

**SCOTTISH GOVERNMENT PROPOSALS FOR HIGHLY PROTECTED MARINE  
AREAS (HPMA)**

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**1.0 INTRODUCTION**

- 1.1 The Scottish Government are consulting on proposals to establish Highly Protected Marine Areas (HPMAs) across Scotland. The consultation is seeking views on a number of key documents including draft Policy Framework and Site Selection Guidelines. Additional information on the consultation can be found via the following link. [Scottish Highly Protected Marine Areas \(HPMAs\)](#)
- 1.2 It needs to be emphasised that the consultation contains no boundaries of any proposed **HPMAs**, as this initial consultation focuses on the **criteria** for establishing them. The consultation period runs until 17<sup>th</sup> April 2023.
- 1.3 Given the timescale of 17<sup>th</sup> April 2023, it is proposed that Officers of the council are asked to prepare a response to the consultation, in consultation with the Leader, Depute Leader, Leader of the largest Opposition Group and the Policy Lead for Planning and Regulatory Services prior to the deadline of 17<sup>th</sup> April 2023.
- 1.4 Once the Officer response has been prepared in terms of paragraph 1.3 above, there will be a further opportunity for all Elected Members to contribute to the Council's overall response prior to submission to the Scottish Government.

**RECOMMENDATIONS**

It is recommended that Members of the Planning, Protective Services and Licensing Committee agrees:-

1. That the Council's response to the consultation is delegated to the Executive Director with responsibility for Development and Economic Growth in consultation with the Leader, Depute Leader, Leader of the largest Opposition Group and the Policy Lead for Planning and Regulatory Services to ensure that a response can be submitted by the deadline of 17<sup>th</sup> April 2023; and

2. That the Members of the Council have an opportunity to comment on the agreed delegated response prior to submission; and
3. That the council will continue to raise awareness of this consultation to ensure that local communities in Argyll and Bute can submit their own thoughts on the process being taken forward.

## **2.0 DETAIL**

- 2.1 HPMAs are proposed to be designated areas of the sea that are strictly protected to allow the marine ecosystems within to recover and thrive. These areas safeguard all of their marine life for the benefit of the planet and current and future generations; providing opportunities for carefully managed enjoyment and appreciation. The designation and management of HPMAs will protect all elements of the marine ecosystem within their boundaries, including the seabed, water column habitats and everything that lives in the protected area. This will protect not only the species and habitats within them, but also the complex web of interactions and processes that form a marine ecosystem.
- 2.2 HPMAs are intended to form part of Scotland's Marine Protected Areas (MPA) network. They will complement and add value to the existing MPA network by affording high levels of protection to all marine biodiversity and associated ecosystem services within sites. The level of protection will be much stricter than for MPAs, with a more limited range of uses allowed. HPMAs may overlap either fully or partially with existing MPAs in order to maximise the conservation benefits associated with stricter management approaches in a particular geographic location. HPMAs may also be located outside the current MPA network.
- 2.3 HPMAs when designated will have considerable powers to restrict human activity within them including fishing and aquaculture that is currently controlled through the planning process and the PPSL when required. There could be significant implications for the social and economic future of local communities in Argyll and Bute which requires a carefully considered response to be submitted.
- 2.4 The Scottish Government are seeking views and comments on a number of key draft documents, to help inform and shape HPMA policy development, such as: Policy Framework; Site Selection Guidelines; Initial Sustainability Appraisal; Partial Island Communities Impact Assessment; and Partial Business and Regulatory Impact Assessment. The consultation questions are set out in **Appendix A** of this report.

## **3.0 CONCLUSION**

- 3.1 The consultation is the start of a process to identify HPMA designations in Scottish waters, and establish the criteria for selection of them. The Scottish

Government acknowledges that there is a need to recognise the potential socio economic impacts of the proposed designations, as well as the nature conservation benefits. The consultation questions are detailed in the attached appendix. An officer response to these questions is proposed which will be seeking to ensure that the criteria for selection of HPMA are robust, that there is full consultation when sites are identified, and that the impacts on the coastal and island communities whose economy and way of life is inextricably linked to the marine environment are properly recognised and mitigated or better still avoided as far as practicable.

- 3.2 A response to the consultation will be prepared by Officers before consideration through an initial delegation to senior councillors with a further opportunity for elected members to input prior to submission to the Scottish Government by the deadline of the 17<sup>th</sup> April.

#### **4.0 IMPLICATIONS**

- 4.1 Policy – The Scottish Government are seeking views and comments on a number of key draft documents, to help inform and shape HPMA policy development – there are currently no direct policy implications arising from this consultation.
- 4.2 Financial – There are currently no financial implications arising from this report.
- 4.3 Legal – None arising from this report.
- 4.4 HR – None from this report.
- 4.5 Fairer Scotland Duty: None known at this stage.
- 4.5.1 Equalities - protected characteristics: None known at this stage.
- 4.5.2 Socio-economic Duty: The Scottish Government acknowledges that there is a need to recognise the potential socio economic impacts of the proposed designations, as well as the nature conservation benefits.
- 4.5.3 Islands: The Scottish Government will engage with island representatives throughout the HPMA site selection and designation process.
- 4.6 Climate Change – HPMA's are being designated in response to the need to counter climate change and preserve our marine biodiversity
- 4.7 Risk – The Council requires to look at any potential risks and this will be picked up via the Council's response to the consultation.
- 4.8 Customer Service – None arising directly from this report.

**Kirsty Flanagan, Executive Director with responsibility for Development and Economic Growth**

20<sup>th</sup> March 2023

**Policy Lead for Planning and Regulatory Services: Councillor Kieron Green**

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## **APPENDICES**

Appendix A – Consultation Questions