

## LINK Consultation Response

LINK response to RAI Committee call for views: Offshore Fishing (Prohibition of Fishing Methods) (Scotland) Order 2025 (SSI 2025/240)  
September 2025



Scottish  
Environment  
LINK

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### Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organisations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by LINK's Marine Group.

### 1. Response

#### What are your views on the Offshore Fishing (Prohibition of Fishing Methods) (Scotland) Order 2025?

Scottish Environment LINK welcomes the Scottish Government's progress in strengthening fisheries management measures across offshore Marine Protected Areas. We are pleased to see some progress, and that these long-awaited measures are finally implemented, strengthening Scotland's network of MPAs.

The deep seas and their unique features, such as *Lophelia pertusa* reefs, serve as important climate refugia, yet they are some of the most vulnerable to impact. Deep-sea ecosystems provide a natural buffer against environmental changes like ocean acidification. Protecting habitats is therefore essential to maintaining the health of our oceans and enhancing their ability to withstand and adapt to a changing climate. Many of these Offshore MPAs also store significant amounts of blue carbon in seabed sediments, which can be released when disturbed by bottom-towed fishing gear. Safeguarding these areas from damaging activities is not only vital for biodiversity but also for supporting climate mitigation efforts.

Furthermore, a whole-site approach will provide greater socio-economic benefit in the medium to longer term. Research by Marine Conservation Society<sup>1</sup> highlights an overall benefit to society beginning in the fifth year following a prohibition of mobile bottom-contact fishing gear throughout offshore seabed MPAs that rises to £888 million over the rest of the 20-year period. Cumulative gains in ecosystem services value would begin to outstrip the cumulative costs and displacement values in the fifth year following implementation of a ban. In the absence of a whole-site approach for all 20 offshore Maps in the consultation it is unclear what the net socio-economic benefit will be.

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<sup>1</sup> [https://s3.eu-west-1.amazonaws.com/media.mcsuk.org/documents/Summary\\_report\\_-\\_Valuing\\_the\\_improvement\\_of\\_ecosystem\\_services.pdf](https://s3.eu-west-1.amazonaws.com/media.mcsuk.org/documents/Summary_report_-_Valuing_the_improvement_of_ecosystem_services.pdf)



We welcome the implementation of full-site protection for five sites : Anton Dohrn SAC, Braemar Pockmarks SAC, Darwin Mounds SAC, Scanner Pockmark SAC and West of Scotland MPA.

LINK members support the precautionary restrictions adopted on demersal fishing activity across the whole Darwin Mounds SAC. As the depth of this MPA goes from 710 m to 1129m, it was not fully protected under the Deep Sea Access regime fishing restriction of 800m. Evidence indicates that, below 600m the collateral damage to vulnerable species exceeds the commercial return from trawl fisheries<sup>2</sup>.

In addition to their ecological and climate importance, deep-sea habitats are subject to international obligations. The United Nations Fish Stocks Agreement (UNFSA), which is binding on the UK including Scotland, requires a precautionary approach and the use of best available science to prevent Significant Adverse Impacts (SAIs) on Vulnerable Marine Ecosystems (VME), such as deep-sea sponge aggregations. The FAO VME criteria, while not legally binding, are widely recognised as part of the best available science and should inform management decisions under UNFSA. Applying these standards supports the need for management measures to apply below 600m.

We welcome progress such as protection for seamount summits such as Anton Dohrn (within the West of Scotland MPA measures). We are pleased to see the protection for Central Fladen, covering important rich mud seabed habitats, was extended beyond the consultation proposal. However, the zonal measures still leave a significant portion of the burrowed mud habitat vulnerable to continued disturbance, despite its recognised ecological and climate value, which is why LINK called for whole-site measures, consistent with JNCC advice. Similarly, we support the increased protection from 29% to 70% in the East of Gannet and Montrose Fields MPA, although again we would also have preferred restriction across the whole site.

LINK members are pleased to see restrictions on floating longlines and bottom set gillnets fisheries for 11 of these MPAs, given their high risk of bycatch for many marine species. These measures represent a positive step toward reducing incidental mortality of sensitive species in these areas.

### **Key gaps and concerns remain**

However, LINK members express disappointment that only select offshore Marine Protected Areas received a full-site ban on bottom-towed fishing.

The marine environment and the health of our seas have deteriorated rapidly as underscored by the stark findings of Scotland's Marine Assessment 2020 and the State of Nature report. The condition of Scotland's seabed remains a matter of concern, as documented by the Government's own assessments. The majority of offshore sites in the 2024 consultation were assessed as being in unfavourable condition for their protected features, therefore requiring the most precautionary protection. Given the scale of biodiversity decline, both globally and Scotland-wide, we believe a more consistently precautionary approach is needed.

As noted in our October 2024 consultation response, while the zonal approach is preferable to inaction, it fails to deliver ecosystem-wide protection or meet site integrity objectives, especially for fragile seabed habitats and

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<sup>2</sup> [https://www.cell.com/current-biology/fulltext/S0960-9822\(15\)00938-0?returnURL=https%3A%2F%2Flinkinghub.elsevier.com%2Fretrieve%2Fpii%2FS0960982215009380%3Fshowall%3Dtrue](https://www.cell.com/current-biology/fulltext/S0960-9822(15)00938-0?returnURL=https%3A%2F%2Flinkinghub.elsevier.com%2Fretrieve%2Fpii%2FS0960982215009380%3Fshowall%3Dtrue)



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deep-sea features. Under the Habitats Regulations, all measures must ensure that the integrity of the SAC is not adversely affected and that qualifying reef features can achieve favourable conservation status. Given the uncertainty over the full extent of reef features and their current unfavourable condition, the precautionary principle obliges Scotland to implement full site exclusions for all fishing gear types capable of causing harm.

Without a more consistently precautionary approach, we are not confident the measures proposed will be sufficient to meet Scotland's legal obligation to achieve and maintain Good Environmental Status, and satisfy international commitments like the 30 by 30 target. We note that the nature conservation advisers to the Scottish Government for the offshore region, JNCC, recommended whole-site restrictions for ten sites (additional to the five that only had whole-site restrictions as an option) as being the measures needed to provide the greatest confidence that site conservation objectives could be met.<sup>3</sup>

The government's zonal proposals fall short of the holistic management that these critical habitats require. Where measures are partial, they risk leaving vulnerable features and blue carbon stores exposed to damage. While we welcome progress in a few instances, LINK continues to advocate for wider and more precautionary whole-site protection.

We also want to highlight the strength of public feeling on this issue, with nearly 4,000 responses to the consultation. LINK's e-action alone on the consultation received responses from over 1,700 people, reflecting widespread support for more ambitious protection of Scotland's seas.

Other comments on sites:

#### **East Rockall Bank, Pobie Bank, Solan Bank, Stanton Banks, North-West Rockall Bank, Wyville Thomson Ridge**

LINK members are concerned that the zonal approach will not ensure that sites meet their conservation objectives. Zonal management measures leave significant gaps for the sites, and does not sufficiently address the impacts of static fishing gear, which can resuspend sediments and damage fragile reef structures. A precautionary approach, including appropriate buffers, should have prevailed to support recovery of reef features already assessed as being in unfavourable condition and ensure that the integrity of the SAC is not adversely affected as per the requirements of the Habitats Regulations. Ecological connectivity between sites is also critical to achieve the 30 by 30 target of a "well connected" network<sup>4</sup>, and to ensure dispersal and survival of reef-associated species and communities across the wider network of SACs.

**East Rockall Bank SAC:** The water currents that flow in this area are crucial for wider connectivity and reef growth of *L.pertusa* reefs, underscoring the importance of comprehensive restrictions.

**Pobie Bank Reef SAC:** We are concerned zonal restrictions will not allow for the site to achieve its conservation objectives. A buffer is at least required around the stony and bedrock reef features, as characteristic species and communities dwelling on and within this habitat are vulnerable to sediment resuspension caused by nearby fishing activity.

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<sup>3</sup> <https://data.jncc.gov.uk/data/9c17e159-8ffd-412e-a849-b3b459e04633/Scottish-fisheries-management-proposals-JNCC-response.pdf>

<sup>4</sup> [www.cbd.int/qbf/targets/3](http://www.cbd.int/qbf/targets/3)





**Solan Bank Reef SAC:** The seasonal restrictions are a concern as many of the characteristic fauna of the stony and bedrock reef feature can be negatively impacted by resuspended sediment from fishing activities (see comments on Pobie Bank Reef SAC). Adequate connectivity between all the SACs protecting reef features is important to ensure dispersal of dependent organisms is supported.

**Stanton Banks SAC:** With the reefs in unfavourable condition, and the likely extent of the reefs being much greater than the known extent, LINK advocated for a precautionary approach. As for Pobie Bank Reef and Solan Bank Reef, LINK maintains its call for a sufficient buffer around the feature to prevent negative impacts from resuspended sediment from fishing activities.

**North West Rockall Bank SAC:** while we acknowledge zonal restriction for Demersal mobile gear *and* demersal static gear, we believe the full site exclusion of mobile gear, long-lines and set net fishing a necessary precaution to prevent adverse impact on the reef features and to remove risk of bycatch of other vulnerable species and PMFs, including cetaceans, sharks and fish such as orange roughy.

**Wyvill Thomson Ridge:** Predicted reef habitat for this site is larger than the proposed zonal measures and given the “restore” conservation objective and presence of recently discovered VME indicator species, we are concerned that restrictions do not cover the extent of the Feature. The presence of a VME indicator species obligates Scotland to take precautionary measures to ensure no SAIs are incurred within the 200nm mile limit of the site.

#### **Faroe Shetland Sponge Belt, North-east Faroe Shetland Channel**

**Faroe-shetland Sponge Belt NCMPA:** LINK members believe that the zonal approach will unfortunately only protect the remaining residual areas of deep sea sponge aggregations (DSSA) instead of encouraging the recovery of features. As stated in our 2024 consultation response, fishing activities have likely greatly reduced the distribution of DSSA which historically is likely to have been extensive. Given that DSSA may be highly susceptible to fragmentation because of short planktonic larval duration and dispersal, increasing the extent of DSSA and DSSA habitat that is protected may be required to prevent reproductive isolation and ensure ecological coherence of the protected populations. It is also possible that unmapped DSSA occur within the site and may be exposed to mobile bottom-contact gear. A corridor of access for mobile demersal gear along most of the 600m depth contour means, apart from the small section in this site, there is no protection in the network for most of the habitat at this depth. A whole-site approach would have conferred protection to this important depth of habitat.

**North-East Faroe- Shetland Channel NCMPA:** Similar to the aforementioned site, LINK members think the precautionary approach should have prevailed given the presence of DSSA and fish fauna representative of continental slope habitat. It is also important to note that this MPA contains 8.84 million tonnes of organic carbon, according to the Blue Carbon Report. It is therefore vital that these stores are protected from demersal fishing activities site-wide. A corridor of access for mobile demersal gear along the 600m depth contour means, apart from the small section in the Faroe-Shetland Sponge Belt NCMPA, there is no protection in the network for most of the habitat at this depth.

#### **Firth of Forth Banks Complex, Geikie Slide and Hebridean Slope, Norwegian Boundary Sediment Plain, The Barra Fan and Hebrides Terrace Seamount, and West Shetland Shelf**



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**Firth of Forth Bank Complex:** restate the NatureScot advice for a more precautionary approach to management of Ocean quahog due to the uncertainty in determining distribution, in estimating the area required to support a minimum population. Similar comment for **Norwegian Boundary Sediment Plain**.

**Geikie Slide and Hebridean Slope NCMPA:** There is a lack of protection for shelf break/slope between 200-400m across the MPA network. We are therefore disappointed that the restriction on mobile demersal gear was not applied within this zone. Continental slopes are crucial habitats, supporting a rich diversity of marine life. Characteristic features of the continental slope, including geological deposits and species such as orange roughy and blue ling (which also rely on the slope habitats for spawning), as well as unique hydrodynamic properties that influence the movement of sediment and nutrients, require the full depth range to fulfil their ecological functions.

**The Barra Fan and Hebrides Terrace seamount NCMPA:** As for sites above, LINK called for protection of the full extent of the seamount, given the critical importance of seamounts in connectivity for coral reefs in the Northeast Atlantic, as well as other species relying on water transport for dispersal of genetic diversity. A corridor of access for mobile demersal gear along the 600m depth contour means, apart from the small section in the Faroe-Shetland Sponge Belt NCMPA, there is no protection in the network for most of the habitat at this depth.

### **Scottish MPAs contribution to 30by30 targets**

The Scottish Government affirms that Scotland has already achieved the global 30x30 biodiversity target by designating 37% of our seas as MPAs. While the extent of spatial designation is important, it requires implementation of management measures to enable conservation objectives to be achieved. Area-based targets such as 30x30 are fundamentally about ensuring effective protection and ecological recovery, not just achieving coverage on paper. Designation alone does not equal protection, and these must not be confused. Target 3 of the Global Biodiversity Framework, which underpins the 30x30 commitment, clearly states that protected areas must be *'ecologically representative, well connected, equitably governed and effectively managed.'* This means that simply meeting the numerical target of 30% designated is insufficient - the quality and effectiveness of protection are critical.

Under the Marine (Scotland) Act 2010, the Marine and Coastal Access Act 2009, the UK Marine Policy Statement, and international commitments such as OSPAR, the Scottish Government has a legal and policy obligation not only to designate but to ensure that Scotland's contribution to the UK MPA network is well-managed and ecologically coherent, which requires effective regulation of damaging activities and demonstrable progress toward conservation objectives. One element of management that LINK has consistently advocated is for the adoption of REM to be required across vessels operating in Scottish waters. This would support effective management of these sites.

### **Conclusion**

Overall, LINK members welcome progress being made after so many years. We acknowledge that Scottish offshore MPAs are now better protected than in the absence of any measures, and support the implementation of the long-awaited management measures. However, the zonal restrictions in most offshore sites does not match the scale of biodiversity crisis and the declining state of our seas. In those cases, as discussed above, we would have preferred a whole-site.

We look forward to the forthcoming consultation on inshore MPA measures as an opportunity to embed stronger, whole-site protection more widely across Scotland's seas.



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This response was compiled on behalf of LINK INSERT Group and is supported by:

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