

Rùnaire a' Chaibineit airson Cùisean Dùthchail, Biadh agus an Àrainneachd
Cabinet Secretary for Rural Affairs, Food and the Environment

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Rob Gibson
Convener
Rural Affairs, Climate Change, and Environment Committee
The Scottish Parliament
Edinburgh
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11 June 2015

Dear Rob

I am writing to advise you of progress that has been made towards delivering a well-managed marine protected area network.

In December 2012, Scottish Ministers reported progress to Parliament on the development of a proposed MPA network and in August last year, we announced the designation of 30 new Marine Protected Areas. The new sites complemented the existing 47 Special Areas of Conservation, 45 Special Protection Areas, and 61 Sites of Specific Scientific Interest within our waters – taken together, all of these sites form Scotland's MPA network.

The new sites that we have designated require to be supported by statutory management measures and we have taken this forward in 2 phases. Phase 1 consists of 16 geographic locations, covering 11 MPAs and 9 SACs - primarily those with the most vulnerable habitats. A consultation on the potential management measures took place between November 2014 and February 2015 and we received almost 5,000 responses. Today, I have published the Scottish Government response to that consultation, and the report can be found on the following web page;

www.gov.scot/Topics/marine/marine-environment/mpanetwork/MPAMGT/protectedareasmgt

Within our response, we have set out the ambitious package of management measures which will not only further the conservation objectives of those protected areas, but also make a contribution to enhancing the health of Scotland's seas. Our policy to date on introducing fisheries measures for protected areas has been to use the powers under the Inshore Fishing (Scotland) Act 1984 - this remains the case and the majority of the measures we propose to introduce will be delivered through that mechanism.

However, we intend to use the powers under the Marine (Scotland) Act 2010 to implement the measures for 4 sites (Wester Ross; Small Isles; South Arran; Loch Sunnart to Sound of Jura) through specific Marine Conservation Orders.

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We have opted to do this because the proposed measures are considerably different from those that were in the consultation and, using this legal process, we are required to publish draft Orders to enable interested parties to review and comment on them. I felt that this step was appropriate, and we are therefore publishing today the 4 draft Orders. Those with an interest can make representations to us by 12 July 2015. The Orders can be accessed here: www.gov.scot/Topics/marine/marine-environment/mpanetwork/MPAMGT/protectedareasmgt/conservationorders

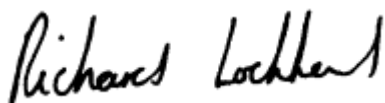
Once this process is complete, and we carefully consider any further representations, the Orders will be finalised and laid before the Scottish Parliament by the end of the summer recess to take effect on 1 October 2015. Orders under the Inshore Fishing (Scotland) Act 1984 will be laid in Parliament at the same time. During this period, Parliament will have a further opportunity to scrutinise the proposals through the normal Committee process.

Whilst the package of measures is ambitious it remains proportionate. The measures will further the conservation objectives and contribute to enhancing the health of our seas, but the overall cumulative impact of these measures is estimated to be less than 2% of the combined annual income of the affected fishing vessels. I've attached a few tables at Annex A which illustrates the overall impact.

It is anticipated that vessels will adjust their fishing practices and patterns to maintain their incomes. However, we do recognise that a small number of individuals may be more affected than the majority who will see little or no impact. There will be potential options to support diversification of activity and the implementation of more sustainable fishing methods under the new European Marine and Fisheries Fund. In the long-term, it is anticipated that the benefits to society, and the fishing industry, will outweigh any short term cost.

We are also now turning our attention to Phase 2 and the proposed management measures of a further 6 Marine Protected Areas and 14 Special Areas of Conservation. Management proposals have been developed and discussed widely with stakeholders and there will now be a public consultation on the proposals starting in July and running to September 2015. For this phase, I anticipate laying the associated legislation before the Scottish Parliament in early 2016, so that it takes effect before Parliament dissolves in spring 2016. However, I shall keep the Committee informed of progress as the process develops.

Yours sincerely



RICHARD LOCHHEAD

ANNEX A

***Cumulative impacts of scallop dredge management measures at all sites**

Number of vessels potentially affected	Annual estimated overall impact of measures (£s)	Estimated avg annual gross of affected vessels (£s)	% of gross potentially affected
103	302K	18.6M	1.6%

***Cumulative impacts of demersal trawl management measures**

Number of vessels potentially affected	Annual estimated overall impact of measures (£s)	Estimated avg annual gross of affected vessels (£s)	% of gross potentially affected
309	659K	64.1M	1.03%

*This is the estimated impact for fishing within the restricted areas. This impact can be mitigated by fishing outwith the restricted areas.