

CONSULTATION QUESTIONS

1. Do you agree with the proposals set out in the draft Scottish Marine Regions Order 2013?

Yes No

If no, please explain why not and your suggested alternative(s).

As previously stated in response to the Scottish Government consultation '*Scottish Marine Regions, Defining their boundaries*' 2010, Orkney Islands Council supports the establishment of Scottish Marine Regions (SMRs) to implement marine planning at a regional level in Scotland. Whilst providing general support for SMRs, the Council still has a number of outstanding concerns regarding the governance arrangements associated with Marine Planning Partnerships (MMPs) and the resourcing of MMPs to deliver regional marine plans. The details of these concerns were set out in the Council's previous consultation response in February 2011. The Council notes that the scope of the current consultation on the draft Scottish Marine Regions Order 2013 concerns the identification and establishment of the SMRs in legislation only. The Council also notes that the Scottish Government intend to undertake further discussion with stakeholders regarding the formation of MMPs after the SMRs legislation is in force. Further clarification on the process, timetable and proposed consultation regarding the creation of MMPs would be welcomed by the Council.

The Council notes the key outcomes from the previous Scottish Government consultation, '*Scottish Marine Regions, Defining their boundaries*', in November 2010 to February 2011:

- there was strong support for the creation of Scottish Marine Regions;
- the preferred option for marine region boundaries was option 3 which was based on physical characteristics but with modification to ensure marine regions were not too large on the west and east coast;
- option 3 would create 11 marine regions; and
- the seaward limits of Scottish territorial waters (12 nautical miles from baseline) is the preferred extent of the regions;

The Council supports the proposed stand-alone Scottish Marine Region for the Orkney in the draft Order 2013.

The Council supports the amended proposals for the SMR boundaries to extend to the 12 nautical mile limit in accordance with the Territorial Sea Act 1987.

The Council's previous consultation response in February 2011 stated our support for option 2 i.e. identifying the Orkney Islands SMR as a stand-alone region with a boundary aligning with the Orkney Inshore Fisheries Group boundary. The Council notes that the boundary between the North Coast and Orkney Islands SMR

proposed in the draft Order 2013 has been defined using a combination of Orkney Inshore Fisheries Group boundary and the Area Advisory Group boundary. The Orkney Inshore Fisheries Group boundary includes Pentland Skerries. It is unclear from the illustrative map in the Draft Scottish Marine Regions Order 2013 how the proposed boundary for the Orkney Islands SMR relates to the Pentland Skerries. The Scottish Government should ensure that Pentland Skerries are included in the proposed Orkney Islands SMR as they are part of the jurisdiction of Orkney Islands Council as the Planning Authority. The Council considers that the area of the proposed North Coast SMR east of Duncansby Head would more appropriately be part of the Orkney Islands SMR. This would enable the Pentland Skerries, and the surrounding marine area, to be included within the Orkney Islands SMR. This would also provide a single marine planning unit for the strategically important southern approach to Scapa Flow, and the Flotta Oil Terminal, ensuring a consistent policy approach for shipping and navigation and other key policy areas.

2. Do you have any further comments? In particular we are seeking views on

- the drafting of the Order;
- the co-ordinates establishing the marine region boundaries;
- the boundaries outlined at paragraph 8 above;
- the names of the regions suggested; and
- the illustrative map.

The Council has no further comments.

3. Do you believe that the creation of Scottish Marine Regions discriminates disproportionately between persons defined by age, disability, sexual orientation, gender, race and religion and belief?

Yes No

4. If you answered yes to question 3 in what way do you believe that the creation of Scottish Marine Regions is discriminatory?

No Comments.