

# **Proposal to designate two Historic Marine Protected Areas**

**October 2019**



**Scottish Government**  
Riaghaltas na h-Alba  
gov.scot

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## Introduction

The Scottish Government's vision for the marine environment is of clean, healthy, safe, productive and diverse seas; managed to meet the long-term needs of nature and people.

Thank you for taking the time to consider this consultation paper. We would welcome your views on the potential creation of two Historic Marine Protected Areas, as part of the Scottish Marine Protected Area (MPA) network. This consultation fulfils a commitment in the 2019-20 Programme for Government to take forward two Historic MPAs to designation.

Earlier this year Historic Environment Scotland undertook a consultation on these proposals and have provided their final advice. They recommend that both sites are designated as Historic Marine Protected Areas. If taken forward to designation, the sites would be designated using the powers under s67 of the Marine (Scotland) Act 2010. Historic Marine Protected Areas are designated for the purpose of preserving 'marine historic assets' of national importance.

The consultation seeks your views on the following questions:

1. Do you support the designation of the Queen of Sweden as a Historic Marine Protected Area?
2. Do you support the designation of Scapa Flow as a Historic Marine Protected Area?
3. Do you have any comments on the draft Designation Orders?
4. Do you have any comments on the advice and consultation reports from Historic Environment Scotland?

### **What documents should I read to answer these questions?**

The following documents are available:

- Draft designation order for Queen of Sweden
- Draft designation order for Scapa Flow
- Historic Environment Scotland consultation report
- Draft Business and Regulatory Impact Assessment for Queen of Sweden
- Draft Business and Regulatory Impact Assessment for Scapa Flow

For additional information please refer to:

- Queen of Sweden - <http://portal.historicenvironment.scot/decision/500002688>
- Scapa Flow - <http://portal.historicenvironment.scot/decision/500002687>

## **How do I respond to the consultation?**

You are invited to respond to this consultation by 27 November 2019. Please respond to the consultation using the Scottish Government's consultation hub, Citizen Space (<https://consult.gov.scot/>). You can access and respond to this consultation online at: <https://consult.gov.scot/marine-conservation/designate-two-historic-marine-protected-areas/>

**Further details on how to respond can be found in Appendix A & B**

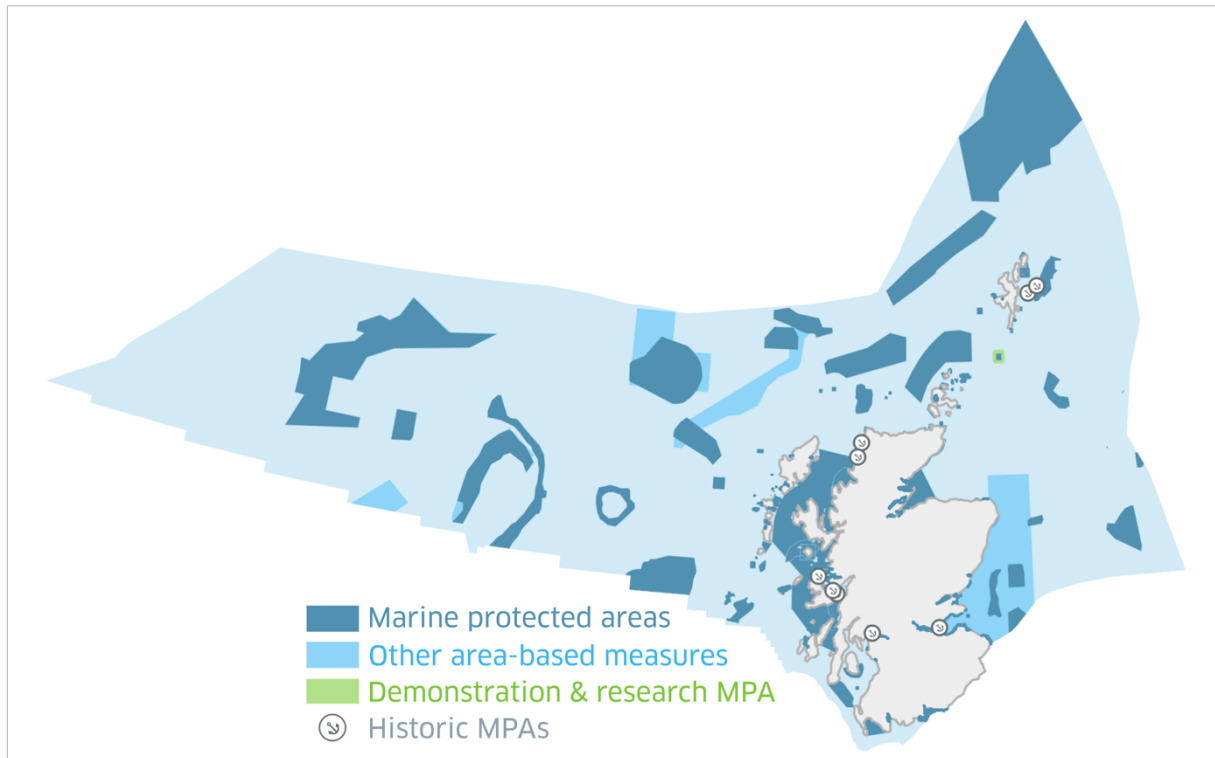
## **Scotland's Marine Protected Area (MPA) network**

The seas around Scotland and the spectacular wildlife they support are one of our best kept secrets, one that only a very few have had the privilege to explore first hand, but upon which we all depend for our quality of life.

Our seas account for 61% of UK waters and remain at the forefront of our food and energy needs, through fishing, aquaculture, oil and gas, and new industries such as renewables, as well as recreation activities and eco-tourism.

Scotland's MPA network is being developed to help safeguard our most important natural and cultural heritage features on the principle of sustainable use. By doing so protecting the many natural goods and services they provide for current and future generations to enjoy.

The MPA network, as shown in Figure 1, currently consists of sites designated for nature conservation and other areas which provide nature conservation benefits (called Other Area Based Measures) protecting the historic environment, and for demonstrating or researching marine management. The network currently consists of 231 sites which protects 22% of our seas.



**Figure 1: The existing MPA network in Scottish waters.** Contains information from the Scottish Government (Marine Scotland), Scottish Natural Heritage, and Historic Environment Scotland licensed under the Open Government Licence v3.0.

# The proposals

## Queen of Sweden, Shetland

The proposal concerns a wrecked vessel, believed to be the *Drottningen af Swerige*, or 'Queen of Sweden', a Swedish East Indiaman (an armed merchant sailing vessel of the Swedish East India Company) which hit a rock off the rocky headland of the Knab, while seeking shelter in Bressay Sound, Shetland on 12 January 1745. The remains lie at a depth of approximately 14-25m close to Twageos Point, at the southern entrance to Lerwick Harbour.

Historic Environment Scotland (HES) advise that the wreck of Queen of Sweden meets the criterion of national importance for designation as a Historic MPA. The wreck is arguably the best-preserved remains of a Swedish East Indiaman located in waters around Scotland. Although the wreck has been subject to historic salvage activity, key features are visible on the seabed and there is significant potential for further remains to be buried within the seabed sediments.

Combined with study of documentation in company archives, records of the ship's loss and salvage, and an extensive collection of artefacts held by Shetland Museums, the remains of the wreck can significantly enhance our knowledge and understanding of vessels of the Swedish East India Company and its trading activity around Scotland's coasts during the 18th century. Around this time, the Swedish East India Company played an important role in growing northern European trade with China in tea and silk.

The vessel's loss in Bressay Sound bears testament to Shetland's strategically significant location on sea-routes linking northern Europe with the rest of the world. The loss of the *Drottningen af Swerige* was a significant event to local communities on Shetland at the time.

Designation as a Historic MPA would recognise the wreck's national importance and promote responsible actions by sea-users. In particular, the site has been targeted recently by divers to recover lead ingots (carried as cargo), and it may continue to be vulnerable to unrecorded recovery of artefacts, without statutory protection. Designation will ensure that divers can continue to visit the site but on a look but don't touch basis.

# Historic Marine Protected Area Queen of Sweden

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Projection: UTM 30N



**Figure 2: The Queen of Sweden site – the total area proposed for designation is 0.02 km<sup>2</sup>**

## **Scapa Flow, Orkney**

The proposal concerns places within Scapa Flow where the remains of historic shipwrecks and other structures of national importance are located that originate from Scapa Flow's role as a Royal Navy base during the First (1914-18) and Second World Wars (1939-1945), as the anchorage where the German Imperial Navy's High Seas Fleet was interned in 1918, and scuttled on 21 June 1919. Seven wrecks of the German High Seas Fleet, are currently recognised as nationally important scheduled monuments.

Historic Environment Scotland advise that many of the sites recorded through surveys undertaken since 2001 meet the criterion of national importance for designation as a Historic MPA. The range and quality of marine historic assets surviving on the seabed of Scapa Flow is outstanding and represents the largest relatively accessible concentration of warship wrecks and associated features in the UK, and possibly in European waters. These sites have a high potential to enhance our understanding about the key role Scapa Flow played as a naval base of outstanding strategic significance to the United Kingdom during both the First and Second World Wars of the 20th Century, and significant events in the wartime naval history of the North Atlantic that took place there.

The entire 20th-century naval history of Scapa Flow is illustrated at landscape scale through the survival of wrecks of naval ships, auxiliary vessels, a German submarine, the surviving remains of the German Imperial Navy's High Seas Fleet interned at the end of the First World War, and remains of the marine defensive network. Taken together with information in archives, and museums, these sites have a high potential to enhance our understanding about 20th-century naval architecture, the operation of the naval harbour of Scapa Flow during wartime, German attempts to attack it, and the Admiralty's ingenious and evolving strategies to defend Scapa Flow. This is perhaps most visible at the Churchill Barriers where the surviving blockships have become a fundamental part of the coastal landscape, a reminder of Orkney's major contribution to the war effort.

The salvage sites of the German High Seas Fleet also have a high potential to help us understand the major programme of marine salvage that took place in Scapa Flow during the interwar years and continued after the Second World War. The marine historic assets within the area are directly connected with events which resonate with the public and are part of the national consciousness, such as the scuttling of the German High Seas Fleet. The loss of the sites within the area would significantly hinder our ability to understand these events and the key role played by Scapa Flow during two world wars.

The marine historic assets are located within an area that is an important economic marine resource and many of the wrecks are very popular for recreational diving. It is expected that designation will help to promote the heritage value of the sites, ensure that their national importance is considered in the management of change through planning and other regulatory processes, while fostering understanding and enjoyment amongst sea users.



# Historic Marine Protected Area Scapa Flow

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**Figure 3: The Scapa Flow proposal– the total area proposed for designation is 10.69 km<sup>2</sup>.**

## Appendix A: How to respond to this consultation

You are invited to respond to this consultation by 27 November 2019. Please respond to the consultation using the Scottish Government's consultation hub, Citizen Space (<https://consult.gov.scot/>). Access and respond to this consultation online at <https://consult.gov.scot/marine-conservation/designate-two-historic-marine-protected-areas/>

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 27 November 2019.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form (as shown in Appendix B). Without this form we will not know how you would like your response processed. Please send the completed form with your response to:

[marine\\_conservation@gov.scot](mailto:marine_conservation@gov.scot)

OR

Marine Conservation  
Scottish Government  
Area 1A South  
Victoria Quay  
Edinburgh  
EH6 6QQ

If you have any enquiries please direct them to [marine\\_conservation@gov.scot](mailto:marine_conservation@gov.scot)

### Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>.

### **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or to [marine\\_conservation@gov.scot](mailto:marine_conservation@gov.scot).

### **The Scottish Government Consultation Process**

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.gov.scot>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



## Appendix B: Respondent Information Form

### Proposal to designate two Historic Marine Protected Areas

#### RESPONDENT INFORMATION FORM

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (without name)  
 Do not publish response

#### Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No



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The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

ISBN: 978-1-83960-292-4 (web only)

Published by The Scottish Government, October 2019

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS654802 (10/19)

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