

Briefing Note

Elected Member Briefing – Proposed Fisheries Management Measures for Inshore Marine Protected Areas (MPAs) and Priority Marine Features (PMFs).

Elected Member Briefing Note Ref. No. 2025-09

About this Briefing Note

Briefing by: Simon Pallant, Coastal Zone Manager

Date: 08 October 2025

Subject: Marine Planning and Conservation

Public / ~~Exempt~~ / ~~Confidential~~

if exempt or confidential explain risks and consequences.

Purpose

This briefing note provides a summary of the Members Seminar that was held on Thursday 2 October on the above topic. It covers the background to the seminar, the key points covered and an overview of what will happen next.

Background

The Cabinet Secretary for Net Zero and Energy recently announced that the Scottish Government plans to launch a public consultation on proposed fisheries management measures for inshore Marine Protected Areas (MPAs) and the 11 Priority Marine Features (PMFs) most vulnerable to bottom-contact fishing gear. More information can be found at: <https://marine.gov.scot/?q=node/26833>

The public consultation is due to commence in November 2025. It will run for a period of 16 weeks. As part of the process the Council will be consulted.

The Seminar was arranged in advance of the consultation going live to inform Members of the background to the process, timelines and next steps. It also provided an opportunity for Members to engage with Scottish Government Officials who have been leading on this work. Similar events have also been held recently in Orkney and the Western Isles.

Key points

- The Seminar was chaired by Councillor Dennis Leask (Development Committee Chair) with support from the Council's Coastal Zone Manager, who provided a background to the Council's previous involvement in consultations, such as the recently implemented offshore fisheries management measures and the Council's opposition to Highly Protected Marine Areas, which were subsequently abandoned.
- Staff from the Scottish Government's Marine Directorate and [NatureScot](#) provided an overview and presentation (attached) on the ongoing process that has led to the forthcoming consultation. This is driven by legislation, national marine planning policy and national/international obligations relating to the marine conservation and biodiversity enhancement.
- Also attending the seminar were staff from the Shetland Shellfish Management Organisation (SSMO) and UHI Shetland. They provided a background to the local management powers devolved to Shetland to manage shellfish fisheries out to 6 Nautical Miles (NM) to protect existing PMFs (these are 'SSMO closed areas'), and their engagement to date with the Marine Directorate on the proposed measures.
- At the Seminar, Government officials stressed that the management measures proposed in the consultation relate mostly to bottom-contact demersal fishing and that they do not duplicate the measures already in place by the SSMO closed areas. In addition, the measures will only apply to commercial fishing.
- Elected Members who were in attendance raised a number of questions in relation to a variety of issues, including:
 - **The need for local control and management and why Shetland can't be left to develop it's own measures** - Scottish Government officials set out the legal obligation to introduce fisheries management measures in MPAs and in locations where sensitive PMFs are known to exist. They also explained the SSMO Regulating Order is the only one of its kind in Scotland and its closed areas only relates to scallop dredging to protect certain PMFs, yet the Government has a duty to implement measures restricting other types of bottom-contact fishing protecting all 11 identified PMFs.
 - **Taking into account the views of local people, communities and fishermen** – Scottish Government officials highlighted that the work done to date has been based on a collaborative approach which has involved the SSMO and UHI Shetland in particular.

- **The need for effective monitoring once protection measures are in place** – Scottish Government officials mentioned that they have a statutory duty to report to parliament every six years on whether conservation objectives are being met.
- **Restricting bottom-contact fishing in certain habitats** – the need to take account of the views and local knowledge of the SSMO, their members and fishermen was made by a number of elected members.
- **The reasoning behind applying restrictive measures in areas where the status of that area or species is recorded as being ‘favourable’** – it was remarked that such areas were designated because they are considered nationally important and bottom-contact fishing can impact. It was mentioned that favourable designations should be maintained, whilst unfavourable designations should be improved.

Overview

The public consultation on these measures will follow in November and run for 16 weeks to enable sufficient time for meaningful engagement. Marine Directorate staff are proposing to return to Shetland in Jan/Feb 2026 to host a public consultation event.

The SSMO highlighted whilst they have no issue with some of the areas identified, there are areas being proposed where their members will be objecting.

The Chair remarked there is clearly a concern with what is being proposed among local fishermen who feel they are being continually squeezed from their fishing areas. The Co-Chairs thanked everyone for attending and for their contributions and mentioned that once live, the Council would be responding to the consultation in due course.

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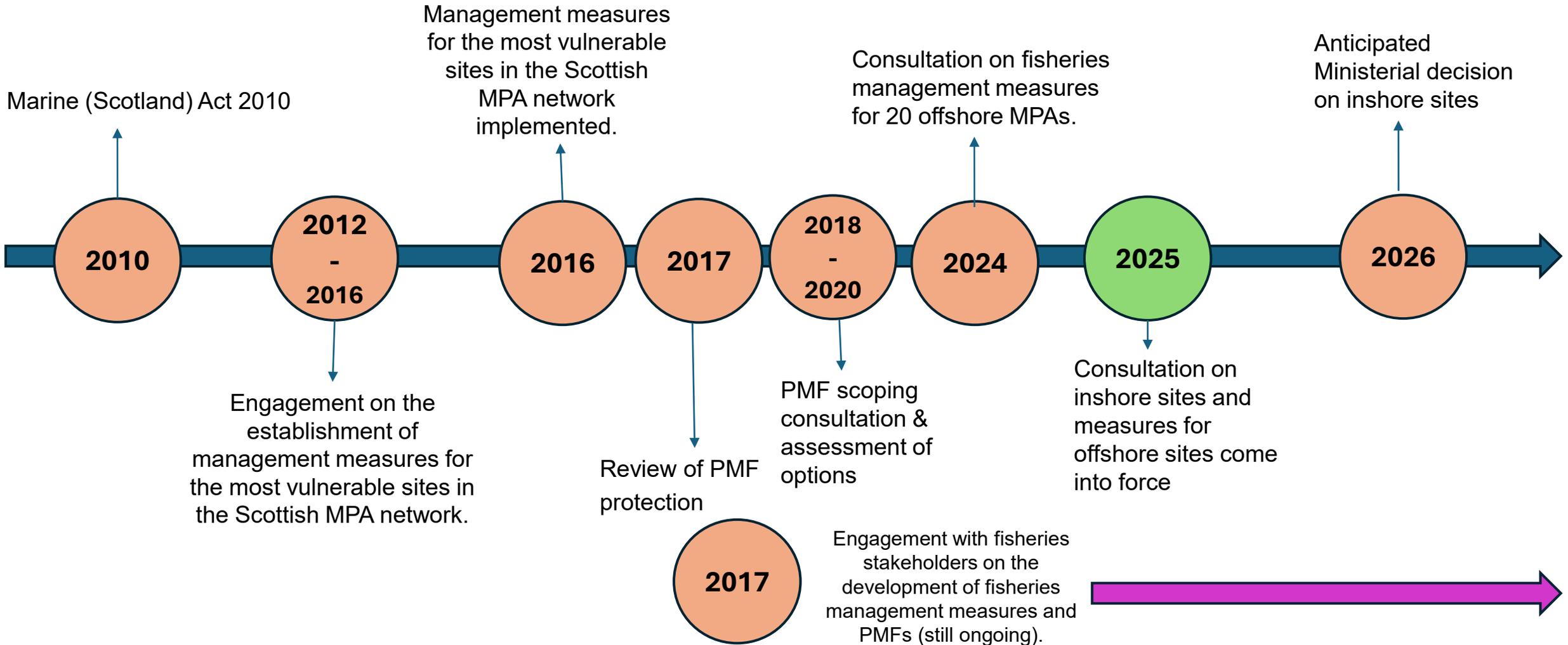
Development of Fisheries Management Measures for Marine Protected Areas (MPA) and Priority Marine Features (PMF)



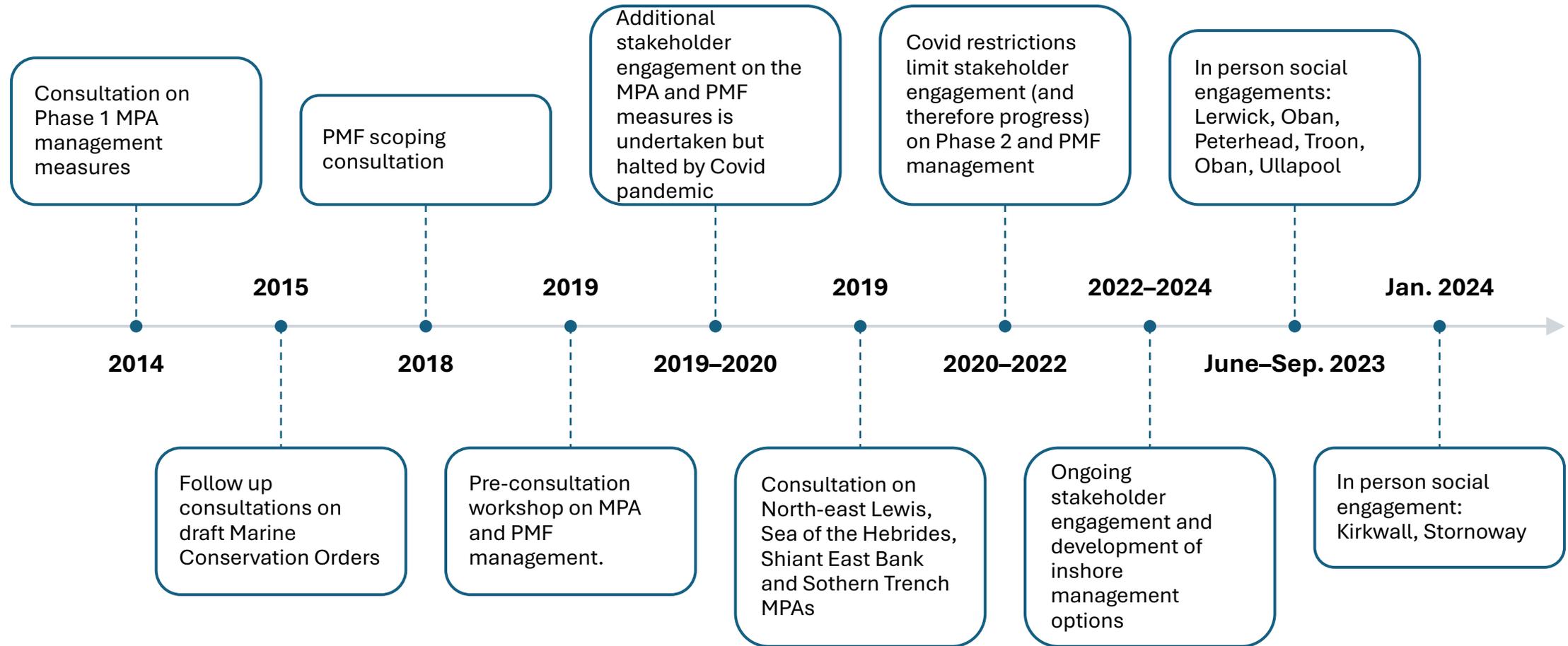
Scottish Government
Riaghaltas na h-Alba



Development of Marine Protected Area and Priority Marine Features



Stakeholder Engagement for Inshore MPAs and PMFs



Since 1 January 2022- April 2025, officials have met with eNGO and fisheries stakeholders on 120 separate occasions, in a range of forums, to discuss MPAs.

Engagement with Shetland Stakeholders from 2022-2025

Where	Number
Shetland Organisations and Fishers	10 meetings from 2023 - 2025
Larger Organisations with Shetland Members	6 meetings from 2023-2025
Offshore meetings	4 meetings in 2022

- These meetings have covered a range of MPA related issues.
- There will be meetings not included in the total number that occurred before 2022.

Marine Protected Areas

Type of MPA	Legislation
Nature Conservation MPA (NCMPA)	Marine (Scotland) Act 2010 and Marine Coastal Access Act 2009
Special Areas of Conservation (SACs)	UK Habitats Regulations (EU Habitats Directive)
Special Areas of Protection (SPAs)	UK Habitats Regulation (EU Birds Directive)

MPA network helps deliver a range of national and international obligations:

- **Scottish Biodiversity Strategy**
- **National Marine Plan**
- **UK Marine Strategy**
- **OSPAR**



Priority Marine Features (PMF)

General Policy 9b of the National Marine Plan:
“development and use of the of the marine environment must not result in significant impact on the national status of PMFs.”

A scoping consultation on PMFs was carried out in 2018.

11 PMFs identified:

- Blue mussel beds
- Cold water coral reefs
- Fan mussel aggregations
- Flame shell beds
- Horse mussel beds
- Maerl beds
- Maerl or coarse shell gravel with burrowing sea cucumbers
- Native oysters
- Northern sea fan and sponge communities
- Seagrass beds
- Serpulid aggregations



Current status of the marine environment

Twin crises of **biodiversity loss** and **climate change**¹

The **overall combined human pressures** on our seas are **increasing**.

Some improvements but also evidence of declines in marine birds, marine mammals, and a degradation of marine habitats.

Seabirds - 11 species showed declines (48% overall) with some short-term stabilisation & increases in a few species (Scottish Biodiversity Indicator 2025)²

Marine habitats – Good Environmental Status (GES) has not been achieved for benthic habitats⁴; examples of biogenic habitat loss in 5 Scottish Marine Regions⁵

Marine Protected Areas (Scottish Report to Parliament on MPAs 2024)
47% of sites are only partially moving towards achieving their conservation objectives

Marine Conservation

In Scotland this is delivered through the three pillar approach



Site protection
e.g. MPAs



Species conservation
e.g. Scottish Seabird Action Plan



Wider Seas policies & measures
e.g. PMFs, fisheries policy



The benefits of MPAs and spatial protection

Effective and internationally recognised tools

- 150 world-wide studies have found that MPAs which prohibit fishing have more invertebrates compared to fished areas outside the MPAs⁶

Valuable in climate change mitigation & adaptation

- Enhancing carbon sequestration, coastal protection and reproductive capacity of species⁷

Support sustainable fisheries - protecting nursery areas, increasing abundance

- Increased abundance of scallops, lobsters e.g. Skomer, Lundy Island, Lamlash Bay, Isle of Man & Norway and fish biomass e.g. California⁸

Enable recovery of protected features

- Flapper skate in Loch Sunart to the Sound of Jura MPA⁹ and flame shell bed in Loch Carron MPA¹⁰



MPA & Priority Marine Feature management

MPAs

- MPAs in Scotland protect specific features but offer wider ecosystem benefits.
- MPAs are multi-use for activities based on principle of sustainable use.
- Most activities are regulated - planning/consenting

Our MPA advice - Affect of fishing activities on protected features in sites and recommendations to help achieve their conservation objectives.

PMFs

- 81 PMFs offered protection through National Marine Plan policy.

Our PMF advice - 11 PMFs most sensitive to bottom-contacting mobile fishing gear and key locations needing protection to avoid significant impacts on national status.

Fisheries Management Measures in MPAs and PMFs



Legal requirement



Statutory authority for licensing



Our aim: conservation with sustainable use

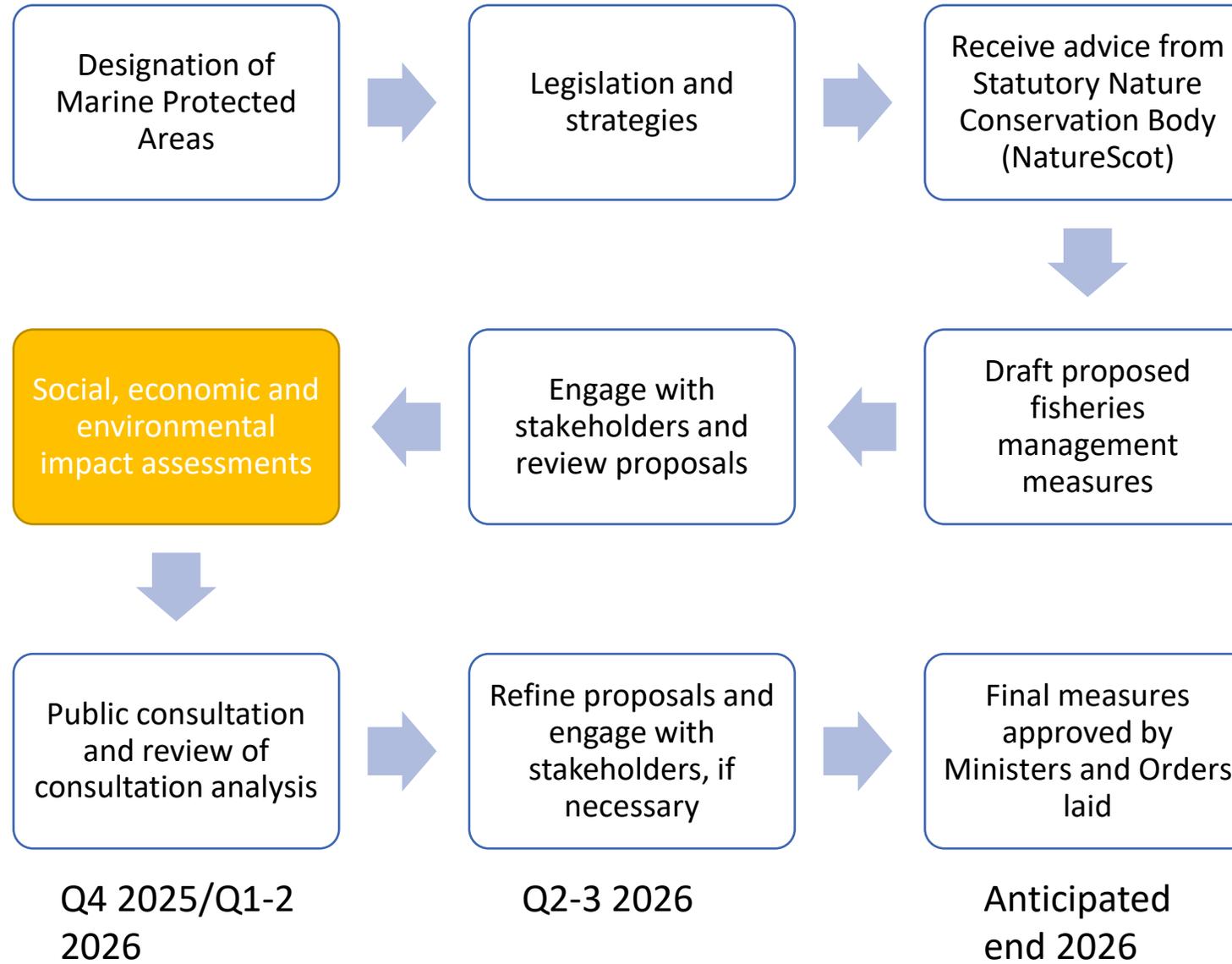


No new MPAs are being proposed as part of this process.





Process of Developing Inshore Fisheries Management Measures





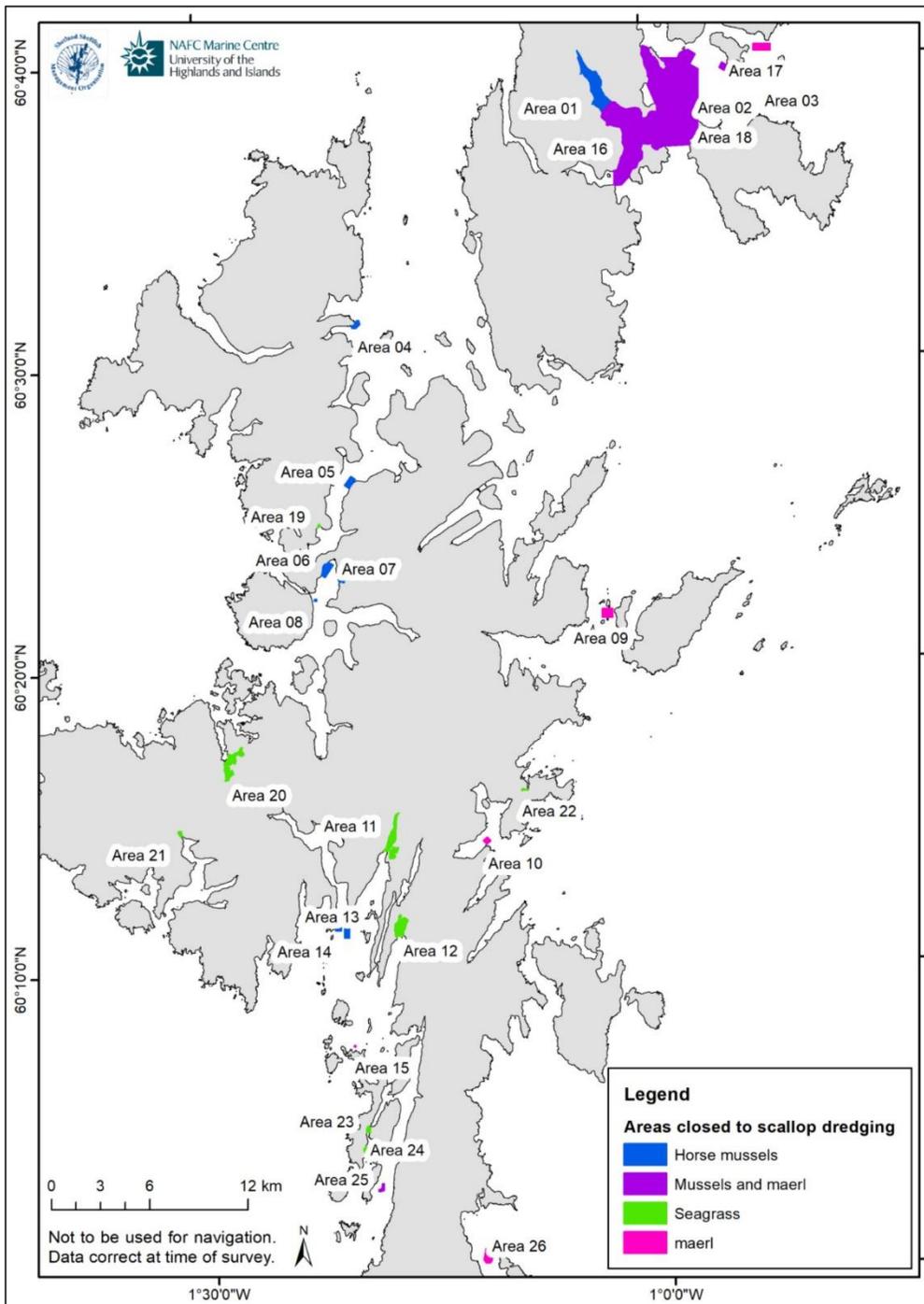
SSMO – Regional management

Local Management Powers

- SSMO has the devolved powers to manage shellfish fisheries around Shetland out to 6mn
- Sustainable management for the last 25 years - MSC Accreditation
- Supported by local data collection and research by fishermen and UHI Shetland
- SSMO closed areas implemented in 2013 delivering on PMF and MPA management objectives ahead of the development of national measures

MPA Process

- Consistent engagement with Marine Directorate on MPA management – based on detailed local data on fishing activity and the marine environment



SSMO Closed Areas



Initial voluntary closures



Areas surveyed by UHI Shetland



Qualifying habitat identified and mapped



Statutory closures implemented

Assessing potential impacts



Sustainability Appraisal

Overarching assessment outlining key socio-economic and environmental impacts



Island Community Impact Assessment

Considers the impacts on island communities in Scotland



Socio-Economic Impact Assessment

Identifies and assesses potential economic and social effects on the lives of people, businesses, and communities



Fisheries Assessment

Looks at the potential impacts of fishing activity occurring within each MPA



Strategic Environmental Impact Assessment

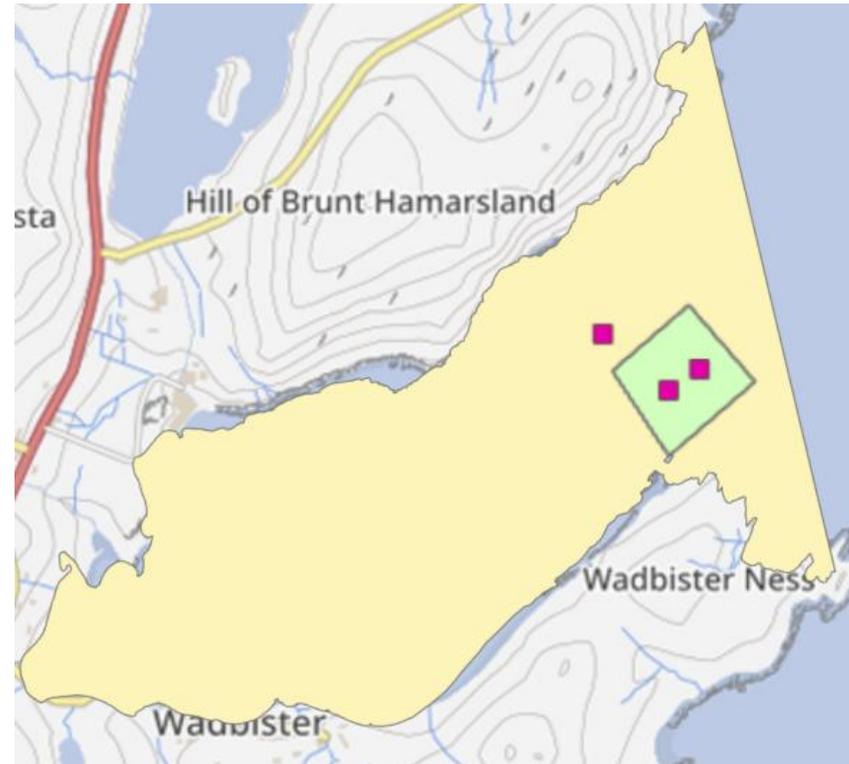
Identifies and assesses potential environmental impacts of the measures within and outside the MPA



Business Regulatory Impact Assessment

Estimates the costs, benefits and risks to the public, private or third sector

2018 Illustrative PMF Management Area Example – Wadbister Voe (Shetland)



- One large proposed PMF management area in 2018
- Review of data and discussions with stakeholders
- Plotter data received through further engagement
- Option 1 (lower) is green area only
- Option 2 (higher) is yellow and green area
- Records include:
 - - Maerl beds (pink square)

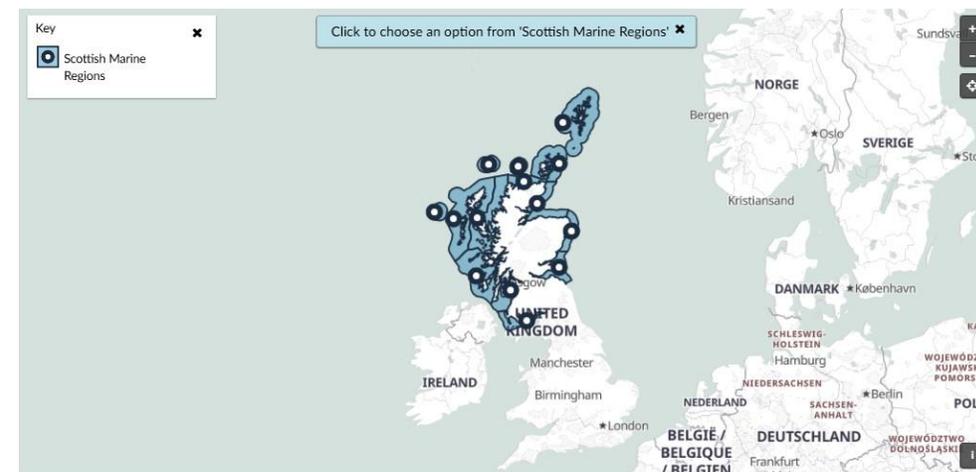
Stakeholder Engagement – Proposed timeline and approach

Proposed Key Engagement Opportunities	Purpose	Timeline
MPA & PMF update event	Provide updates, development and timeline into MPA and PMFs.	May 2025
Regional stakeholder engagement	Share proposed management maps, potential impacts and discussion of mitigation measures	June to Oct 2025
Stakeholder engagement groups (fisheries reps, environmental organisations, FMAC, RIFGs)	Wider engagement ahead of consultation supporting; <ul style="list-style-type: none"> • Platform development testing • Key findings of consultation documents • Pre-consultation workshop 	June to Nov 2025
Consultation Launch	To support completion of consultation <ul style="list-style-type: none"> • Coastal Road Show (in person and online) • National Online events 	Nov 2025- Mar 2026

Consultation Platform - Navigation

The geospatial tool will allow respondents to view and select sites and areas to respond to from a map, meaning they can see where we intend to implement measures in relation to Scotland's seas.

Respondents will be able to choose the sites and areas they respond to by geographic location or by the gear types that may be affected. This allows respondents to navigate the consultation in a way that works for them.



Gear type selection

Gear types have been divided into categories for assessment. You can view all sites where a specific gear type will be affected by selecting that gear type below.

For Demersal trawls and seines, mechanical dredges, and hydraulic dredges, you will be asked to select whether to view sites north and east of Eddrachillis Bay, or South and West of Eddrachillis Bay. This is because of technical limitations in the consultation platform.

Which gear type would you like to select sites by?

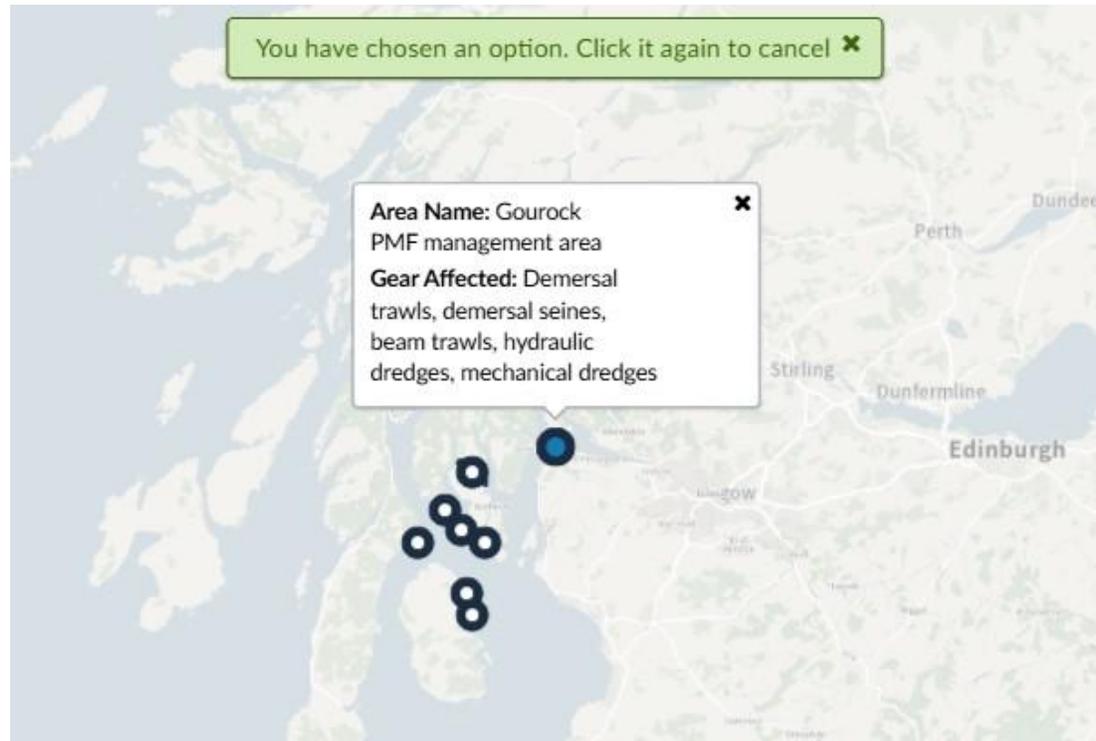
- Demersal trawl and seine
- Pelagic Seine
- Mechanical dredge
- Hydraulic dredge
- Set nets
- Fyke nets
- Longlines

< First

Save and come back later...

Continue >

Consultation Platform - Questions



Do you support the area size proposed to be closed to all demersal mobile fishing gear for Gourock proposed PMF management area under Option 1 (smaller) or Option 2 (larger)?

- Option 1 (smaller)
- Option 2 (larger)
- Neither

Do you have any comments on the area size proposed to be closed to all demersal mobile fishing gear under Option 1 for Gourock proposed PMF management area?

Please add your comments

Do you have any comments on the area size proposed to be closed to all demersal mobile fishing gear under Option 2 for Gourock proposed PMF management area?

Please add your comments

The consultation has been structured so that respondents can navigate directly to the questions on sites and areas relevant to them.

Fisheries Mitigation

Working Together to Address Challenges



Why do we want to mitigate against the impacts?

-  Partnership First – we're working with the fishing industry .
-  Recognizing Impacts – Acknowledging challenges to fishers, businesses & communities.
-  Data-Driven & Inclusive – Mitigation must be evidence-based and shaped by stakeholder input.

Fisheries Mitigation

Building Effective Mitigation – Together

-  Understand impacts – where will change be felt most?
-  Sustain fishing – enable fishers to operate sustainably.
-  Support supply chains – ensure resilience from boat to buyer.
-  Grow the Blue Economy – create long-term sustainable opportunities.

