



Planning Scotland's Seas

Scottish Government Consultation on Marine Planning, the Future of Marine Renewables and Marine Protected Areas

The Shetland Fishermen's Association's response

General

The Shetland Fishermen's Association (SFA) welcomes the opportunity to comment on the Scottish government's 'Planning Scotland's Seas' consultation documents. We recognise that a great deal of work has gone into these documents, as well as into the public presentations arranged to explain them. None of the comments that follow are intended to downplay the commitment or ability of the Marine Scotland and other officials involved in getting the process to this point.

Many SFA members attended the public events held in Shetland; many more have discussed the contents of the three consultation documents at internal SFA meetings. Their questions have been remarkably consistent over this period:

- What are the overall, cumulative implications of these documents?
- Are there any safeguards for the fishing industry in these documents?
- Have the authorities properly considered the socio-economic dimensions of their proposals, particularly in isolated, fishing-dependent communities such as Shetland?

If anything, fishermen's underlying concern has worsened rather than diminished during the public events and subsequently. So much so that it was felt that the SFA should not be drawn into the detail of any particular MPA or renewables search area, for example, but focus instead on these main issues. It would plainly be inappropriate to consider the details of an individual MPA or renewables search area, for example, before we obtain clearer guidance in the three areas indicated above.

The problem is that 'Planning Scotland's Seas' starts with outcomes that the government believes to be desirable, not with what is already there. This is why officials attending public events found it so difficult to answer very basic questions relating to the consultation documents.

To put it another way, the general approach seems to have been to outline political objectives, leaving respondents to grapple with the details of each MPA and renewables search area. Consultation does not extend to the final aims. Consideration of what happens

to existing activities – most obviously, commercial fishing – is either ignored or, perhaps even worse, belittled. While this method is perfectly consistent with the implementation of a political programme, it is hardly conducive to constructive consultation.

The SFA fears that engagement on the details at this stage would leave the impression that Shetland's fishermen agree with the general approach and final objectives. And that is far from the case.

We consider each of our underlying issues below, with reference to all three 'Planning Scotland's Seas' documents.

1. Cumulative impacts on fishing

1.1. From our point of view, the most serious cumulative impacts of marine development and MPAs relate to the displacement of fishing operations. While it would be unreasonable to oppose all other uses of the sea, and we have no objection to MPAs in principle, the least we would expect is for displacement issues to be taken into account when renewables developments or MPAs are proposed.

1.2. Neither the National Marine Plan (NMP) nor the Sectoral Marine Plans for Offshore Wind, Wave and Tidal Energy in Scottish Waters (OWWT) consultation documents take serious account of the cumulative impact of marine developments on commercial fishing. Indeed, any uninformed reader would be forgiven in thinking that Scotland had very little commercial fishing at all.

1.3. We accept that the NMP contains the following passage: "*New energy developments should take into account the intensity of fishing activity in the proposed development area and any likely displacement activity the development and associated activity could precipitate*". It is unfortunate, to say the least, that the promising nature of this request is not followed up with anything more specific. Instead, we read immediately afterwards that "*there may be potential for some wind energy areas to act as nursery grounds for fish and if appropriately protected these may lead to an increase in fish stocks in the surrounding areas.*"

1.4. The implication that the displacement of fishing operations is as positive as it is negative is repeated elsewhere in the NMP (cf. p. 47). Yet no evidence is offered in support of that case, and we are again left with the impression that commercial fishing is too trivial to worry about.

1.3. In the NMP document, cumulative impacts are mentioned only in passing. Worse, even these scant references point to fishing as a nuisance rather than a legitimate economic activity. In the 'Approach to Policies' section (Box A), for example, we learn that "*Various types of fishing each exert a different pressure on different components of the marine environment. For example bottom trawlers and scallop dredgers may damage the seabed while pelagic trawling gear does not normally do so.*"

1.4. In Chapter 4, 'General Policies', we note that cumulative impacts do have to be taken into account, but only in a very restricted sense ("*Marine planning and decision-making*

authorities must take into account the possible impacts (including cumulative impacts) that a development or activity may have on the achievement or maintenance of GES”).

1.5. We wonder why this acknowledgement of cumulative impacts should be restricted to GES. If the principle is accepted – as it is, at least in passing, in the OWWT document and the related Strategic Environmental Assessment – then it ought to be applied across the board.

1.6. We learn from the Sustainability Appraisal of the Sectoral Plans for Offshore Renewable Energy in Scottish Waters that *“The potential for displacement of fishing activity has not been quantified in the consideration of fishing impacts, owing to the difficulties inherent in undertaking such analysis, and the wide range of factors that could influence the nature and extent of any displacement. Instead, the fishing analysis for each region and scenario considers and values a ‘worst case’ outcome, where the value of catch extracted from each Draft Plan Option area is not replaced by catch from other areas. In practice, however, this is unlikely to be the case, and fishing vessels may be expected to adjust their operations in order to target different fishing grounds and/or different species. Consequently, estimates of costs to the fishing industry have the potential to be overestimated.”*

1.7. **This is an astonishing statement.** The displacement impact of marine developments on an activity worth half a billion pounds per year to the Scottish economy, and considerably more in knock-on effects, is not measured because it is “too difficult”. Instead we have a sweeping and completely unsupported assertion that costs “have the potential to be overestimated”. Short of “fishing is not worth worrying about”, it is hard to think of a more dismissive attitude.

1.8. Shetland fishermen are particularly concerned about cumulative displacement effects because so much of the sea around the islands has been designated as a potential MPA or renewables search area (cf. OWWT Fig. 23, Possible Nature Conservation Marine Protected Areas Consultation Overview Fig 1). If we recall that local fishermen already have to avoid pipelines and real-time closures (cf. NMP map 9), remarkably little space can be regarded as ‘safe for fishing’. And the latter does not necessarily contain the most productive fishing grounds.

1.9. The OWWT socio-economic assessment claims that *“it is likely that only a small percentage of the overall [search] area would be occupied by wind, wave or tidal arrays”*. But there is no indication given of what a “small area” might be, or what the likelihood of development is. Devoid as they are of any content, these assurances are far from convincing.

1.9. All in all, **the SFA regrets that it was not considered worthwhile to address the difficulties in assessing cumulative displacement effects stemming from the possible designation of MPAs and renewables development areas. In our view, this is a serious shortcoming of the consultation exercise and begs the question of the authorities’ commitment to a viable fishing industry.**

2. Safeguarding the fishing industry

2.1. Given the Scottish government's manifesto commitment to "restore the identity and status of fishing as an occupation of choice", it is disappointing that none of the three documents contains any explicit support for our industry. The best the authors could do is state somewhat neutrally in the NMP that "*Scotland's sea fisheries have a healthy and vibrant future providing a genuinely renewable resource for future generations.*"

2.2. **The NMP does not offer any safeguards for commercial fishing.** Quite the opposite, in fact. The 'Renewables 1' policy listed in the NMP states that "*There is a presumption in favour of adopted Plan Options identified through the Sectoral Marine Plan process. The inclusion of these adopted Plan Options in the National Marine Plan does not imply that licences or consents will be granted, but preference will be given to proposals within these areas.*"

2.3. Similarly, we read in the Renewables 3 policy that "*There is a presumption in favour of renewable energy developments in areas identified to support the Saltire Prize.*"

2.4. This presumption directly contradicts the call in the Sustainability Appraisal for a balance between "development" and "communities or environment".

2.5. **The SFA is deeply concerned that a sustainable economic activity underpinning one of Scotland's most remote communities is to take second place in marine planning considerations to energy developments** that may or may not prove viable, sustainable or generate significant employment.

3. Socio-economic aspects

3.1. Interestingly, the OWWT document states that "*the economic importance of fishing, in particular to vulnerable coastal communities*" and "*socio-economic costs to fishers and their communities*" should be taken into account "*when deciding on uses of the marine environment and the potential impact on fishing*" (Fisheries 4 policy).

3.2. We have been unable to find any formal assessments of the economic importance of fishing or the socio-economic costs to fishers in any of the consultation documents. Why is the government not following its own advice?

3.3. On OWWT page 40, we are told that "*Table 5 demonstrates the quantified economic impacts of draft plan options for wave energy on other marine activities at a national level. The majority of impacts fall upon the Commercial Fishing industry, although these remain relatively minor.*" Apart from the fact that the fishing industry is far more important to Shetland than it is to the Scottish economy, the "quantified impacts" are very limited in scope. And as the document continues, "*In addition to the above, there are a number of non-quantified impacts and social impacts.*"

3.4. Repeated references to impacts that are expected to be minor or small are extremely misleading. Expected on the basis of what? And minor in comparison to what? There is a consistent tendency throughout these consultation documents to minimise the socio-

economic impact of marine renewables, but on the basis of wishful supposition rather than any serious analysis.

3.5. As in so many other areas of policy, promoting one activity over another without any corroborated or acceptable evidence of its consequences is a reckless way of governing. **In the case of Shetland, the failure to assess the full value of commercial fishing and compare it objectively with the projected costs and benefits of marine renewables could be catastrophic.**

Conclusions

The SFA believes that the Planning Scotland's Seas consultation has been promoted with excessive haste and without a firm body of evidence on which sensible and coherent judgements can be made. This is why we have focused on the key underlying issues causing our members concern rather than on the details of every renewables search area or MPA.

In our view, **it would have made far more sense** – and would have been far less alarming to the fishing industry in Shetland – **if the consultation process had started with a properly documented assessment of existing marine activities and their value to coastal and island communities.** That would have allowed for a rational discussion of the options for renewables and MPAs, to which we are not opposed in principle.

Instead we have been handed a list of political objectives, coupled with unsupported statements aimed at minimising the importance or value of the fishing industry, and have been invited to discuss the details of individual search areas or MPAs. **We believe that compliance with this method of formulating policy would be deeply irresponsible,** and have no intention of doing so. Instead we urge **a radical shift in the government's approach that would allow for more constructive and informed engagement.**