

Loch Carron MPA consultation - Frequently Asked Questions

How long will the consultation run for?

The public consultation will run from 20 March 2018 to 13 June 2018.

Will there be any public consultation events?

There will be two drop-in sessions in late May in Loch Carron and Plockton. These will provide an opportunity for people to come and learn more about the proposals. Further details will be provided on the SNH MPA consultation web pages but the events are scheduled to take place on -

- Tuesday 22 May 2018 - Loch Carron Village Hall (Small Hall) [2pm to 8pm]
- Wednesday 23 May 2018 - Plockton Village Hall [2pm to 8pm]

How do I respond to the consultation?

Responses to the 2018 Loch Carron MPA and MCO consultation can be submitted online at:

<https://consult.gov.scot/marine-scotland/loch-carron-mpa/>

Your views **should be submitted by midnight 13 June 2018**. 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 SNH in this consultation?

Marine Scotland is coordinating the 2018 Loch Carron MPA consultation and will consider representations made regarding the draft Marine Conservation Order and the Business and Regulatory Impact Assessment. Scottish Natural Heritage will consider consultation responses relating to the scientific case for the Loch Carron possible MPA and associated conservation objectives.

Loch Carron 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. Loch Carron 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. Loch Carron was designated as an MPA in this way in May 2017, following confirmation of damage to sensitive seabed habitats by fishing activity.

Why is the Loch Carron MPA being consulted on now?

The existing urgent 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 public consultation, need to be undertaken to create a permanent MPA.

Has the proposal been assessed against the MPA selection guidelines?

Following additional survey work Scottish Natural Heritage undertook a formal assessment against the Scottish MPA Selection Guidelines. This assessment has concluded that both flame shell beds and maerl beds 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.

Why is the proposed boundary bigger than the current one?

Since the urgent designation a further three surveys of the area have been carried out which provide the evidence for the possible MPA. The possible MPA is larger on the western side because both the flame shell beds and maerl beds extend beyond the current site boundary. On the eastern side the site boundary is slightly smaller because the extent of the flame shell bed has been accurately mapped.

When were these surveys conducted and how were they undertaken?

A survey programme was undertaken in Loch Carron between July and September 2017. Drop-down video (DDV) sampling was undertaken in July and this provided information that helped to guide to more detailed diving work in August; led by scientists at Heriot-Watt University. Additional DDV survey in late September helped refine mapping of the extent of the flame shell beds and the maerl beds habitats. The results of the 2017 survey work are presented in a new SNH publication (Research Report 1038 - available online at <https://www.nature.scot/snh-research-report-1038>

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 big are the flame shell beds in Loch Carron?

The surveys outlined above recorded a number of flame shell beds including one thought to be the largest in the world, located in the tide-swept Strome Narrows. It is thought that this ~194 hectare bed supports an estimated 250 million flame shells. Three small flame shell beds were identified off the islet Sgeir Bhuidhe in outer Loch Carron with respective extents of 7.0, 7.7 and 5.1 ha. Collectively, the multiple flame shell beds within the possible MPA constitute 41% of the known extent of the habitat in the UK.

Why do the features of the Loch Carron MPA have differing conservation objectives?

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 SNH has recommended the following COs for the Loch Carron possible MPA:

- **recover** for flame shell beds;
- **conserve** for maerl beds.

The current evidence base confirms that the flame shell beds are in a damaged state overall and therefore need a recovery objective. It should be noted that there is no evidence of damage to the flame shell bed at Strome Narrows. In the case of the maerl beds the evidence base confirms these to be in good condition and therefore have an objective to conserve them.

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 flame shell bed is recovering?

The data collected within the surveys described above provide a baseline against which the recovery of the damaged flame shell beds can be measured. Further surveys will be conducted in the site in the future to look at how well the beds are doing. Full recovery is likely to take a long time.

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 a MPA.

What is the purpose of the proposed Loch Carron MCO?

The purpose of the MCO is to prohibit deployment and use of any bottom-contacting fishing gear within the proposed MPA. If implemented, this would mean that any vessel carrying such fishing gear within the MPA would need to have it properly lashed and stowed.

Are these measures the same as the existing MCO?

Exactly the same. The only difference is that the area to which the measure would apply will be larger due to the proposed extension of the MPA.

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.

Where can I get information on how other activities affect the habitats and might be managed?

FEAST¹ (Feature, Activity, Sensitivity Tool) provides detailed information on the sensitivities of flame shell beds and maerl beds to various pressures that can be caused by human activities. To help people understand the likely management requirements, a Conservation Objectives and Management Advice [Conservation Objectives and Management Advice](#) document has been produced.

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

SNH and JNCC 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.

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 (<http://www.gov.scot/Topics/marine/marine-environment/mpanetwork>).
- SNH's 'MPA network' web pages (<https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-areas/national-designations/marine-protected-areas-mpas>)
- JNCC's (the Joint Nature Conservation Committee) 'MPA network' web pages (<http://jncc.defra.gov.uk/page-4549>)

¹ See - <http://www.marine.scotland.gov.uk/FEAST/>

The boundaries of existing and new MPAs in a GIS format are available to view on NMPI (<https://marinescotland.atkinsgeospatial.com/nmpi>) which will also allow you to see how the Loch Carron possible MPA relates to the existing protected areas.

Data on the MPA network (including the Loch Carron possible MPA boundary and proposed protected feature datasets) are also available for download from SNH's NaturalSpaces at <http://gateway.snh.gov.uk/natural-spaces/index.jsp>

Other relevant documents

Marine Scotland. 2011. *Marine Protected Areas in Scotland's Seas. Guidelines on the selection of MPAs and development of the MPA network.* <<http://www.scotland.gov.uk/Resource/Doc/295194/0114024.pdf>>

Moore, C.G., Harries, D.B., James, B., Cook, R.L., Saunders, G.R, Tulbure, K.W., Harbour, R.P. & Kamphausen, L. 2018. The distribution and condition of flame shell beds and other Priority Marine Features in Loch Carron Marine Protected Area and adjacent waters. *Scottish Natural Heritage Research Report No. 1038.* <<https://www.nature.scot/snh-research-report-1038>>

Scottish Natural Heritage & Marine Scotland Science. 2017. *Seabed habitats survey - 3-5 May, 2017, Loch Carron. Field Report, diver and drop-down video survey.* <<https://www.nature.scot/sites/default/files/2017-10/A2294733%20-%20SNHandMSS-Loch%20Carron-May%203-5%202017-Fieldwork%20Summary-FINAL%20%28A2289959%29.pdf>>