

## CONSULTATION QUESTIONS

Please identify the main area of interest you identify with :

- |                               |                                     |
|-------------------------------|-------------------------------------|
| Nature Conservation           | <input type="checkbox"/>            |
| Fisheries                     | <input type="checkbox"/>            |
| Industry/Transport            | <input type="checkbox"/>            |
| Energy                        | <input type="checkbox"/>            |
| Aquaculture                   | <input type="checkbox"/>            |
| Recreation/tourism            | <input type="checkbox"/>            |
| Academic/scientific           | <input type="checkbox"/>            |
| Local authority               | <input checked="" type="checkbox"/> |
| Community group               | <input type="checkbox"/>            |
| Public sector/Regulatory body | <input type="checkbox"/>            |
| Local Coastal Partnership     | <input type="checkbox"/>            |

Other (Please state)

Comments

**Q1. Does the NMP appropiately guide management of Scotland's marine resources?**

Broadly speaking, yes, through the clear exposition of the key objectives of the document and through a reasonably comprehensive, complementary mix of general policies and sectoral policies. However, the statement of national objectives, the general policy on landscape/seascape, and parts of the aquaculture section should be sharpened up.

The statement of national objectives in the plan sounds well meaning but also slightly naïve. The plan tells us that the strategic objectives most relevant to marine planning are "Wealthier and Fairer" and "Greener" – in that order. Intuitively this doesn't sound quite right. Surely sustainability or sustainable development comes before "wealthier and fairer" because sustainability (or the lack of it) determines whether or not we have wealth

(and wellbeing) in the long term ?

Looking out across an expanse of Scotland's seas, be it from the deck of a trawler, from the helipad of an oil rig, or a cliff top overlooking the Minch, and thinking about the role marine planning would play in that environment, surely few people would immediately think of "wealthier and fairer" – especially in the same breath ? These are secondary, not primary objectives. More likely people will think of marine planning as helping to maximise productivity, maintain biodiversity, promote technological innovation offshore, and conserve our natural assets.

The section on national objectives describes one of the most *relevant* national outcomes as being an imagined future where "we live in a Scotland that is the most attractive place for doing business in Europe". This could more accurately be described as one of the most *optimistic* national outcomes. There is nothing wrong with having aspirations but for written objectives to have credibility they must be measured and realistic,

Similarly, the headline vision statement for the marine environment – "clean, healthy, safe, productive and biologically diverse oceans and seas, managed to meet the long-term needs of nature and people" is wordy and sounds a little overblown. Do we really need a distinction to be made between "clean" and "healthy" seas ? Safe ? The sea will never be completely safe. Oceans ? We are a small country and we have only one ocean on our doorstep – the Atlantic Ocean. The vision should therefore be tightened up a little – "healthy, productive and biodiverse seas, managed to meet the long-term needs of nature and people" would do.

Thereafter in the document, the statement of national marine plan objectives on pages 14-17 is better focussed, though the line about the coasts, seas, oceans and their resources being "safe to use" still sounds questionable.

**Q2. Does the NMP appropriately set out the requirement for integration between marine planning and land use planning systems?**

Further detail could be provided on the available mechanisms and protocol for integration between terrestrial and marine planning.

**Q3. Does the NMP appropriately guide development of regional marine planning? What, if any, further guidance is required for regional marine planners in terms of implementation and how to interpret the NMP?**

Progress has been slow on firming up the boundaries of Scotland's marine regions and the infrastructure for preparing Marine Region Plans is not yet in place. The National Marine Plan should be doing more than just saying that this is a work in progress. It should indicate how work on the Marine Region Plans will be resourced and the timescales within which the Marine Region Plans will be prepared.

**Q4. The Marine Regional Boundaries Consultation proposed that in addition to regional marine planning, further integrated management of key marine areas would be achieved by designating the Pentland Firth; the Minches and the mouth of the Clyde as Strategic Sea Areas.**

**Should the NMP set out specific marine planning policies for Strategic Sea Areas?**

The Pentland Firth, Minches and Clyde Estuary are identified in the plan as “Strategic Sea Areas” which will require a more integrated approach, without saying what that more integrated approach will entail. If these proposed designations are to be carried forward to the final plan, specific planning policies should be provided for these areas.

The Pentland Firth is already receiving priority treatment because of the interest in developing renewable energy there, and planning for the Clyde Estuary may progress faster than some other areas because it already has a well-established local coastal partnership in place. However, what about the Minches ? It is an area which is regarded as one of the jewels in Scotland’s crown in terms of its environmental quality, tourism interest, and resource base for inshore fishing and aquaculture. But parts of it are also sensitive to over-development, pollution risk from tanker traffic, and over-fishing.

**Q5. Are the objectives and policies in the NMP appropriate to ensure they further the achievement of sustainable development, including protection and, where appropriate, enhancement of the health of the sea?**

The environmental credentials of the plan are well set out in the sections on “National Marine Plan strategic objectives” on pages 14-15 and the “Approach to Policies” on pages 18-19. This clear commitment to environmental sustainability is welcome. The prominence given to using and developing sound science as the basis for managing marine areas is also welcome.

**Q6. Chapter 3 sets out strategic objectives for the National Marine Plan and Chapters 6 – 16 sets out sector specific marine objectives.**

**Is this the best approach to setting economic, social and marine ecosystem objectives and objectives relating to the mitigation of and, adaptation to climate change?**

Yes.

**Q7. Do you have any other comments on Chapters 1 – 3?**

No reference is made in these chapters as to how often the plan will be

updated. It is our opinion that to ensure true integration with the terrestrial planning system, the National Marine Plan should be updated every 5 years on a rotational basis. This timescale is the Scottish Government's expectation of other marine plans as set out in the draft planning circular.

While review programme timing will not fit directly with every Local Development Plan timescale in Scotland, it should preferably be programmed to fit well with the timescale for updating of the National Planning Framework.

P18 – Approach to policies – in the symbology used to label policies, a fifth category might be appropriate to indicate policies which promote the development of better information and understanding about the marine environment and patterns of use within it.

### **General Planning Policies**

**Q8. Are the general policies in Chapter 4 appropriate to ensure an approach of sustainable development and use of the marine area? Are there alternative policies that you think should be included? Are the policies on integration with other planning systems appropriate? A draft circular on the integration with terrestrial planning has also been published - would further guidance be useful?**

There is an element of duplication between the general policies GEN 1, 2 and 3. These three policies would be better merged into one.

**Q9. Is the marine planning policy for landscape and seascape an appropriate approach?**

Visual, landscape and seascape impacts caused through development are important factors to be considered during the determination of any planning application. It is therefore appropriate that the general policy GEN 14 recognises the need to consider these three types of impact. However, the policy seems weak. It only requires planning and decision-making authorities to take these impacts "into account". This is surprising given that the quality of Scotland's landscapes (many of which are coastal and involve a seascape element) is widely regarded as one of the country's greatest assets. That quality can be gradually eroded by development which is inappropriate in terms of location, scale, or design. The policy should therefore be stronger on the need to protect the nation's valued landscapes and resources of wild land, not all of which have National Scenic Area status.

The policy or supporting text should also include reference to the need for consideration to include cumulative impact (or multiple developments) and sequential impacts.

The reference in the supporting text to taking account of core wild land mapped by SNH is noted. This reference will require amendment if necessary, depending upon the outcome of the recent Scottish Government consultations on National Planning Framework 3 and Scottish Planning Policy, including the further consultation which we understand SNH will be undertaking shortly.

**Q10. Are there alternative general policies that you think should be included in Chapter 4?**

See response to question 9 above.

**Guide to Sector Chapters**

**Q11. Do you have any comments on Chapter 5?**

**Are there other sectors which you think should be covered by the National Marine Plan?**

P40 – in this methodology it sounds like the objectives are open-ended in time terms. An absence of time-bound objectives will make it easier for difficult-but-necessary actions to be put off.

Generally the relevant sectors have been included in the draft National Marine Plan. However one sector is conspicuous by its absence – nature conservation. The rationale for this omission may be a belief on the authors' part that (a) sustainable development and living within environmental limits are considerations which run right through the document, and/or (b) that the "sectors" should be essentially economic activities. However, nature conservation has economic, scientific, and educational value too. It helps to restore or maintain marine ecosystems, habitats and species which form the basis of our biological assets. It helps to support the resource base for wildlife tourism and it generates jobs in its own right. A clear strategy for marine nature conservation in Scotland has long been lacking. Now seems an appropriate time for such a strategy to be set out in a succinct and accessible form and the National Marine Plan provides a place where this gap can and should be filled.

Re graphic conventions used for presentation of the sectoral policies - Not sure that the symbols used for each policy help. If only one symbol was used for each policy they might be OK, but because multiple symbols are often relevant it creates a degree of visual clutter. Use of background tints might be a better alternative. Repetition of the full sector title for each policy also adds clutter. It might be better to use abbreviations, eg AQU for Aquaculture. The practice in labelling the policies is also inconsistent, eg sometimes they are headed up as "Marine Planning Policies" whereas at other times it is just "Planning Policies". The policy for Wild Salmon and

Migratory Fish has no number or identifier. The policies for Carbon Capture and Storage use abbreviations in the labels while those for Oil and Gas spell out the sector title in full.

## **Sea Fisheries**

### **Q12. Do you have any comments on Sea Fisheries, Chapter 6?**

P42 – Management of fisheries on a regional sea-basin basis may not be local enough in some instances. Inshore Fisheries Groups have an important role to play at local level in improving the sustainability of fishing practices and helping to restore and maintain the productivity of inshore waters.

### **Q13. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments.

## **Aquaculture**

### **Q14. Does Chapter 7 appropriately set out the relationship between terrestrial and marine planning for Aquaculture? Are there any planning changes which might be included to optimise the future sustainable development of aquaculture?**

See response to Q.15 below.

### **Q15. Do you have any comments on Aquaculture, Chapter 7?**

P58 – Objectives - There is little or no hint in the plan objectives of how controversial fish farm development has been in Scotland and how it continues to be in relation to its perceived impact on wild salmonid fish populations and sport fishing interests. This is surprising given that this is an issue which arouses strong passions and frequent press coverage and which local planning authorities have to grapple with when dealing with *many* fish farm planning applications. However, the scientific/technical advice which local authorities receive from Marine Scotland in these instances is often equivocal. In the Aquaculture sub-section headed “Living within Environmental Limits” this issue gets only two sentences. There is further limited reference to it in Chapter 8 but again it is only minor. We are told that there is work under way to improve spatial planning for finfish aquaculture and “to improve the framework for assessing risk to wild salmonids with a view to informing regional planning” but it has been a long time in coming. Marine Scotland has recently seemed to distance itself from work which it co-sponsored by RAFTS (Rivers and Fisheries Trusts Scotland) that identifies higher-risk river catchments.

The accent of the draft National Marine Plan's objectives is all about growing the industry rather than improving its sustainability. The plan should have as one of its objectives a clear intention to put salmon farming on a sustainable basis and to reconcile the industry's growth aspirations with the need to safeguard and restore wild fish populations in areas where these are significant or potentially significant and fragile. It is important that fish farming should be developed in harmony with the other interests around our coasts. Highland Council has gone to considerable effort to assist this process in its preparation of Aquaculture Framework Plans and Integrated Coastal Plans at local level. This effort to provide balanced planning guidance which has the support of the local coastal communities needs to be reflected at national level.

Aquaculture Policy 3 – the continued blanket presumption against further marine finfish farming developments on the north and east coasts – to help safeguard migratory fish species – looks imbalanced (see Map 10 in the plan) when there are fragile populations of the same migratory species (albeit smaller populations) on the west coast and it has seen far more fish farm development. Advances in the technology for fish farming are allowing more exposed sites to be developed than was the case in the early phases of the industry's growth, when the shelter available on parts of the West Coast was a prime attraction. This, along with the factor mentioned above, would seem to suggest that the spatial element of national policy on finfish farm development is due for review. The current 3-year project being conducted by Marine Scotland Science to identify areas of opportunity and constraint for aquaculture (mentioned in part 4: The Future) may help with this, but thus far very little information has been disseminated about this project and there has been little or no consultation with the local planning authorities.

**Q16. Are there alternative planning policies that you think should be included in this Chapter?**

See response to Q.15 above.

### **Wild Salmon and Migratory Fish**

**Q17. Do you have any comments on Wild Salmon and Migratory Fish, Chapter 8?**

The single marine planning policy here is OK as far as it goes but it really just describes the status quo – ie what is current practice. It doesn't take us forward and it doesn't provide any spatial strategy for prioritising safeguard/restoration of wild salmonid populations in certain catchments. In the sub-section headed "The Future" the plan states that the Scottish Government is committed to undertaking a review of the management of salmon and freshwater fisheries in Scotland, but it does not give any

timescale for this.

**Q18. Are there alternative planning policies that you think should be included in this Chapter?**

See response to Q.17 above.

### **Oil & Gas**

**Q19. Do you have any comments on Oil and Gas, Chapter 9?**

We agree with the key issues raised in this chapter of the plan and also support the specific policies for the oil and gas industry. However, we feel that more detail/attention could be given to the decommissioning of existing oil and gas extraction infrastructure, particularly in terms of any potential policies that may affect and/or guide this.

**Q20. Are there alternative planning policies that you think should be included in this Chapter?**

Additional policies should be included that consider the decommissioning of oil and gas infrastructure.

### **Carbon Capture & Storage (CCS)**

**Q21. Do you have any comments on Carbon Capture and Storage, Chapter 10?**

No particular comments

**Q22. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments

### **Offshore Renewable Energy**

**Q23. Should the NMP incorporate spatial information for Sectoral Marine Plans?**

The NMP should make reference to the draft Sectoral Plans for Offshore Renewable Energy in Scottish Waters, which is currently being consulted on and it should also incorporate spatial information from it.

**Q24. Do you have any comments on Offshore Renewable Energy, Chapter 11?**



The offshore renewable industry is a rapidly expanding one with very specific requirements. How will the plan accommodate and take into account the developments, particularly if the demands on the marine environment from new development increase rapidly ?

This further highlights the need for a supplementary-planning-guidance-type document that will be regularly updated as the industry changes and expands.

**Q25. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments.

### **Recreation and Tourism**

**Q26. Do you have any comments on Recreation and Tourism, Chapter 12?**

P98 Recreational Sea Angling – participation in this activity has declined not so much because of jetties and piers falling into disrepair but because inshore fish stocks have been diminished by unsustainable levels and types of commercial fishing. Improving this situation is not so much a case of “addressing competition with commercial fishermen for target species” (a competition which commercial fishermen will generally win) but making inshore fishing sustainable by reducing fishing pressure to biologically safe levels or excluding fishing with mobile gear from nearshore waters altogether (eg reinstate the 3-mile limit). Recreational sea angling also needs to be appropriately licensed and managed at a local level so that a reasonable quality of sport is maintained and commercial fishermen do not see it as a threat to their livelihoods.

P99 Diving – Wreck sites and underwater wildlife in Scotland represent something which is more than just “of interest”. It is sometimes a key element in the local tourism economy. Scapa Flow is generally recognised as one of the best areas for wreck diving in the world and attracts divers from abroad as well as the UK. Some of the most popular dive sites in Scotland (eg Scapa, the Sound of Mull, and St Abbs) attract thousands of divers over a season, but the norm is widely distributed activity at a lower level. Wreck diving is a particular draw for many divers but Scotland also has much good scenic diving outwith the honeypot areas mentioned above (eg in Shetland, off the north coast of mainland Scotland, and the west and northwest Highlands) which is under-publicised and under-visited because it is often remote. Dive charter boat operators in remote locations deserve a degree of support to maintain their viability and contribution to the local tourism economy. Divers are the “eyes of the community” underwater and through their contributions to marine survey work and underwater photography they can help to monitor the condition of our inshore marine life and alert the general public to the hidden underwater landscapes and wildlife on their doorstep.

P100 - Interactions with other Users – There is no mention of the fact that there is widespread concern amongst sea trout and salmon anglers, Fisheries Boards and riparian owners that their sport can be adversely affected by elevated levels of sea lice infestation and mass escapes from marine fish farms. This concern is manifest time after time when planning applications for fish farms are being considered and whilst it is not the only factor which might account for the decline in some sport fisheries, the issue should be recognised in this section of the plan as well as in chapters 7 and 8.

P102 – Rec & Tourism policy 2 – add at the end of the first bullet point: “or presents a risk to sport fishing interests”.

P103 – The Future – 4<sup>th</sup> bullet – what is an “artificial dive site” ? It would be better to substitute the phrase “artificial reefs (eg purposely sunk shipwrecks) to create new dive sites”

**Q27. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments

### **Transport (Shipping, Ports, Harbours & Ferries)**

**Q28. Should the NMP specifically designate national significant ports/harbours as described in Chapter 13: Marine Planning Policy Transport 2?**

We would support the designation of nationally significant ports/harbours.

**Q29. Do you have any comments on Transport, Chapter 13?**

P105 – Objectives – it is surprising that the list of objectives for transport does not include one for exploring the potential for new public transport routes transiting marine areas which could complement the existing network of ferry and air routes.

P114 – Part 4: The Future – first paragraph – mention also advances in transport technology and the development of renewable energy.

**Q30. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments.

### **Telecommunication Cables**

**Q31. Do you have any comments on telecommunications, Chapter 14?**

No particular comments.

**Q32. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments.

### **Defence**

**Q33. Do you have any comments on Defence, Chapter 15?**

No particular comments.

**Q34. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments.

### **Aggregates**

**Q35. Do you have any comments on Aggregates, Chapter 16?**

No particular comments.

**Q36. Are there alternative planning policies that you think should be included in this Chapter?**

No particular comments.

### **Business and Regulatory**

**Q37. Please tell us about any potential economic or regulatory impacts, either positive or negative, that you think any or all of the proposals in this consultation may have.**

No particular comments.

### **Equality**

**Q38. Do you believe that the creation of a Scottish National Marine Plan discriminates disproportionately between persons defined by age, disability, sexual orientation, gender, race and religion and belief?**

Yes  No

**Q39. If you answered yes to question 23 in what way do you believe that the creation of a Scottish National Marine Plan is discriminatory?**

No particular comments.

### **Sustainability Appraisal**

**Q40. Do have any views/comments on the Sustainability Appraisal carried out for the NMP?**

More detail should be provided in para 15. It is too scant, especially when compared to (for example) the landscape sections.

Para 28 could be misleading by singling out one pressure and box 1 should be re-titled "An example of pressures on marine biodiversity".

Para 34 suggests protection of landscapes/seascapes will only apply to designated sites.

Para 39 suggests that whatever the impacts are, all development will be given the go-ahead regardless as there will always be policies to support it.