# ANNEX 1 – MPA APPRAISAL PROFORMA

Please delete guidance text in sections once completed.

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| **Casework Management System Ref.** |  | **File Ref.** |  |

1. **SITE DETAILS**

*(Please contact a ME / SCS adviser if it is a search location or proposal)*

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| **1a. Name of relevant MPA(s) and current status** |
| **Current status** – The four possible statuses of MPAs are; Nature Conservation Marine Protected Areas (MPAs), possible Marine Protected Areas (pMPAs), MPA proposals and MPA search locations. |

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| **1b. MPA protected features** | List the protected features as shown in [SiteLink](https://sitelink.nature.scot/home) |

**1c. Conservation objectives for protected feature(s)**

Conservation objectives can be found in Annex 1 of the Conservation and Management Advice document which are available on Sitelink. If the document is not yet published see section 7.1 of this document for further information on how to access these.

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| **Protected feature(s)** | **Conservation objective(s)** |
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1. **PROPOSAL DETAILS**

This is to establish that the proposal is clearly defined in terms of the work to be carried out, its location, its extent and timing, and any associated actions. If necessary, seek additional information in order to be able clearly to determine the questions that follow in parts 3 and 4 of the proforma.

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| **2a. Proposal title:** |  |
| **2b. Date consultation sent:** |  |
| **2c. Date consultation received:** |  |
| **2d. Name of body that has consulted** NatureScot**:** |  |
| **2e. Case type, sub type and legislation as entered in CMS:** |  |
| **2f. Details of proposed operation (inc. location, timing, methods):** |  |

1. **Test 1: INITIAL SCREENING: Is the activity and/or development capable of affecting, other than insignificantly, the protected features of a Nature Conservation Marine Protected Area?**

This is to determine whether the proposed work is of a type that is capable of affecting the protected features of the MPA. This step is conducted to identify and remove from further assessment those activities which are not capable of affecting the protected features of the MPA, for example where there are no impact pathways between the proposal and the relevant MPA featuresIf it is concluded that an activity is not capable of affecting protected features, no further assessment is required.

Initial Screening is the first step within the legislation. In the proforma screening is split into the following two steps to aid assessment.

**3a. Step 1: Appraisal of ‘capable of affecting’.**

i) Consider activities within the site which could affect the conservation objectives of the protected features when they are within the site, including indirect effects upon ecological or geomorphological processes upon which the protected features are dependent.

Refer to Table 1 and 2 of the Conservation and Management Advice document which respectively provide generic advice on activities considered capable of affecting the protected features and not likely to affect the protected features (other than insignificantly).

ii) Consider whether the proposal will exert any pressures which the protected features are sensitive to. Generic guidance and evidence on activities which exert pressures on the protected features is available through FeAST and section 6 of the Conservation and Management Advice document.

iii) Give Yes/No conclusion for each feature.

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**If no** for **all** features, an advice only response can be given and recorded under 6.

**If yes**, **or** in cases of **doubt**, proceed to 3b.

Anything which has been screened out in step 1 need not be considered in step 2.

**3b. Step 2: Appraisal of ‘other than insignificantly’.**

The purpose of this section is to attempt to quantify the effects of any pressures to determine their significance. Consideration is only required for activities which were not screened out in step 1. If it is concluded that an activity is capable of affecting protected features but the effects are insignificant then no further assessment is required.

i) Consider scale, timing and duration of the proposed activity or development.

ii) Consider the degree of pressure that could be exerted by the activity. This requires consideration of the location, scale, extent, intensity, patchiness and timing of the activity.

iii) Consider whether the proposed development or activity contributes to cumulative impacts with other projects completed, underway or proposed.

This refers to occasions where multiple projects, which may or may not interact with each other, could have an impact on the same protected feature(s). Also, cumulative impacts may have a temporal and/or spatial element:

* Spatial: For example, benthic impacts from a wind farm construction would be a patchwork of widely distributed impacts, but not an even spread across the entire development site.
* Temporal: For example, a single wind farm development may involve multiple bouts of pile driving.

iv) Give Yes/No conclusion for each feature.

It should be noted that this step is still at the ‘screening’ stage and should consist of a simple decision. If you are considering and / or requiring lots of detailed information it is likely that a Main Assessment is needed.

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If **no** for **all** features an advice only response can be given and recorded under 6.

If conditions could allow the proposal to proceed in a way that ensures it will not be capable of affecting protected features, other than insignificantly, proceed to 5.

If **yes**, or in cases of **doubt**, proceed to 4

**4. Test 2: MAIN ASSESSMENT: Is there a significant risk of hindering the achievement of the conservation objectives?**

**4a. Advice received.**

i) Include here details of, or clear reference to, advice received from Policy Advice Directorate, colleagues etc. during either the **Initial** or **Main Assessments**. Include an eRDMS link to the advice. This is to demonstrate and provide supporting evidence about what the significant risks are and how these will be mitigated.

ii)Alternatively, the request for advice can be accompanied by a partially completed proforma. The adviser must enter the advice in this section.

iii) If no advice sought give brief reasons/justification. If advice has been sought, but not used, please provide a brief explanation.

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**4b. Appraisal of whether there is a significant risk of hindering the achievement of the conservation objectives**

i) Describe for each MPA feature the potential impacts of the proposed activity detailing which aspects of the proposal could impact upon them and their conservation objectives.

Annex 1 of the CMA provides site-specific information to help with this.

ii) Consider whether the proposed development or activity contributes to cumulative or incremental impacts with other projects completed, underway or proposed.

iii) Evaluate the significance of the potential impacts. The following should be considered:

* whether there are short/long term impacts and if they are reversible or irreversible in relation to the proportion and/or aspect(s) of the protected feature(s) affected;
* the condition, sensitivity and recoverability of the protected feature(s),
* and the overall effect on the site’s conservation objectives.

iv) Record if additional survey information has been obtained.

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v) **In the light of the assessment, state whether there is a significant risk of hindering the achievement of the conservation objectives**. If conditions or modifications are required, proceed to 5.

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| Briefly state what our advice to - the relevant regulatory body is – e.g. “NatureScot considers that there is no significant risk of hindering the conservation objectives of the site” |

**5. Conditions, modifications or recommendations.**

Indicate conditions/modifications required to ensure that the proposal will either not be capable of affecting protected features, other than insignificantly, or will not result in a significant risk of hindering the achievement of the conservation objectives and reasons for these. Recommendations should also be recorded here.

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**6. Response (as entered in NatureScot Casework Management System)**

Annex 2 summarises the process for assessing proposals affecting MPAs and may be helpful at this stage.

The NatureScot guidance [Development Management and the Natural Heritage](https://www.nature.scot/doc/guidance-development-management-and-natural-heritage).

should be referred to when recording your response.

**6a. MPA Conclusion.***Record the conclusion of either the Initial Screening or the Main Assessment* in line with one of the eight model responses in [the](#Annex3final) [Development Management and the Natural Heritage guidance](https://www.nature.scot/doc/guidance-development-management-and-natural-heritage#5.6.2+Wording+relevant+to+different+scenarios+(1-8)+with+regard+to+the+NC+MPA+tests+and+the+corresponding+advice+type).

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**6b. NatureScot Position,** i.e. advice only, conditioned objection or objection. Note that in instances where our position should be an outright objection due to MPA impacts you may need to complete a balancing duties proforma. Record the NatureScot positionin line with one of the four positions in [the](#Annex3final) [Development Management and the Natural Heritage guidance](https://www.nature.scot/doc/guidance-development-management-and-natural-heritage#5.6.2+Wording+relevant+to+different+scenarios+(1-8)+with+regard+to+the+NC+MPA+tests+and+the+corresponding+advice+type). .

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| **Appraised by** |  |
| **Date** |  |
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