH BAY

Thank you for the opportunity to respond to the above consultation. As you will be aware Scottish Natural Heritage (SNH) has had ongoing involvement with this proposal, most recently through the Working Group established following its consideration by the Scottish Parliament Environment and Rural Affairs Committee.

Question 1. Do you agree or disagree with the proposal to establish a Marine Reserve in Lamlash Bay?

We agree with the proposal to use an Order under the Inshore Fisheries (Scotland) Act to establish a 'marine reserve' in Lamlash Bay. The reasons for doing so are laid out in response to Question 2 below.

Question 2. Do you think there would be any (a) positive or (b) negative implications should a Marine Reserve be established in Lamlash Bay?

There are both positive and negative implications from this proposal. It is our view that, on balance, these implications are overwhelmingly positive with the potential to obtain benefits for both the marine natural heritage and the scallop fishery in the Clyde Sea.

The benefits for the natural heritage relate to the conservation of marine biodiversity, specifically making a significant contribution towards the protection and conservation of an area of maerl habitat which is considered important in a local (i.e. Firth of Clyde) context. It is worth noting that there are relatively few areas of maerl in Scotland (and none in the Clyde) that receive any formal protection from activities likely to cause physical disturbance.

In addition, there is considerable potential for using the site in the context of public awareness and involvement, and in doing so helping to raise public awareness of Scotland's important marine biodiversity. Community of Arran Seabed Trust (COAST) have already undertaken a commendable programme of awareness and education activities.

From the scallop fishery perspective there is the potential for similar benefits. Protecting the maerl beds within the area could, in itself, be beneficial to the long-term sustainability of the scallop fishery. Recent research conducted in the Clyde has demonstrated the value of maerl as a habitat for the settlement of juvenile scallops and important for early life stages.

We believe that spatial measures (including small areas where scallop fishing is excluded) have a vital contribution to make to the management of a sustainable scallop fishery. It has been our view that the Lamlash Bay proposal (i.e. the proposed closure and adjacent managed area, for which the separate Regulating Order was being explored) has the potential to make a contribution to the development and testing of measures to enhance scallop productivity and reduce the environmental footprint of fishery.

In addition, the existence of an area where it is known that fishing pressure is absent is also of value for other aspects of scallop fishery research. For example, the area could help in obtaining a better understanding of natural mortality in scallop populations. This would be beneficial in relation to refining stock assessment methodology.

Clearly, these points have a much wider relevance than the Clyde area alone given the consideration of sustainable scallop management that has begun under the Scottish Fishery Council scallop strategy group.

On the negative side, there is a cost to the industry from giving up an area of scallop ground. However, there are factors which militate against this loss. Most importantly, the proposed closure is in fact a very small area. Taking FRS scallop stock assessment information into account, it could not be considered to be of great significance in the context of the statistical square within which the bay sits, let alone the wider west coast scallop fishery. Consequently, it could be seen as a small investment for a potentially large return in terms of the benefits outlined above and the opportunity for building industry reputation as a visible demonstration of the commitment to responsible fishing in the Clyde.

Question 3. Are there any other points which you would like to make in relation to the proposed Lamlash Bay Marine Reserve?

The experience gained from the Lamlash Bay proposal is relevant to the discussions on marine management that have occurred in preparation for the forthcoming consultation on a Scottish Marine Bill. Amongst other things, this example has highlighted the need for a mechanism to respond to the desire of local communities to some form of engagement with the protection (or management of) their adjacent marine environment. There is clearly a place for this in a wider marine protected areas mechanism, so that such sites may contribute positively to the broader context rather than being *ad hoc* proposals.

At the point of writing we understand that agreement between COAST and Clyde Fishermen's Association (CFA) has effectively broken down over the issue of the boundaries. From our perspective we have been acting on the basis of the area proposed as a 'no take zone' by COAST in their (revised) proposal paper circulated in February 2005, which we believe is reflected in the map accompanying the draft Order.

For the sake of the many benefits we have outlined above we feel that every effort should be made to achieve a positive conclusion and avoid the loss of all of the work that has gone into the development of the proposal. For SNH's part we stand ready to assist with this in any way we can.

There is one practical consideration that requires some immediate attention. As a result of the discussions in the Working Group (and in response to commitments made by the Cabinet Secretary) we have made plans for undertaking monitoring of the Lamlash Bay site. It is anticipated that this monitoring will cover both scallop and biodiversity aspects and will be undertaken in collaboration with FRS and the other partners.

SNH allocated funds from its research budget to this task and had been ready to let a 2 year contract as part of this work, in the first instance to undertake broadscale mapping and establish a monitoring baseline.

It is necessary to undertake this work in the summer field season (i.e. before mid October at the very latest) and we are at the point of having to make a decision on whether to go ahead or postpone before it becomes unfeasible to conduct the work this year.

Given the priorities attached to our other commitments these resources could usefully be allocated elsewhere, and we will therefore assume - unless you advise to the contrary in the near future - that these funds will no longer be required in the foreseeable future.

Yours sincerely

A handwritten signature in black ink, appearing to read "Ron Macdonald". The signature is written in a cursive, slightly slanted style.

Ron Macdonald
Head of Policy & Advice