

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

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for your response not to be published we will regard it as confidential, and we will treat it accordingly.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).

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.

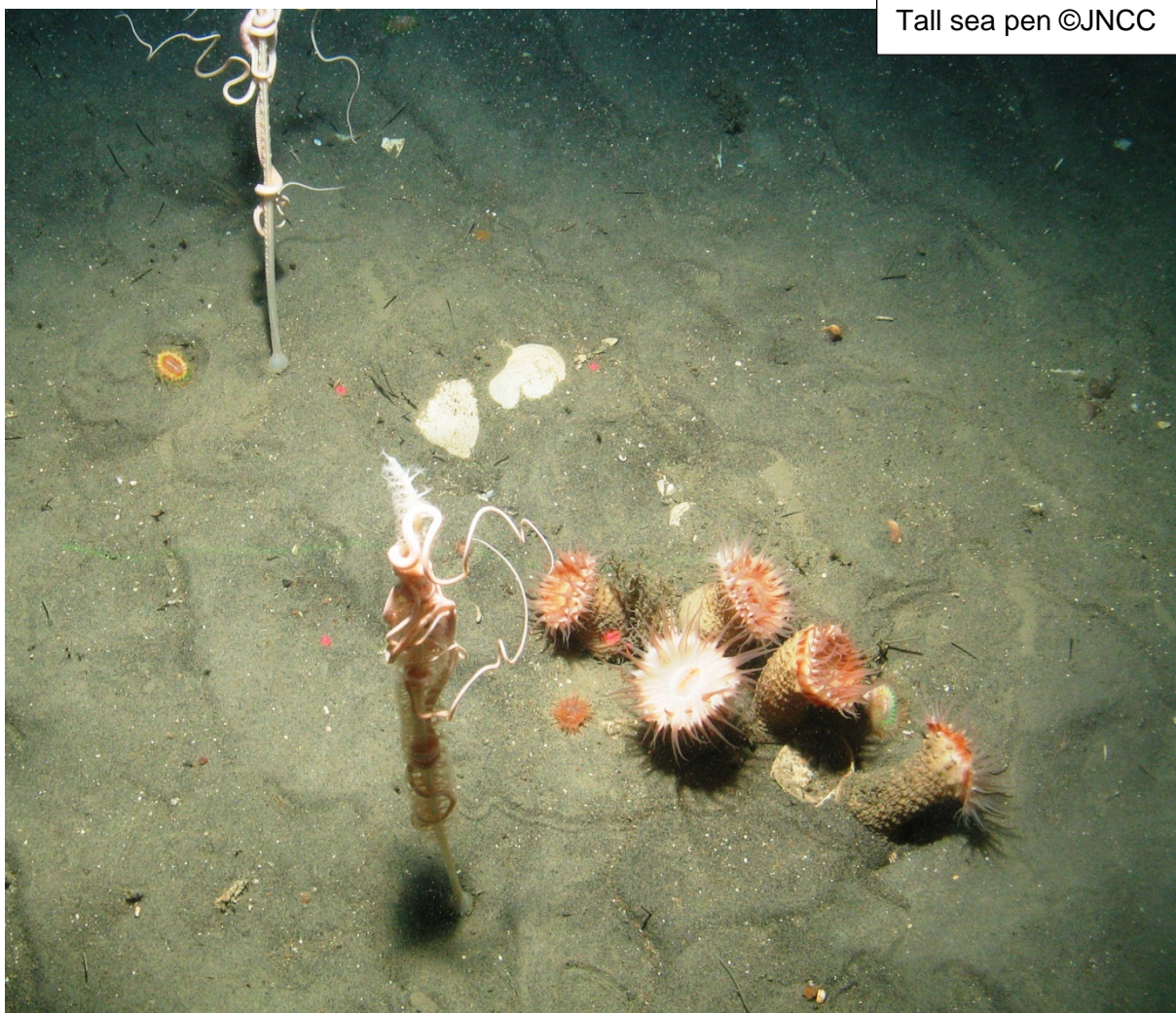
Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government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

Orkney Islands Council appreciates the principle of developing a network of MPAs to meet international commitments under the OSPAR convention, the World Summit on Sustainable Development, the Convention on Biological Diversity and EU Marine Strategy Framework Directive. Though, it is of paramount importance that the economic and social impact of MPAs on local communities is fully taken into account particularly when establishing appropriate management measures. Management measures that could have significant adverse economic and/or social effects on local communities will not be supported by the Council.

The Council notes that for each of the three Possible Marine Protected Areas the proposed protected features are in good condition and are therefore broadly compatible with existing activities. As a key principle, the Council expects all existing activities to be retained within the Possible Marine Protected Areas with a particular focus on protecting existing commercial fishing activities. The Council believes that all the foreseeable management measures should be tabled in advance of designation in an open and transparent manner. It would be inappropriate for significant deviations from the management options discussed as part of this consultation to be brought forward later in the designation process, or post designation.

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

Comments

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

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

The role that this area plays in supporting the national population of sandeels is considered significant. The essential role of this sandeel population within the food web supporting commercial fisheries, sea bird populations and the population of larger fish is acknowledged.

Management Options: Yes No

The Management Options Paper states that '*none of the activities taking place within the possible MPA are currently considered to be capable of affecting the proposed protected features i.e. any interaction between the activity and the features is considered to be minimal*'. With this in mind, it is not considered necessary for the MPA to place any restrictions on existing activities. This principle should be upheld by the Scottish Government.

All existing fishing activities are not capable of affecting the protected features of the MPA therefore no management measures should be brought forward as part of any future designation.

The installation, maintenance and removal of telecom cables are not licensed operations so cannot be restricted, therefore, no restrictions are proposed. This approach is supported alongside the promotion of best environmental practice.

The Sectoral Plans for offshore renewables identify 'Wind Draft Plan Options' and 'Wave Draft Plan Options' that overlap with the North-West Orkney Possible MPA. It is therefore appropriate that any management options should consider the potential impact of future wind and wave energy development on the protected features of the possible MPA. It would be of concern to Orkney Islands Council if a North-west Orkney MPA would significantly affect the potential development of offshore renewables in this area. The Council would welcome further consultation with Marine Scotland on this issue in advance of taking the possible MPA further forward. Any potential management measures should be taken forward in consultation with the local community, fisheries stakeholders, the Council and other interests.

Socioeconomic Assessment:

Yes No

The socio-economic assessment is too high level to consider the potential socio-economic impact on local communities and the local economy. Provided that no restrictions are brought forward for fishing activities as stated, the economic impact on fisheries should not be significant. The potential economic impact of the possible MPA on future marine renewable energy development is unclear. Again, the Council would welcome further consultation on this matter.

Management measures that could have significant adverse economic and/or social effects on local communities will not be supported by the Council.

All of the above:

Yes No

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

Comments

Management Options:

Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Management Options: Yes No

The Council considers that any MPA in this area should not restrict any existing activities.

Table 1 in the Management Options Paper states that set nets (e.g. fyke, gill, trammel or tangle) could be restricted within any future MPA. There is no current use of set nets and it is unlikely that they will be used for commercial fishing in the foreseeable future. Therefore, no further consideration of fisheries management measures is required and no fisheries restrictions are proposed. This is supported by the Council.

The greatest potential threat to black guillemots within the Papa Westray possible MPA is the introduction of introduced mammalian predators, such as brown rats, stoats, ferrets or North American mink. It is proposed that action could be taken to raise awareness of this potential issue to reduce risk. This approach is considered sensible.

The Sectoral Plans for offshore renewables identify the TN4 'Tidal Draft Plan Option' and WN2 'Tidal Draft Plan Option' that overlaps with the Papa Westray Possible MPA. It is therefore appropriate that any management options should consider the potential impact of future tidal energy development on the protected features of the possible MPA. It would be of concern to Orkney Islands Council if a Papa Westray MPA would significantly affect the potential development of offshore renewables in this area. The Council would welcome further consultation with Marine Scotland on this issue in advance of taking the possible MPA further forward to provide greater clarity on how the MPA might influence future development potential.

Any potential management measures should be taken forward in consultation with the local community, fisheries stakeholders, the Council and other interests.

Socioeconomic Assessment:

Yes No

The socio-economic assessment is to high level to consider the potential socio-economic impact on local communities and the local economy. Provided that no restrictions s are brought forward for existing fishing activities as stated, the economic impact on fisheries should not be significant.

Management measures that could have significant adverse economic and/or social effects on local communities will not be supported by the Council.

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Comments

Management Options: Yes No

Comments

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

Management Options: Yes No

The Management Options Paper identifies aquaculture (finfish), static gear fishing (creeling), mobile gear fishing, diver collection of bivalves, anchorage areas and the extraction of maerl as existing activities that are considered capable of affecting the possible MPA's protected features.

Firstly, there are the three existing aquaculture sites at Kirk Noust, the Bay of Vady and the Bay of Ham. There is also a current live planning application for a new fin fish farm site to the south of Wyre just outside the possible MPA. The Council supports the acknowledgement that a MPA designation would not restrict or infringe upon any existing fish farming activities. The Management Options Paper states that any plans for new fish farms or expansion of current farms would need careful consideration. It should be noted that as maerl is a UKBAP habitat, any development that is likely to affect this feature would require careful consideration to avoid damage with or without a MPA designation. Marine Scotland should

continue discussions with the companies operating fish farms in the affected area to ensure minimal disruption to their current and future operations.

It is noted that there are no management measures proposed for the consented shellfish farm within the pMPA. This development was consented by the Council [in 2008](#), though the Council cannot confirm whether the site has been in operation. The consent is conditioned so that should operations cease for a period of more than 12 months, the consent would be invalid. It is recommended that further consultation is carried out with the consent applicant to discuss future intentions for the site.

The crab, lobster and scallop fishery in Wyre Sound and Rousay Sound, operating predominantly from Tingwall, is a first class example of a low impact fishery. Any measures to restrict existing activity or the sustainable growth of this fishery would be strongly opposed by the Council and the local fisheries industry.

It is welcomed that no additional management measures are recommended for static gear fishing i.e. creeling for crab and lobster. Though, it is of concern that this is qualified by the statement 'provided that fishing activities is not occurring at high levels'. Further detailed information on the level of existing fishing activity is required over and above the data provided by ScotMap. Marine Scotland funding further studies to better understand the fishery would be welcome, though existing levels of activity and sustainable growth of the crab and lobster fishery should be guaranteed for local fishermen.

No mobile gear fishing takes places in the area, or is likely to take place in the foreseeable future, so the proposed restrictions would have a minimal impact on fisheries. Any detailed proposals should be taken forward in consultation with the Orkney Fisheries Association and other fisheries interests.

There should be no restrictions on scallop diving and catch taken by hand in the area as this is considered to be low impact fishery that is compatible with the protected features. The current Orkney Fisheries Association study investigating the movement and replenishment of scallops within this pMPA should inform future management decisions. Any detailed proposals should be taken forward in consultation with the Orkney Fisheries Association and other fisheries interests.

The Council supports the statement that there is no requirement for management measures for recreational anchorages within the pMPA. The proposed relocation of the commercial anchorage in Rousay Sound should be carried out in close consultation with OIC Marine Services. Marine Services have indicated that there could be water depth restriction to moving the anchorages immediately north.

The Council acknowledges that the sustainable management of the proposed protected features (i.e. maerl and seaweed communities) within

the pMPA could potentially have long term benefits for commercial inshore fisheries and the wider marine environment.

The extraction of maerl can have significant adverse impacts on this important marine habitat. The role that maerl beds have in supporting commercial fisheries, other ecosystems services and species is recognised and should be protected from extraction activities.

Socioeconomic Assessment:

Yes No

The socio-economic assessment is to high level to consider the potential socio-economic impact on local communities and the local economy.

It should be noted that any measures to restrict existing activity or the sustainable growth of existing fisheries within the pMPA would be strongly opposed by the Council and the local fisheries industry. Further consultation with the Orkney Fisheries Association and affected local fishermen will be required to ensure that appropriate management measures are agreed by all interests. Likewise, any significant effects on the sustainable growth of the local aquaculture sector should be avoided.

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

Comments

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

Comments

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

Comments

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

Comments

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

Comments