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Consultation Report

Designation of Historic Marine Protected Areas under the Marine (Scotland) Act 2010

Iona I

Historic Environment Scotland

August 2016



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1. Introduction

Background to the consultation

1.1. Historic Environment Scotland was established on 1 October 2015 as the new lead public body for the historic environment in Scotland, taking over the responsibilities of Historic Scotland and the Royal Commission on the Ancient and Historic Monuments of Scotland. Historic Environment Scotland acts as statutory advisor to Scottish Government on Historic Marine Protected Areas.

1.2. In November 2008, Historic Scotland received an application to consider the *Iona I* for designation. The *Iona I* is an early and well-known example of a Clyde passenger steam ship. Built by the famous Glasgow shipbuilders J & G Thomson in 1855, the *Iona I* illustrates the advanced ship building techniques that propelled the Clyde to world-wide steamship building. In 1862 *Iona I* was purchased to be used a blockade runner in during the American Civil War. The ship sank in October of that year in a collision as she departed the Firth of Clyde.

1.3. Historic Scotland instructed Wessex Archaeology to carry out an undesignated site assessment involving background research and a diving inspection. This assessment showed that the vessel was partially intact and that it met or exceeded a sufficient number of the non-statutory criteria that guided designation under section 1 of the Protection of Wrecks Act 1973 – the legislation used at the time to protect historic shipwrecks in the territorial waters of the UK.

1.4. At that time Historic Scotland felt that while the site was clearly of importance, the restrictions brought by designation under the 1973 Act were excessive in the circumstances. This view was supported by the then UK Advisory Committee on Historic Wreck Sites. We wrote to the applicant to inform them that we would reconsider the case for designation under provisions to create Historic Marine Protected Areas (HMPA) – now available through the Marine (Scotland) Act 2010. Seven HMPAs are currently in place in Scottish territorial waters.

1.5. Consideration of the *Iona I* case as a candidate HMPA involved discussions in 2015 with members of the Firth of Clyde Forum. This has informed preparation of proposal documentation. On 1 March 2016, acting on advice from Historic Environment Scotland, the Cabinet Secretary announced the launch of a formal consultation by Historic Environment Scotland on designation of the wreck of *Iona I* as an HMPA.

1.6. This consultation closed on 24 May 2016. 13 responses were received by letter or by email/phone. Copies of written responses from organisations who have agreed that their responses may be made public can be provided by post. Charges for photocopies are made on a cost-recovery basis. To request copies by post, enquire about charges or make an appointment to view responses, telephone 0131 668 8914 or email designations@hes.scot.

Report objectives

1.7. This report combines an analysis of consultation responses with corresponding statements by HES as to how these will inform final advice to Scottish Government and future management of the HMPA.

Copies of this report can be downloaded from Historic Environment Scotland's website: <https://www.historicenvironment.scot/about-us/what-we-do/consultations/closed-consultations/>. Printouts may be requested by contacting Historic Environment Scotland's Designations team (telephone 0131 668 8914 or email designations@hes.scot).

The consultation methods

1.8. Formal consultation was undertaken over 12 weeks in accordance with the approach set out in Guidelines for the selection, designation and management of Historic Marine Protected Areas (copy available at <https://www.historicenvironment.scot/media/2829/historic-mpa-guidelines.pdf>). To ensure that stakeholders were aware of the consultation, email or letter notification was sent to 46 organisations/ individuals. This included the Firth of Clyde forum who also publicised the consultation through their membership. The consultee framework is laid out in table 1.

Types of consultee	Consultees
Statutory consultees	Scottish Environmental Protection Agency (SEPA) Scottish Natural Heritage (SNH) Maritime and Coastguard Agency (MCGA) Commissioners of Northern Lighthouses (NLB)
Other governmental bodies	Ministry of Defence (MoD) Marine Scotland Crown Estate Transport Scotland UK Hydrographic Office Scottish Water
Industry groups	Scottish Fishermen's Federation Scottish Renewables Oil and Gas UK UK Major Ports Group Scottish Salmon Producers Association Shellfish Growers Association Association of Salmon Fishery Boards Other fishing organisations
Tourism and recreation umbrella groups	VisitScotland Sportscotland Royal Yachting Association Scotland Recreational Diving Associations Recreational sea-angling representative bodies
Heritage groups	Built Environment Forum of Scotland Institute of Field Archaeologists Association of Local Authority Archaeology Services (ALGAO Scotland) Joint Nautical Archaeology Policy Committee Nautical Archaeology Society
Other public authorities relevant to area	Firth of Clyde Forum Inverclyde Council Argyll and Bute Council West of Scotland Archaeology Service (WOSAS) Peel Ports – Clydeport
Community groups and others (includes also regional industry groups)	Inshore Fisheries Group Scottish White Fish Producers Association Scottish Creel Fisherman's Association Licensees and Other interested parties
Research institutions	Marine Alliance for Science and Technology Scotland

Table 1: Consultee list as per the framework published in [Guidelines for the selection, designation and management of Historic Marine Protected Areas](#) (Historic Scotland 2012)

Media and Press Coverage

1.9. Press releases were sent to National Press leads, with news items appearing in the Scotsman and BBC online. The Dunoon Observer also ran a story about the consultation.

Summary of views and other information

1.10. 13 responses were received, of which ten were substantive. The other three responses comprised a follow up to a previous response and two duplicate responses. The following analysis therefore focuses on the 10 responses.

1.11. All responses fully supported the proposals. No objections were raised. Clarifications on points of detail were requested in two instances.

2. Analysis of responses and how they are to be taken account in finalising the designations.

Introduction

2.1. The following statistical analysis sets out the number of organisations and individuals who responded to the consultation document by interest group / sector.

2.2. Some organisations represent more than one interest. In these cases the general nature of the response has been used as a guide in order to facilitate the statistical analysis.

Breakdown of Responses

2.3. 10 substantive responses were received to the consultation.

Respondent Type	Number
Private individual	2
Local authority	0
Heritage organisation	1
Business and enterprise	3
Education	0
Third sector including equality groups	2
Public body	2
Total	10

Table 1: Responses by interest group / sector

Findings

2.4. The consultation invited answers to three questions. The following tables set out the responses that were received with regard to each question and provides a statement as to how, where appropriate, these comments will be taken into account in finalising the designation proposals.

Q1: Do you agree with the proposal to designate the wreck of the Iona I as a Historic Marine Protected Area?

Respondee	Comments received	HES response
Private Individual	Strongly supports the proposals and feels they are reasonable. Believes that it is important that	Noted

	important marine assets receive the same level of protection as those that are land based.	
UK Chamber of Shipping	Welcomes the designation of the Iona I.	Noted.
Clydeport Operations Ltd	Supports the proposals.	Noted
Royal Yachting Association Scotland	Strongly agreed with the designation.	Noted
Scottish Water	Welcomed the proposals without comment.	Noted
British Sub Aqua Club	Strongly agree with the proposed designation.	Noted.
Scottish Fishermen's Federation	Agrees with the proposed designations but offers no additional comment.	Noted
Private Individual	Welcomes the proposed designation but offers no additional comment	Noted
Clyde Marine Planning Partnership.	Welcomes the proposed designation.	Noted.

Q2: Do you have any comments on the proposal or suggestions for amendments to it? Is there anything missing?

Respondee	Comments received	HES response
UK Chamber of Shipping	Notes that no vessel restrictions are required and acknowledges limitations on anchoring etc. Suggests that it be noted that a series of designated anchoring berths are in place approximately 1km east of the wreck site which are used by large commercial vessels.	Noted. The operational guidance will be updated to reflect the point about anchoring berths for large commercial vessels located 1km east of the site.
Clydeport Operations Ltd	Notes that any exclusion zone around the designated site has the potential to have an adverse impact upon commercial traffic, through the need to deviate course. This would be a particular issue for large cruise ships.	Noted and agreed. There is no intention to recommend a vessel exclusion zone at the current time as such so the protected area should not have any effect on vessel traffic.

Q3: Please use this section to provide any other comments you think are relevant to our consideration of this matter.

Respondee	Comments received	HES response
UK Chamber of Shipping	Questions whether there may be a need to provide separate marking for the wreck in addition to the existence of the Whiteforland buoy 100m to the NW	Noted. See comments below on the Whiteforeland Buoy – this is sufficient marking for the wreck.
Clydeport Operations Ltd	Noted that they would not recommend relocating the Whiteforeland Buoy as this may be disadvantageous to the aims of the designation. They feel the current location will enhance protection for the site due to the presence of the buoy.	Noted. Agreed that it would be best to maintain the Whiteforeland Buoy in its current location as this does afford some protection to the site.
Royal Yachting Association Scotland	Noted races do take place in the general area but do not feel that the designation would affect this.	Agreed.
British Sub Aqua Club	Have concerns that it may never again be possible for amateur divers to dive on this wreck. Therefore feel that there should be included a method whereby it is possible for suitable interested parties to get permission to dive this site.	Noted. Designation does not prevent responsible public access to the site, including by recreational divers. The operational guidance makes it clear however, that the wreck's location within a narrow channel where frequent shipping movements take priority means that recreational diving on the site is generally discouraged by Clydeport.
Clyde Marine Planning Partnership.	Refers to role of CMPP in regional planning and policy HER1 to safeguard maritime heritage in the non-statutory Firth of Clyde Marine Spatial Plan (2010) and acknowledges that the Iona I is a good example within the Firth of Clyde of some 390 wrecks within the Firth of Clyde without any statutory protection at present.	Noted.
West of Scotland Archaeology Service (WOSAS)	Highlighted that Inverclyde Council area is outwith WOSAS remit.	Noted

3. Conclusions

3.1. Although relatively small numbers of responses have been received on the consultation regarding designation of the *Iona I*, all of the responses have been supportive; no objections were received. Some minor changes will be made to operational guidance to reflect detailed comments in relation to navigation.

Next Steps

3.2. Historic Environment Scotland will incorporate the results of this consultation in final advice to the Scottish Government. The final decision whether to designate the Iona I as a Historic Marine Protected Area will be then made by Scottish Ministers.