

Red Rocks and Longay Proposed MPA consultation - Frequently Asked Questions

How long will the consultation run for?

The public consultation will run from 01 February 2022 to 26 April 2022.

Will there be any public consultation events?

We will be hosting virtual information sessions during the consultation. Further details will be made available in due course.

How do I respond to the consultation?

Responses to the 2022 Red Rocks and Longay Marine Protected Area and associated Marine Conservation Order consultation can be submitted [online](#).

Your views **should be submitted by midnight 26 April 2022**. Alternative methods of responding are described on the consultation platform.

What should I do if I have a comment or complaint about the consultation?

If you have any comments about how this consultation exercise has been conducted please send them to marine_conservation@gov.scot

What are the roles of Marine Scotland and NatureScot in this consultation?

Marine Scotland is coordinating the 2022 Red Rocks and Longay MPA consultation and will consider representations made regarding the draft Marine Protected Area (MPA) Order, Marine Conservation Order (MCO), Islands Communities Impact Assessment screening and the partial Business and Regulatory Impact Assessment. NatureScot will consider consultation responses relating to the scientific case for the Red Rocks and Longay proposed MPA and associated conservation objectives.

Red Rocks and Longay Proposed Marine Protected Area

What is a Marine Protected Area?

A defined area of sea designated for a specific purpose, usually nature conservation. Under the Marine (Scotland) Act 2010 there are three types - nature conservation, historic, and demonstration & research. Red Rocks and Longay is for nature conservation purposes.

What is an Urgent Marine Protected Area?

Under the Marine (Scotland) Act 2010, Scottish Ministers can designate an MPA on an urgent basis without publishing notice of their proposals or consulting those likely to be affected. Red Rocks and Longay was designated as an MPA in this way in March 2021, following confirmation of a nationally important flapper skate nursery area, and re-designated in December 2021 to extend the boundaries of the MPA.

Why is the Red Rocks and Longay proposed MPA being consulted on now?

The urgently designated MPA is still in place, however an MPA designated on an urgent basis lasts for a maximum of two years. Normal procedures for protected area designations, including consultation, need to be undertaken to create a permanent MPA.

[Has the proposal been assessed against the MPA selection guidelines?](#)

Following additional survey work NatureScot undertook a formal assessment against the Scottish MPA Selection Guidelines. This assessment has concluded that the flapper skate eggs egg laying habitat meet the selection requirements, an outcome agreed by Marine Scotland. Details of this are presented in the Detailed Assessment against the Scottish MPA Selection Guidelines document.

[When were these surveys conducted and how were they undertaken?](#)

A survey programme was undertaken at Red Rocks and Longay between August and September 2021. Drop-down video (DDV) sampling was undertaken in August and September and this provided information that helped to guide a more detailed Remote Operated vehicle (ROV) in September. More information can be found in NatureScot's blog: [Surveying for flapper skate eggs](#).

[Where can I find information on the data collected that informed the assessment and the boundary?](#)

The evidence-base for the site is set out in the Data Confidence Assessment document. This outlines the age and sources of data, the sampling methods used and coverage across the site. Sources of further information are also listed at the end of this FAQ document.

[How many Nursery Sites are located at Red Rocks and Longay?](#)

The surveys outlined above recorded a number of egg records. This area is thought to be the largest flapper skate nursery site in Scotland. Analysis has shown there are an estimated 1187 eggs within the current MPA boundary.

[Why does the feature of the Red Rocks and Longay MPA have a 'conserve' conservation objective?](#)

Conservation objectives (COs) describe the desired ecological state (or quality) of each protected feature within a site. The objective is based upon what is known about the current state, and therefore NatureScot has recommended the following CO for the Red Rocks and Longay proposed MPA:

- conserve for flapper skate
- conserve for Quaternary of Scotland

The current evidence base confirms that the flapper skate and Quaternary of Scotland are in a favourable state overall and therefore have a conserve objective. Further details on the COs of the site are provided in the draft conservation objectives and management advice, and the draft designation order.

[How will you know if the flapper skate nursery sites are being conserved?](#)

The data collected within the surveys described above provide a baseline against which the conservation of the nursery sites can be measured. Further surveys will be conducted in the site in the future to look at how well nursery sites are doing.

[Marine Conservation Order & MPA Management](#)

What is a Marine Conservation Order (MCO)?

Marine Conservation Orders are Scottish Statutory Instruments which can be used to manage human activity for furthering the stated conservation objectives of an MPA.

What is the purpose of the proposed Red Rocks and Longay MCO?

The purpose of the MCO is to prohibit the below activities within the proposed MPA:

- Fishing - dredging
- Fishing - creels
- Fishing - demersal trawling or seine
- Fishing – gill/trammel nets
- Recreational sea angling
- Marine deposit sites/waste disposal
- Aquaculture
- Marine infrastructure
- Anchoring

If implemented, this would mean that any vessel carrying any of the prohibited fishing gear within the MPA would need to have it properly lashed and stowed

Are these measures the same as the existing MCO?

No, the existing MCO also prohibits:

- Fishing – scallop diving
- Recreational diving

The prohibition on diving will be removed from the Urgent MCO as soon as is reasonably practicable to allow these activities. Scientific survey which involves touching, taking or disturbance flapper skate and/or their eggs will still require a permit.

Why aren't other activities covered by the MCO?

Other activities are covered by the legal duties placed on public authorities by sections 82 and 83 of the Marine (Scotland) Act 2010, or the general protection provided by section 95.

Who has the final decision on what management is put in place?

NatureScot provide advice on site management requirements to ensure that the conservation objectives are achieved. After designation, regulators, including but not limited to Marine Scotland, are responsible for ensuring management appropriate for the conservation objectives of an MPA are implemented. Scottish Ministers make all final decisions on management measures that are implemented through Marine Conservation Orders.

Islands Communities Impact Assessment (ICIA)

What is an Islands Communities Impact Assessment (ICIA)?

An Island Community Impact Assessment (ICIA) is required for any new policy, strategy or service which is likely to have an effect on an island community which is

significantly different from the effect on other communities. This became a legal duty on 23 December 2020 under the Islands (Scotland) Act 2018.

[Is there a need for a ICIA to accompany the Consultation?](#)

Yes. Any policy, strategy or service that is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) should be accompanied by a ICIA

The ICIA screening determined there was not a need for a full ICIA as the policy does not have an effect on an island community which is significantly different from its effect on other communities (including other island communities)

[Will the ICIA be updated after the Consultation?](#)

Any socio-economic information provided will be considered, and the ICIA updated if necessary.

Business and Regulatory Impact Assessment (BRIA)

[What is a Business and Regulatory Impact Assessment \(BRIA\)?](#)

A BRIA enables the use of available evidence to find proposals that best achieve the policy objectives while minimising costs and burdens. Through consultation and engagement with business, the costs and benefits of the proposed legislation can be analysed. It also ensures that any impact on business, particularly small enterprises, is fully considered before regulations are made.

[Is there a need for a BRIA to accompany the Consultation?](#)

Yes. All policy changes which may have an impact upon business or the third sector should be accompanied by a Business and Regulatory Impact Assessment (BRIA).

[Will the BRIA be updated after the Consultation?](#)

Any socio-economic information provided will be considered, and the BRIA updated if necessary.

Further information

[Where can I find more information on the MPA network in Scotland?](#)

The following websites provide more information on the network:

- [Marine Scotland's MPA network web pages](#)
- [NatureScots 'MPA network' web pages](#)
- [NatureScots SiteLink page for Red Rocks and Longay](#)
- [JNCC's \(the Joint Nature Conservation Committee\) 'MPA network' web pages](#)

The boundaries of existing and new MPAs in a GIS format are available to view on [National Marine Plan Interactive \(NMPI\)](#) which will also allow you to see how the Red Rocks and Longay proposed MPA relates to the existing protected areas.

Data on the MPA network (including the Red Rocks and Longay proposed MPA boundary and proposed protected feature datasets) are also available for download from [NatureScot](#)

Other relevant document

Marine Scotland. 2011. Marine Protected Areas in Scotland's Seas. [Guidelines on the selection of MPAs and development of the MPA network.](#)