

# Background to JNCC and Nature Scot's formal conservation advice for Special Areas of Conservation

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## What the conservation advice package includes

The information provided in this document offers background information on JNCC and Nature Scot's jointly produced formal conservation advice for those Special Areas of Conservation (SACs) which lie partly in Scottish inshore and offshore waters i.e. where part of the site lies in Scottish territorial waters within 12 nautical miles of land and the rest of the site lies beyond 12 nautical miles.

This document forms part of JNCC and Nature Scot's formal conservation advice packages for such SACs and must be read in conjunction with:

- The **Conservation Objectives and Management Advice** document - setting out the broad ecological aims (conservation objectives) for the SAC and JNCC and Nature Scot's advice on;
  - qualifying feature condition;
  - conservation benefits that the SAC can provide if managed effectively; and
  - conservation measures that JNCC and Nature Scot consider are required to support achievement of the conservation objectives stated for the qualifying features of the SAC.
- The **Supplementary Advice on Conservation Objectives** (SACO) - providing more detailed and site-specific information on the conservation objectives of the qualifying features of the SAC; and
- The **Advice on Operations** - providing information on those human activities that, if taking place within or near to the SAC, could impact it and present a risk to the achievement of the conservation objectives stated for the SAC.

## Where to find the most up-to-date conservation advice package for an offshore SAC

The most up-to-date conservation advice for SACs can be downloaded from the conservation advice section in the Site Information Centre (SIC) accessible on JNCC's [Offshore Marine Protected Areas webpage](#). By clicking on the SAC site name in the table provided, you will be directed to the SIC and then by clicking on conservation advice listed in the contents table, you will be directed to the conservation advice available for the SAC.

## **JNCC and Nature Scot's roles in providing conservation advice**

JNCC has statutory obligations for SACs located beyond 12 nautical miles of land under Regulation 21 of the Conservation of Offshore Marine Habitats and Species Regulations 2017 (Offshore Regulations 2017) to:

- establish conservation objectives and notify appropriate competent authorities; and
- advise competent authorities of any operations which in JNCC's opinion may adversely affect the site's integrity.

Nature Scot has statutory obligations for SACs located in Scottish waters within 12 nautical miles of land under Regulation 33 of the Conservation (Natural Habitats, &c.) Regulations 1994 (Habitats Regulations 1994) to advise relevant competent authorities:

- as to the conservation objectives for the site; and
- any operations which in Nature Scot's opinion may cause deterioration of natural habitats or the habitats of species, or disturbance of species, for which the site has been designated

The Offshore Regulations 2017 and Habitats Regulations 1994 provide the legal mechanisms to help ensure clean, healthy, safe, productive and biologically diverse oceans and seas by affording protection to Scottish SACs which lie partly in Scottish inshore and Scottish offshore waters.

The conservation advice package supports JNCC's and Nature Scot's delivery of their obligations under these legal mechanisms and specifically individuals who are:

- proposing to undertake an activity, within or near a SAC, that may affect qualifying feature or features within it;
- preparing or providing information for a Habitats Regulations Appraisal (HRA) of an activity taking place within or near the site and that may affect qualifying features within it. You can find further guidance on undertaking HRAs in [Defra's Habitats Regulations Assessment Guidance](#); and
- considering the need to implement measures to manage human activities within or near a SAC.

## How the advice package has been prepared

Conservation advice packages for SACs which lie partly in Scottish inshore and offshore waters have been developed using the best available evidence and expert interpretation in accordance with [JNCC's Evidence Quality Assurance Policy](#), following best practice as set out in [Defra's 2012 Habitats Directive Implementation Review recommendations](#) and the [European Commission's 2012 Guidance Note on setting conservation objectives](#).

## When to refer to the site's conservation advice package

You must refer to the conservation advice package for any SAC which lies partly in Scottish inshore and offshore waters and you are:

- intending to carry out any licensed activity in or near such a SAC and need to find out how to operate within the law;
- an authority providing advice on specific proposals;
- an authority responsible for putting management measures in place.

You may also find it useful to refer to the conservation advice package if you are intending to carry out an activity in or near a SAC which lies partly in Scottish inshore and offshore waters, that does not require a license.

## Using the advice package

It is important that you use the most up-to-date conservation advice. Our scientific understanding of the ecology and status of a SAC will change over time and the advice will be periodically updated as required to reflect this. Updates to the conservation advice package for a SAC will be delivered on the conservation advice section in the Site Information Centre, accessible via JNCC's [Offshore MPAs webpage](#). Users must always refer to [JNCC's](#) and [Nature Scot's](#) websites for the most up-to-date version of advice, rather than using previously downloaded (or printed) advice.

The advice package supports you in deciding whether a planned activity will have an impact on the qualifying feature or features of a SAC and in doing so, presents a risk to the

achievement of its stated conservation objectives. To assess if your activity, or one which you regulate, is going to impact a SAC, either in isolation or in combination, you should:

- consider the evidence shown in the map for the SAC on [JNCC's Interactive Marine Protected Area Mapper](#) to help you determine if the planned activity or other ongoing activities are located in or near the site. You can also access the map for a SAC through the relevant SIC;
- use the advice on operations to determine which pressures activities can cause that could harm a SAC's qualifying feature or features and hinder the achievement of the conservation objectives;
- screen those aspects into or out of an assessment;
- use the conservation objectives and SACO to assess the impacts of the planned activity on the important attributes of the qualifying features;
- refer to the conservation benefits to understand how any impacts may affect a SAC's ability to deliver wider benefits to the marine environment and to understand what measures JNCC and Nature Scot consider are required to support achievement of a SAC's conservation objectives; and
- bring this together in an assessment of the overall impacts on a SAC.

## **Queries or site-specific information**

Should you have any queries regarding the conservation advice for a SAC, know of any information pertinent to a SAC that JNCC should be aware of, please contact JNCC at [OffshoreMPAs@jncc.gov.uk](mailto:OffshoreMPAs@jncc.gov.uk) or Nature Scot at [Enquiries@Nature.Scot](mailto:Enquiries@Nature.Scot). If you have queries about what evidence is available for a SAC which lies partly in Scottish inshore and Scottish offshore waters, please contact JNCC at [OIA@jncc.gov.uk](mailto:OIA@jncc.gov.uk).