

## CONSULTATION QUESTIONS

Please identify the main area of interest you identify with :

- Nature Conservation
- Fisheries
- Industry/Transport
- Energy
- Aquaculture
- Recreation/tourism
- Academic/scientific
- Local authority
- Community group
- Public sector/Regulatory body
- Local Coastal Partnership

Other (Please state)

Historic Environment

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

Comments

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

Comments

**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?**

Comments

**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?**

Comments

**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?**

Comments

**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?**

Comments

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

Comments

### **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?**

Comments are confined here to policy GEN 13 on the historic environment:

The inclusion of a specific policy on the historic environment is very welcome. The coastal and marine historic environment can make a major contribution to well-being, place-making and community cohesion, and to sustainable recreation and tourism; but this contribution is often overlooked. In the light of the Scottish Government's objectives for Scotland's seas, more could be made in policy GEN 13 and the accompanying text to encourage the positive contribution that the historic environment can make,

as well as seeking its protection for future generations.

Specifically, the National Marine Plan might expressly encourage development and use that promotes the historic environment as a source of social benefits, either as an incidental consequence of development / use, or directly.

It is a concern that GEN 13 only requires marine planning and decision making authorities to 'aim to' protect and enhance heritage assets, whereas policies on the natural environment are framed in more imperative terms ('must take into account'; 'should ensure'). The UK Marine Planning Statement states that 'heritage assets ... should be conserved' (UK MPS para. 2.6.6.3). Language equivalent to the UK MPS needs to be employed in Scotland's National Marine Plan.

The regard for undesignated heritage assets is welcome. However, the need for an assessment of significance is expressed only in respect of development and marine licensable activities, not the full range of decision-making to which the NMP applies. In particular, it should be made clear that provisions on the historic environment – especially undesignated assets – will apply also to the exercise of powers by port and harbour authorities (as noted on p. 10), which often have jurisdiction over areas that are of particular significance and sensitivity in terms of their historic environment.

Scotland's National Marine Plan states the need for suitable mitigating actions to be required where preservation in situ is not justified, to include advancing understanding of the significance of heritage assets before they are lost, and for information to be archived. These requirements are welcome but should be elaborated to ensure they fully reflect the expectation in the UK MPS that opportunities be taken to contribute to knowledge and understanding of our past and making this publicly accessible. That is to say, the requirement to analyse and publish significant results arising from investigations should be made plain, as well as the need for recording and archiving.

The requirement for developers to adopt protocols for archaeological discoveries is welcome in itself, but it provides a level of detail in respect of possible mitigation that is misplaced in a national marine plan. Protocols certainly have a place as a mitigation option, but they are only one option amongst a range of solutions. In contrast, no reference is made to the range of investigations that would normally be expected to enable evidence-based decision-making in advance of consent, for example. In their absence, the implication to developers and decision makers might be that so long as there is an archaeological protocol, all will be well. This is certainly not the case: protocols for discoveries in the course of development can serve only as a safety net for dealing with the residual uncertainties of the marine historic environment. Protocols do not reduce or remove the need for reasonable and proportionate prior measures to assess and evaluate impacts to the historic environment before development is authorised or undertaken.

In setting out policy GEN 13 on the historic environment, Scottish Government should recognise – and take urgent steps to remedy – the absence of an adequate evidence-base for decision-making or plan making in the offshore zone. The principal national records of the historic environment – including the inventory of heritage assets – extend only to the Territorial Sea. An evidence-base for the historic environment that encompasses all of Scotland’s seas is essential to the implementation of Scotland’s National Marine Plan.

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

It is encouraging to see direct reference being made to the role of cultural, historical and archaeological links with respect to the definition of seascape (Note 44). However, there should be clearer reference to the intrinsic contribution of cultural, historical and archaeological components to landscape/seascape in the body of this section of the National Marine Plan. An explicit cross-reference to policy GEN13 on the historic environment would be welcome.

In Note 44, seascape appears to be defined only in terms of views seaward from land: seascape should be defined explicitly to include views landward from the sea; and seaward from the sea. It seems paradoxical that a policy on seascape within the National Marine Plan should exclude views experienced from the sea, given the contribution that sea-based views make to peoples’ sense of place in Scotland’s waters.

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

Comments

**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?**

Comments

**Sea Fisheries**

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

Comments

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

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?**

Comments

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

Comments

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

Comments

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

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

Comments

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

Comments

### **Oil & Gas**

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

Comments

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

Comments

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

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

Comments

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

Comments

### **Offshore Renewable Energy**

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

Comments

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

Comments

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

Comments

### **Recreation and Tourism**

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

Comments

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

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?**

Comments

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

Comments

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

Comments

### **Telecommunication Cables**

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

Comments

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

Comments

### **Defence**

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

Comments

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

Comments

### **Aggregates**

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

Comments

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

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.**

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?**

Comments

### **Sustainability Appraisal**

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

Comments