

## **How to Respond**

### **Responding to this consultation**

You are invited to respond to this consultation by 13 November 2013 using the form in Appendices D & E.

**Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:**

Responses can be sent by email, by post or by online electronic response form:

Email: [Marine Environment Mailbox@scotland.gsi.gov.uk](mailto:Marine_Environment_Mailbox@scotland.gsi.gov.uk)

Post: MPA Network Consultation  
Scottish Government  
Marine Planning and Policy Division  
Area 1-A South  
Victoria Quay  
Edinburgh  
EH66QQ

On line: [www.scotland.gov.uk/consultations](http://www.scotland.gov.uk/consultations)

If you have any enquiries please send them to [Marine Environment Mailbox@scotland.gsi.gov.uk](mailto:Marine_Environment_Mailbox@scotland.gsi.gov.uk) or call Sebastian Howell on 0131 244 5301, Michael McLeod on 0131 244 5562 or Paul Cook on 0131 244 0381.

We would be grateful if you would use the consultation questionnaire provided in your response as this will aid our analysis of the responses received. This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

### **Handling your response**

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. 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for your response not to be published we will regard it as confidential, and we will treat it accordingly.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 are 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.

### **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 in the Scottish Government Library and on the SEConsult web pages. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

### **What happens next?**

Following the closing date, all responses will be analysed and considered to help us make a decision on the shape of the MPA network. We aim to issue a report on this consultation process in early 2014.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to Sebastian Howell. (0131 244 5301 or [Sebastian.howell@scotland.gsi.gov.uk](mailto:Sebastian.howell@scotland.gsi.gov.uk)).

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

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

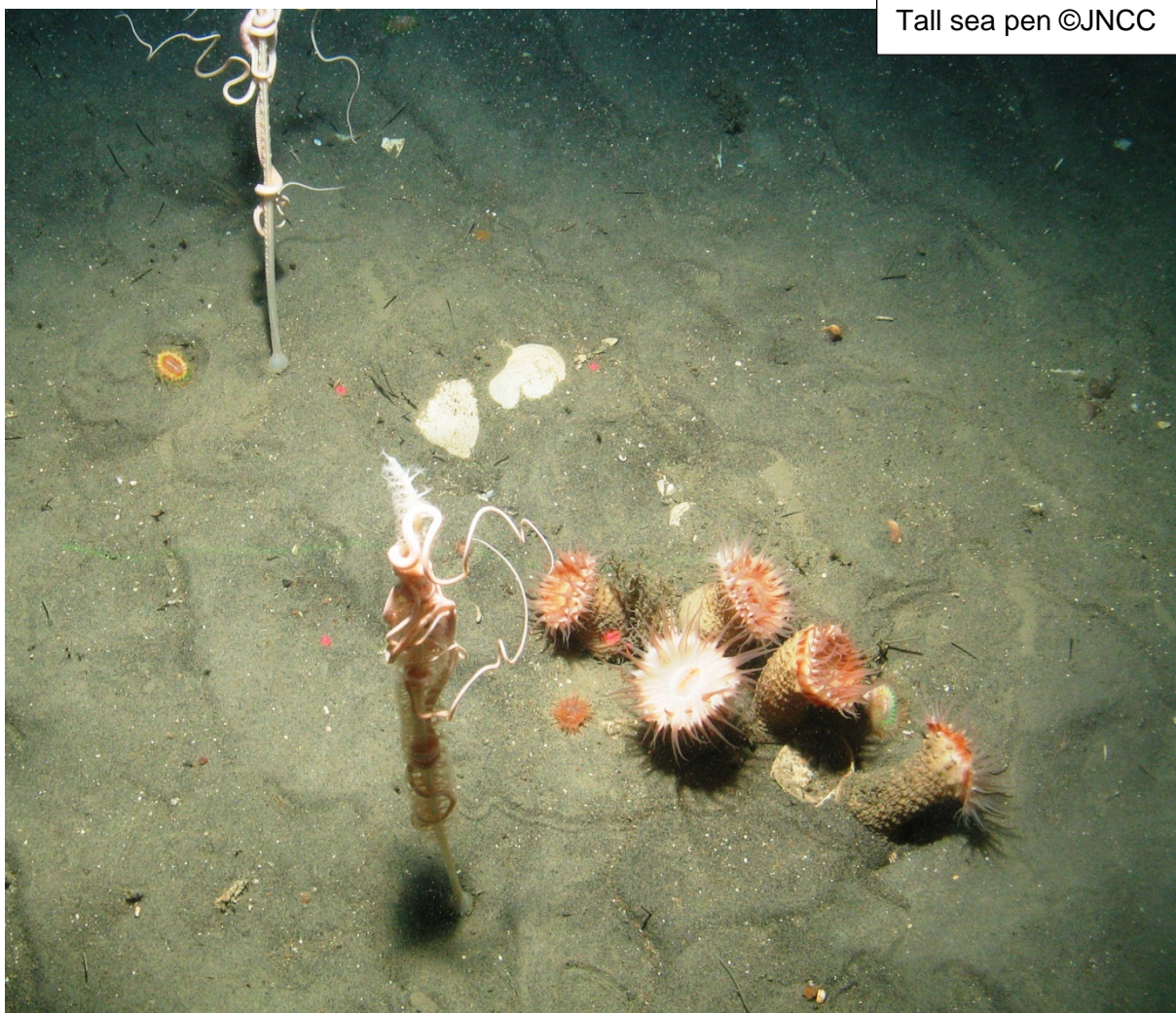
Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses.

Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises.

Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH113XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (e.g. analysis of response reports) can be accessed at: Scottish Government consultations (<http://www.scotland.gov.uk/consultations>) The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. 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. Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

**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.**



## **CONSULTATION QUESTIONS**

1. Do you support the development of an MPA network in Scotland's Seas?

Yes  No

Comments

### **Individual possible Nature Conservation MPAs**

2. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Clyde Sea Sill* possible Nature Conservation MPA?

Designation:

Yes  No

Happy with designation

Management Options:

Yes  No

Comments

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**3. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East Caithness Cliffs* possible Nature Conservation MPA?**

Designation:

Yes  No

Happy with designation but please note that cliffs are used occasionally by a low number of local climbers and potentially could be used for cable landings for renewables. Sea canoeists also use area but likely do not disturb cliffs. Ramblers and dog walkers also use cliff tops but unlikely to affect cliff nests. A small number of yachts take passage close to the cliffs per year. Some commercial fishing boats may also use inshore passage. Local fishing has already been included. Rarely some shooting of cliff birds from small boats takes place (or used to) – although this may already be illegal. Small amount of creel fishing.

Management Options:

Yes  No

We agree that there appears to be no use of set nets within area currently but this activity still need to be formally banned and policed. Agree with option of removing introduced predators but unclear of practical methods to be deployed. Note otters and similar in area but presumably acceptable as native species.

As not mentioned we assume that the local low intensity (no set nets) fishing is allowed to continue; we agree this is unlikely to cause any significant harm. However large scale commercial fishing and bottom trawling should be included in management options and banned.

Socioeconomic Assessment:

Yes  No

All of the above:

Yes  No

Data used for species count more than 10 years out of date. Black Guillemot has been selected but likely a number other species in same area in need of protection. It is presumed that these will benefit from Black Guillemot protection and not be displaced in Guillemot's favour.

**4. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East of Gannet and Montrose Fields* possible Nature Conservation MPA?**

Designation: Yes  No

Happy with designation

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

We appreciate that area is carefully selected and impossible to find suitable habitat areas that do not affect humans. We assume from way management is worded that O&G production is permitted to continue albeit under much greater controls. This will need to be carefully monitored and controls adjusted as necessary. We note that there is a cessation/reduction of bottom trawling and other fishing is limited. Whilst we agree with this the effects need careful monitoring. If the area recovers considerably it may be possible to relax some controls. The impacts on fishing community and harbours to be monitored as there is a strong assumption that other fishing areas will be used to compensate – although ultimately these controls need to come into force. From our perspective area is used (very rarely) for yacht passage only – not anchoring.

**5. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Faroe-Shetland sponge belt* possible Nature Conservation MPA?**

Designation: Yes  No

Happy with designation

Management Options: Yes  No

For options where reduction is a choice we would agree with this option and outright ban only to be applied if demonstrated that objectives are not being met.

Socioeconomic Assessment: Yes  No

Comments

All of the above:

Yes  No

Comments as above for East of Gannet and Montrose Fields. Currently politics is pushing for Islands to become more independent. System needs to ensure that Island Authorities cannot override designation / controls for local benefit at expense of national benefit.

**6. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Fetlar to Haroldswick* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree with proposals to allow recreational and commercial anchoring to continue without controls at present level. However needs to be periodically monitored in case volume of anchoring increases and does cause damage. OK with controls on fish farms but needs to be monitored to ensure taught nets etc. being used. Also need to ensure existing farms don't already have rights to extend. Agree with controls for bottom trawling but unclear on how practical it is to ban just from selected areas – needs to be carefully monitored to see if infringed. Agree with selected ban on fixed nets. Density of creel fishing needs to be monitored, otherwise agree no need to restrict. Agree with other control measures e.g. commercial diver fishing.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Currently politics is pushing for Islands to become more independent. System needs to ensure that Island Authorities cannot override designation / controls for local benefit at expense of national benefit. Not clear if any restrictions on recreational diving.

**7. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Hatton-Rockall Basin* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

For options where reduction is a choice we would agree with this option and outright ban only to be applied if demonstrated that objectives are not being met.

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Area is rarely used by recreational yachts and unlikely to be used for anchoring

**8. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Creran* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

Agree with management proposals and continuation of current activity at current levels and locations. Needs monitoring to ensure fish farming, fishing, creel fishing and recreational anchoring is not increased or location changed.

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No



Narrows of Loch (area of most sensitivity) could be used by low current tidal generation devices. These could be installed with care and avoid physical damage to species; however may reduce flow which could have an environmental effect. This needs to be considered in plan.

**9. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart* possible Nature Conservation MPA?**

Designation: Yes  No

We agree with the designation

Management Options: Yes  No

We agree generally with management options but are the assessors confident they have the right baseline? Area is heavily used by fish farms: is it correct to leave this unaffected or would a controlled reduction have a beneficial impact? We note the limitation and reduction in intrusive/damaging fishing methods but how will this be effectively managed? We also note the expected non-impact from line and recreational fishing based on current levels – these levels need to be monitored to ensure remain consistent. Similarly with recreational boating and anchoring.

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**10. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart to the Sound of Jura* possible Nature Conservation MPA?**

Designation: Yes  No

We agree with designation

Management Options: Yes  No

Similar comments to previously. Assessors are recommending control of anchorages and fish farms etc. rather than reduction or removal. This is good providing on-going monitoring to show species stable or increasing as a result. Increased recreational use and recreational / commercial hand divers to be monitored. We also agree that aggressive damaging fishing techniques are prevent/reduced.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**11. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sween* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

We agree with and understand the logic of modifying commercial anchorages and allowing other anchorages and moorings at current levels. Increases may need to be avoided subject to monitoring. Similar comments for fish farms. We also support the removal / limiting of damaging fishing methods from area and the ban of oyster catching.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**12. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Lochs Duich, Long and Aish* possible Nature Conservation MPA?**

Designation: Yes  No

We agree with designation

Management Options: Yes  No

As previously we agree with balanced approach allow less aggressive processes to continue at current level and damaging aggressive processes to be removed or controlled. Monitoring will be necessary to ensure levels are not increased.

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**13. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Monach Isles* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

Agree

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**14. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Mousa to Boddam* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

Agree with management proposals but need to monitor that static fishing gear is not increased and no sand eels fished (or at least until a fully sustainable group is established). We presume the anchorages are rarely used so no controls. If this situation changes then this needs review.

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**15. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-east Faroe Shetland Channel* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

The area is obviously important for the fishing industry. We note that efforts are being made to allow controlled continuation of EU fishing with the most vulnerable area prohibited to some activities. This seems a sensible approach but needs monitoring at this remote location. Unclear how these controls will be applied to Norwegians.

Socioeconomic Assessment: Yes  No

Comments

All of the above:

Yes  No

Comments

**16. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west Orkney* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**17. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west sea lochs and Summer Isles* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Relocation of disposal site needs to take account of sediment drift and scouring towards protected area. Area is an important recreational and safety anchorage. Whilst we agree controls may be necessary we would not support a complete ban unless damage caused is irrefutable. If controls are applied we are not clear on how these will be communicated or enforced. If commercial anchorages removed away from sensitive areas no need to ban these either. Similar comments apply to moorings – we believe it is the siting of new moorings that will cause damage. Also locations of moorings outside sensitive areas may put them in untenable locations.

Agree with proposals to control aggressive fishing techniques.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**18. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Noss Head* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree with management options. Area also has small chance of tidal energy development.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**19. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Papa Westray* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree with management options

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**20. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Rosemary Bank Seamount* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree in principle with management options but would like controlled continuation of aggressive fishing methods to continue rather than outright ban

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**21. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Small Isles* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree with management proposals although, unfortunately, it seems bottom and fixed gear fishermen are most affected. Overall we are not informed of what the accumulated effects are on fishermen across the whole seas.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**22. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *South Arran* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Agree with management options although need to ensure fish farms etc. not increased in numbers. Agree that some curtailing of freedom to anchor may be necessary.

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**23. Do you have any comments on the case for designation, management options and socioeconomic assessment for *The Barra Fan and Hebrides Terrace Seamount* possible Nature Conservation MPA?**

Designation:

Yes  No



Agree with designation

Management Options:

Yes  No

Agree with management options based on current level of activity. Note that there may be a very low use of area for recreational sailing and anchoring not covered in assessment

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**24. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Turbot Bank* possible Nature Conservation MPA?**

Designation:

Yes  No

Agree with designation

Management Options:

Yes  No

Reduce but don't eliminate fishing activity. Is area likely for wave or wind energy development?

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**25. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Upper Loch Fyne and Loch Goil* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

Agree with management options

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**26. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *West Shetland Shelf (formerly Windsock)* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

Agree but need to ensure pressure from O&G development not allowed to override conservation. Is area likely to be exploited for wind or wave energy?

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**27. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Wyre and Rousay Sounds* possible Nature Conservation MPA?**

Designation: Yes  No

Agree with designation

Management Options: Yes  No

Agree with options in text but summary contradicts regards recreational anchoring

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

## Choices to represent features in the MPA Network

**28. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea, do you have a preference or comments on the following combinations to represent these features, bearing in mind Turbot Bank will need to be designated to represent sandeel in this region:**

- Firth of Forth Banks Complex
- Turbot bank and Norwegian Boundary Sedimentary Plain
- Or Firth of Forth Banks Complex, Turbot bank and Norwegian Boundary Sedimentary Plain

**29. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea?**

Yes  No

Comments

**30. Recognising the scientific advice from JNCC included alternatives for representing the burrowed mud feature in the Fladens, do you have a preference or comments on the following combinations to represent these features, bearing in mind the part of Central Fladen (known as Central Fladen (Core)) containing tall seapen (*Funiculina quadrangularis*) will need to be designated to represent tall seapen in this region:**

- Central Fladen pMPA only
- The tall sea-pen component of Central Fladen, plus Western Fladen
- Or the tall sea-pen component of Central Fladen, plus South-East Fladen.

Comments

**31. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing the burrowed mud feature in the Fladens?**

Yes  No

Should be included in protection

**32. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V, do you have a preference or comments on the following combinations to represent these features:**

South-West Sula Sgeir and Hebridean slope  
Or Geikie slide and Hebridean slope

Comments

**33. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V?**

Yes  No

Comments

## **Sustainability Appraisal**

**34. Do you have any comments on the Sustainability Appraisal of the MPA network as a whole?**

Yes  No

We strongly support the objectives and recognise the amount of work that has gone into the assessment and its underpinning and the objective manners in which options have been appraised.

## **Final Thoughts**

**35. On the basis of your preferences on which pMPAs should be designated, do you view this to form a complete or ecologically coherent network, subject to the completion and recommendations of SNH's further work on the 4 remaining search locations?**

Yes  No

Generally we support the maximum number of protected areas that can reasonably be obtained. The most affected group appear to be those using the more damaging types of fishing. However there are strong arguments that having protected conservation areas will increase/spread species populations in other areas so long term these fishermen may be positively impacted.

**36. Do you have any other comments on the case for designation, management options, environmental or socioeconomic assessments of the pMPAs, or the network as a whole?**

Yes  No

Overall the socio-economic impacts and loss of amenities against current activities are relatively minor, noting comments against 35. What is mostly impacted is limiting the increase activities in the future. A proper recorded baseline is essential and ongoing monitoring to make sure protection is not being breached.