

# PILOT PENTLAND FIRTH AND ORKNEY WATERS MARINE SPATIAL PLAN SUMMARY

## VISION

**Pentland Firth and Orkney Waters will be a clean, healthy, safe, attractive and productive marine and coastal environment that is rich in biodiversity and managed sustainably to support thriving and resilient local communities.**



## INTRODUCTION

A working group consisting of Marine Scotland, Orkney Islands Council and Highland Council have developed the Pilot Pentland Firth and Orkney Waters Marine Spatial Plan (PFOW). The Plan sets out an integrated planning policy framework to guide marine development, activities and management decisions in the Plan area.

Through the process of producing the pilot Plan, there have been many lessons learned. These have been published in a lessons learned report to inform the preparation of future regional marine plans and the governance arrangements that could underpin Marine Planning Partnerships. It is anticipated that the pilot marine spatial plan will establish a useful basis for the preparation of the eleven regional marine plans around Scotland, in particular the two for Orkney and the North Coast Scottish Marine Regions.

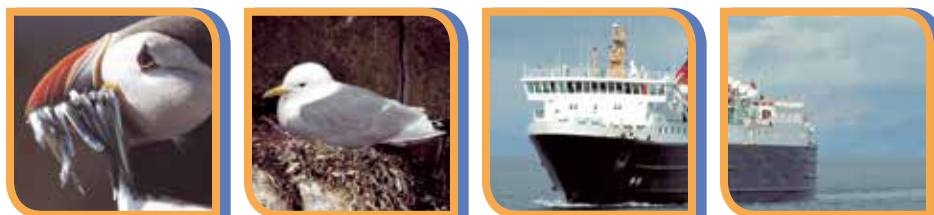
This document provides a summary of the lessons learned, the plan making process and the content of the Plan. The pilot Plan and suite of supporting documents can be accessed on the Scottish Government Pentland Firth and Orkney Waters webpage.

## TOP TWENTY TIPS FOR SCOTTISH REGIONAL MARINE PLANNING

1. From the earliest stage, determine what the partnership wants their plan to deliver taking time to establish a joint vision and set of objectives.
2. Set out clear steps to achieve outcomes desired with realistic timescales.
3. Be clear from the outset what funding is available and where it will be allocated.
4. Ensure existing 'Lessons Learned' reports and wider experiences of marine spatial planning are studied from the outset.
5. Small core Working Group works well: requires full-time staff with a mix of expertise including planning, project management, stakeholder engagement and environmental disciplines.
6. Wider advisory group helps keep progress on track, adherence to legal requirements and provides a range of expertise.
7. Need one person with good organisational skills to manage the whole project, supported by dedicated administrative staff.
8. Staff costs are the most significant resource therefore need to be aware of how much staff time will be required.
9. Start data gathering exercise early to provide an evidence base and to identify data gaps from the outset.
10. Additional studies at plan or sub-plan level may be required to address data gaps therefore need to ensure appropriate time and resources are allocated to them.
11. Identify the spatial approach at an early stage e.g. will the Plan identify opportunities for future development.
12. Establish a web based GIS system to support the marine spatial plan and provide up to date spatial data e.g. National Marine Plan interactive (NMPi).
13. Significant data are now available on NMPi to provide baseline evidence.
14. Be clear from the outset what is required and who will lead on the various support documents required.
15. Have at least one person dedicated to stakeholder engagement activities e.g. a Plan Communications Officer.
16. Provide regular, short updates on progress via email or newsletter.
17. Consider innovative engagement methods to involve wider stakeholders beyond the 'useful suspects'.
18. Recording and addressing consultation responses requires significant time which should be appropriately built into the work programme.
19. Subsequent Marine Planning Partnerships should explore ways to streamline their plans and their plan making process e.g. overarching national guidance on generic issues.
20. Expectations of what can realistically be delivered needs to be carefully managed as the process of marine spatial planning evolves.

## SUMMARY OF WHAT WORKED WELL

- Partnership between Marine Scotland and local planning authorities
- Developing a plan that reflects the aspirations of local communities as well as national policy priorities
- Good small core team with an appropriate mix of expertise
- Willingness of core agencies to actively participate in advisory group
- Planning Issues and Options stage to engage stakeholders to shape the plan early in the process to gauge priorities, inform vision, aims and objectives, and scope the policies
- Engaging stakeholders in identifying the scope of what policies should cover and policy drafting
- Use of National Marine Plan interactive as a web based mapping tool
- The substantial resources produced i.e. in the form of the Plan and all its supporting documents, which will help support fragile local communities in North Caithness and Sutherland and Orkney by providing a wealth of marine data on a variety of issues and sectors

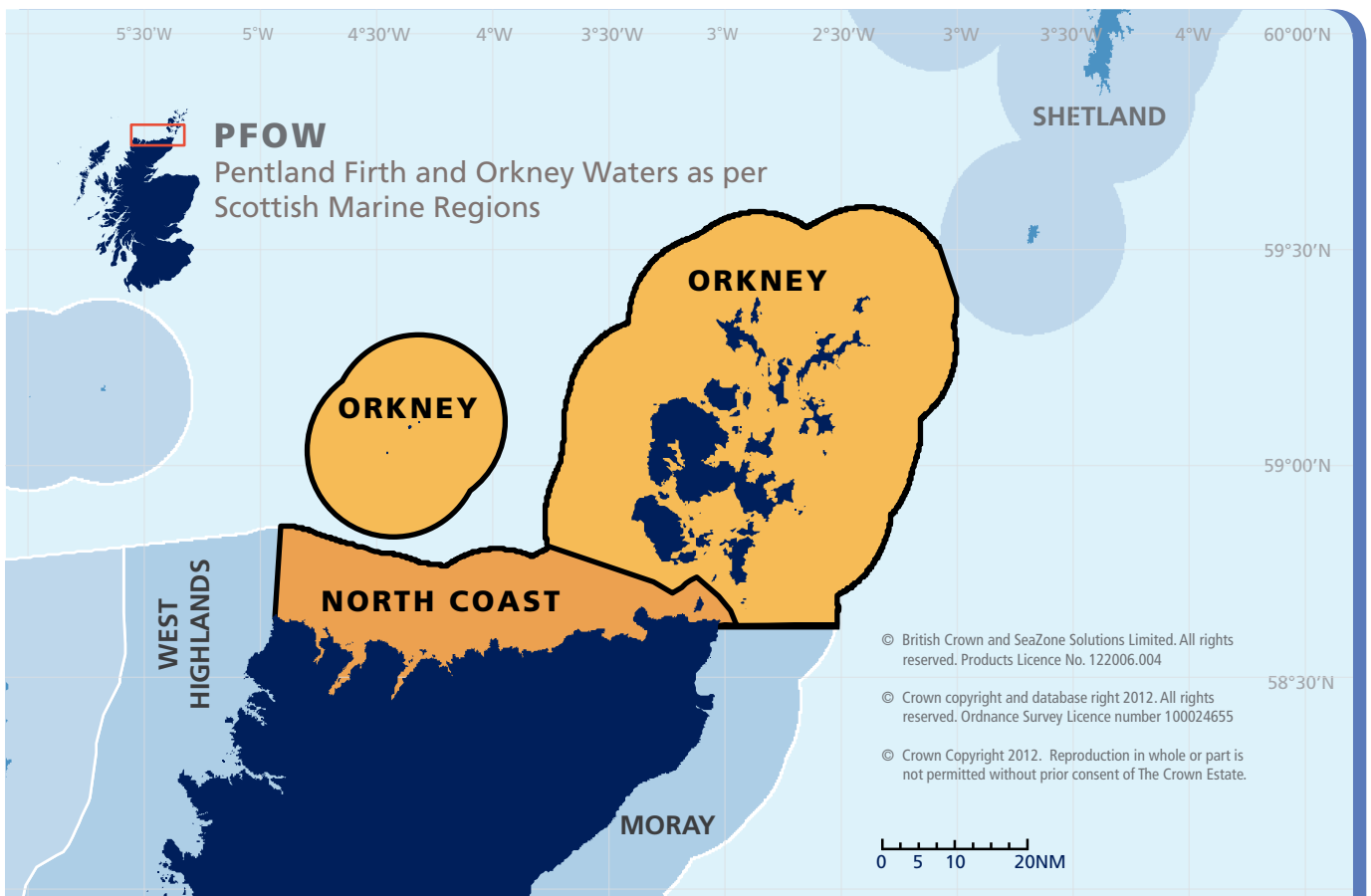


## SUMMARY OF CHALLENGES

- Initial largely marine renewable energy focus of the plan
- Stakeholder database crashed (June 2013)
- Managing decision making across multiple organisations
- Not always clear on sectoral priorities from the outset
- Needed a more structured approach to engage sectoral interests
- Differing stakeholder expectations of what the project could realistically deliver
- Difficult to develop a clear direction for future development and activities within a non-statutory plan
- Resource constraints restricted ability to address some identified data gaps and to deliver a spatial strategy for future development

## PURPOSE OF THE PILOT PLAN

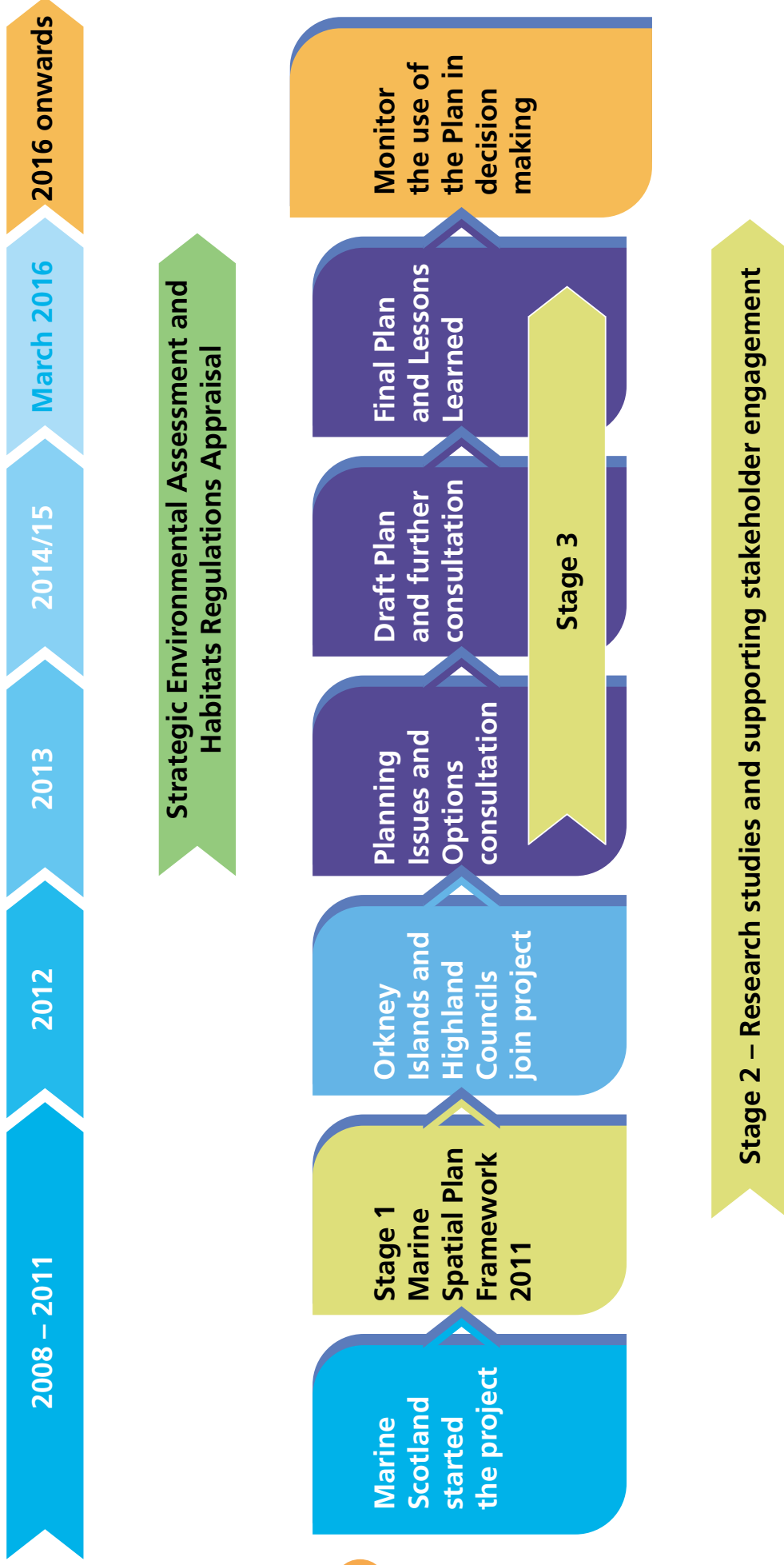
- to establish a coherent strategic vision, objectives and policies to further the achievement of sustainable development including the protection and, where appropriate, enhancement of the health of the Plan area
- to inform and guide the regulation, management and use of the area to which the Plan applies
- to provide reliable and robust information to support the Plan policies
- to guide the location of all marine uses and activities and ensure they occur in the most suitable and least sensitive areas
- to minimise conflicts of interest and encourage compatible uses
- to provide clarity and direction to users of the marine environment as to how it will be managed and regulated and the framework within which decisions will be taken
- to set out sustainable development objectives that respect environmental limits to ensure healthy and productive seas in the future
- to develop a policy framework that supports integrated marine and terrestrial planning and development



Map showing some of the Scottish Marine Regions. The Pentland Firth and Orkney Waters area combines the Orkney and the North Coast regions.

# THE PLAN MAKING PROCESS

The pilot marine spatial plan has been developed through a three stage process as illustrated below.



## HOW THE PLAN WILL BE USED

The marine spatial plan has been approved by Scottish Ministers for use by the Marine Scotland Licensing Operations Team (MS-LOT) as a material consideration in the determination of marine licence and section 36 consent applications within the Pentland Firth and Orkney Waters area.

The Highland Council and Orkney Islands Council have adopted the pilot Plan as non-statutory planning guidance, acknowledging the status of the Plan as a material consideration in the determination of relevant planning applications. Orkney Islands Council has also adopted the Plan as a material consideration in the determination of works licence applications in the Orkney Harbour Area.

## THE PLAN'S POLICY FRAMEWORK

To implement the Plan's overall vision, aims and objectives, the Plan's policy framework consists of a suite of General Policies and Sectoral Policies. All the policies in the Plan are afforded equal weight in decision-making and should be read in conjunction with each other. Furthermore, the Sectoral and General Policies should be considered alongside the relevant legislation, policies and plans set out in Section 3 and Annex 2 of the Plan.

## GENERAL POLICIES

The General Policies are, in principle, applicable to all development and activities. These types of policies are often referred to as cross-cutting policies as the issues they address usually apply to many inter-related issues. The relevance of the General Policies to any given development and/or activity varies depending on the particular circumstances including type, scale, location and any potential impacts. The suite of General Policies helps ensure the Plan is contributing to both high-level government targets and helps meet our commitment to local sustainable development objectives.

## SECTORAL POLICIES

The Sectoral Policies are designed to support the sustainable development and management of specific sectors and are relevant to the determination of authorisation or enforcement decisions for a particular type of development or activity.



## **GENERAL POLICIES CONTAINED IN THE PILOT PFOW MARINE SPATIAL PLAN**

- 1A Sustainable development
- 1B Supporting sustainable social and economic benefits
- 1C Safeguarding the marine ecosystem
- 2 The well-being, quality of life and amenity of coastal communities
- 3 Climate change
- 4A Nature conservation designations
- 4B Protected species
- 4C Wider biodiversity
- 4D Landscape and seascape
- 4E Geodiversity
- 5A Water environment
- 5B Coastal processes and flooding
- 6 Historic environment
- 7 Integrating coastal and marine development
- 8A Noise
- 8B Waste and marine litter
- 9 Invasive non-native species

## **SECTORAL POLICIES CONTAINED IN THE PILOT PFOW MARINE SPATIAL PLAN**

- 1. Commercial fisheries
- 2. Aquaculture
- 3. Oil and gas
- 4. Renewable energy generation
- 5. Recreation, sport, leisure and tourism
- 6. Marine transport
- 7. Ports, harbours and dredging
- 8. Pipelines, electricity and telecommunications infrastructure
- 9. Marine aggregates
- 10. Defence

# NEXT STEPS FOR MARINE PLANNING IN PENTLAND FIRTH AND ORKNEY WATERS AREA

## MONITORING AND REVIEW OF THE PILOT PLAN

Monitoring and evaluating the effectiveness of any plan is an essential part of the planning process. The pilot process has been reviewed to identify lessons learned for future statutory regional marine planning. It is not intended that a detailed monitoring programme will be put in place for the implementation of this pilot Plan as it is anticipated that the regional marine planning process will commence immediately following the pilot. The working group will monitor how the pilot Plan is used to support marine licensing, works licence and planning decisions within their respective organisations.

## FUTURE REGIONAL MARINE PLANS

Marine plans for Shetland and the Clyde are being taken forward in the first phase of statutory regional marine plans, with subsequent plans for each region to follow in due course. Each will be taken forward by a Marine Planning Partnership; the make up of each one will vary according to local needs.

In 2013, the Empowering Scotland's Island Communities prospectus set out the Scottish Government intention to formally delegate statutory regional marine planning powers to a local Orkney Marine Planning Partnership in which Orkney Islands Council will play a lead role. The prospectus states that the pilot marine spatial plan will inform future marine planning in the area, with a view to formal delegation of planning powers to Orkney by 2016.

### FURTHER INFORMATION

Scottish Government Pentland Firth and Orkney Waters Webpage:

<http://www.gov.scot/PFOWmarinespatialplan>

### CONTACT DETAILS

Tracy McCollin	Marine Scotland	tracy.mccollin@gov.scot
James Green	Orkney Islands Council	james.green@orkney.gov.uk
Shona Turnbull	Highland Council	shona.turnbull@highland.gov.uk



marine scotland



ISBN: 978-1-78652-126-2  
PPDAS67474 (03/16)

8

Designed by Marine Scotland Communications. © Crown copyright 2016  
All photographs © iStockphoto