

PENTLAND FIRTH AND ORKNEY WATERS MARINE SPATIAL PLAN: PLANNING ISSUES AND OPTIONS PAPER

Consultation Response: Scottish Fisherman's Federation

CONSULTATION QUESTIONS

Section 4 - Legal and policy context

Question 1: Are there other legislation, policies or plans not identified in Table 4.1 and Annex 3 that should be considered in the development of the Pilot Pentland Firth and Orkney Waters Marine Spatial Plan?

It remains a matter of concern to the SFF that there is no National Plan or Policy for commercial fishing which could be used in the development of the PPFOWMSP.

Section 5 - Knowledge and evidence to underpin the plan

Question 2: Is there other information that you think should be used to inform the development of the marine spatial plan for Pentland Firth and Orkney Waters?

In addition to Scotmap data on fishing operations, the developers should take advice from MSS as to fish and shellfish spawning grounds, nursery areas and other potential areas of aggregation of fish stocks.

Section 6 - The purpose, users, status and spatial extent of the pilot plan

Question 3: Considering paragraph 6.5, are there other stakeholder engagement and governance related issues that should be investigated through the pilot marine planning process?

From an SFF point of view it will be essential going forward, to learn the lessons of the need for clarity in full and proper consultation with the catching sector.,

Question 4: Do you agree with the identified purposes and users of the marine spatial plan set out in Section 6? Are there additional or alternative purposes or users of the plan that should be considered?

The SFF would expect that the plan should note the 2 basic freedoms which The Crown Estate should uphold: The right to navigation and the right to fish. Following on from that the MSP should not without good reason deny fishermen access to the grounds they make a living from.

Question 5: Should the existing Pilot Pentland Firth and Orkney Waters Marine Spatial Plan boundary be realigned with the boundaries of the proposed Scottish Marine Regions or do you think the existing 'strategic area' boundary is appropriate? (Refer to Figures 5 and 6)

The SFF believe that if following the earlier consultation, new boundaries are recommended, the plan should be realigned to match them.

Question 6: How should the pilot plan and/or marine planning process facilitate and support integration between the terrestrial and marine planning systems? (See paragraphs 6.16 – 6.17).

As there is a huge difference between the environments involved in Terrestrial and Marine Planning it is essential that the interface between the two is managed carefully so as not to over emphasise either. It will be important to ensure stakeholder involvement in the process of ICZM.

Question 7: How should the adjoining terrestrial areas be mapped in the pilot marine spatial plan? Do you agree with the proposed key principles set out at paragraph 6.18?

The Principles suggested seem to be reasonable, and avoid cluttering each regional plan with unnecessary terrestrial detail, and ensuring clarity within the plan Boundaries.

Section 7 The guiding principles and themes that will inform the development of the marine spatial plan

Question 8: Are the guiding principles and themes identified in Section 7 appropriate? Are there other guiding principles and themes that should inform the development of the pilot marine spatial plan?

The principles and themes laid out in section 7 are missing any reference to the public right to fish established in statute, which is an essential defence for an important food producing industry.

Section 8 Strategic Vision, Aims and Objectives

Question 9: What is your vision for the future of the Pentland Firth and Orkney waters area? What would you like the area to be like in 20 years time?

The SFF would share a vision of a productive, sustainable economy in the PFOW area, based on co-existence of the different economic users and demands on the area.

Question 10: Are there existing marine activities that you think should be safeguarded now and into the future? For example, commercial fisheries, ferry services and recreational activities.

For the SFF, the response to this is the same as for Q8 – The Public Right to fish is on the statute book and this should be safeguarded.

Question 11a: How should the protection and/or enhancement of the natural environment be considered in the marine spatial plan?

The MSP should feature an integrated approach to economic use of the area which addresses protection of the Natural Environment.

Question 11b: Is the protection of the natural environment important? How important is it?

Please indicate on a scale of 1-5 (1 = Not important at all, 5 = The highest importance)

1 2 3 4 5

The SFF would agree that protection of the natural environment is important but would also stress the need to take into account the effects of any measures in the plan on the socio-economic structures of peripheral communities.

Question 12a: How should the protection and/or enhancement of historic and culture resources (e.g. Scapa Flow wrecks) be considered in the marine spatial plan?

The MSP should take note of all previous designations of historical significance, which in general will also now be translated into designation under the Marine (Scotland) 2010 Act.

Question 12b: Is the protection of the historic and culture environment important? How important is it?

Please indicate on a scale of 1-5 (1 = Not important at all, 5 = The highest importance)

1 2 3 4 5

This protection is important and should receive its due place in the process.

Question 13a: How should the promotion and support of economic growth be considered in the marine spatial plan? If any, which economic activities would you like to see grow and develop?

Economic growth is surely the prime mover for the plan, but the SFF would stress that growth of any new industry or management regime must not be at the expenses of an old traditional industry.

Question 13b: Is promoting and supporting economic growth important?

Please indicate on a scale of 1-5 (1 = Not important at all, 5 = The highest importance)

1 2 3 4 5

Economic growth is of course important but equilibrium need to be maintained in relevant communities, there would be no good point in growing one industry and losing another.

Section 9 Identifying strategic issues and interactions

Question 14: Having considered Table 9.1, do you have any views on the identified aspirations for growth, strategic issues and opportunities to address the strategic issues in the pilot marine spatial plan?

The SFF would be concerned that the drive to eco-tourism could lead to our peripheral communities being treated more as theme parks than living dynamic areas. Indeed the table would seem to understate just how important fishing is to the area now and in the future.

Question 15: Having considered Table 9.2, do you have any views on the identified potential for interaction between the various sectors, what these interactions might be and how these interactions should be addressed in the pilot marine spatial plan?

Commercial fishing will have more than a minor impact on ICZM, Oil and Gas, and more than an intermediate interaction with marine aggregates and dredging.

Section 10 Spatial strategy and information

Question 16: Do you think it is important to have an overarching spatial strategy? If so, what should the strategy include and why?

Giving the differences between terrestrial and oceanic planning, the description

given in 10. Spatial Strategy and information describing the proposed strategy as indicative may be exaggerating the purpose and/or need for this.

SFF would not be keen at this time to see the development of any kind of master plan, not least because of the lack of substantive knowledge of the environment being discussed.

On the other hand the SFF can see value in having indicative information available for future use in planning.

Section 11 Crosscutting or overarching marine planning policies

This section of the Consultation Questionnaire seeks your views on the proposed policy options set out in Section 11 of the Planning Issues and Options Paper. Please indicate in the proposed policy option response boxes below which proposed policy you are commenting on and provide any comments on the preferred option and/or alternative approach, as appropriate. The proposed policies are:

Proposed Policy 1a: Sustainable Development Proposed
Policy 2a: Integrating marine and coastal development
Proposed Policy 3a: Nature conservation designations
Proposed Policy 3b: Protected species
Proposed Policy 3c: Wider biodiversity and geodiversity interests
Proposed Policy 3d: Non-native species
Proposed Policy 3e: Landscape and seascape
Proposed Policy 4a: Cultural and Historic Environment
Proposed Policy 5a: Water environment
Proposed Policy 6a: Coastal erosion and flooding
Proposed Policy 7a: Waste management and marine litter
Proposed Policy 8a: Safeguarding existing pipelines, electricity and telecommunications cables
Proposed Policy 9a: Hazardous development and Health and Safety Executive consultation zones
Proposed Policy 10a: Defence

Proposed Policy Options - Response Box 1

Please indicate which proposed policy you are commenting on:

Proposed Policy 8a: Safeguarding existing pipelines, electricity and telecommunications cables

Please provide your comments on the proposed preferred option and/or alternative approach:

National level guidelines already exist for both developing and protecting cables, (electrical or telecoms) and pipelines. Any Regional Marine Plan would need to take these into consideration..

Would you suggest an alternative approach?

The wholesale application of safety zones to these structures would be both unnecessary and burdensome to the catching sector, better to work with established systems such as FISHSAFE and Kingfisher.

Proposed Policy Options - Response Box 2

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 3

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 4

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 5

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Should you wish to respond to further proposed policy options please provide your response on an addition page(s) and submit with your completed Consultation Questionnaire.

Further crosscutting / overarching policy areas

Question 17: [Are there other crosscutting / overarching policy areas that should be addressed in the marine spatial plan?](#)

None

12 Sectoral policies

This section of the Consultation Questionnaire seeks your views on the proposed policy options set out in Section 12 of the Planning Issues and Options Paper. Please indicate in the proposed policy option response boxes below which proposed policy you are commenting on and provide any comments on the preferred option and/or alternative approach, as appropriate. The proposed policies are:

Proposed Policy 11: Marine renewable energy

Proposed Policy 12: Electricity infrastructure to support marine renewable energy projects

- Proposed Policy 13: Shipping, Navigation and Marine Safety
- Proposed Policy 14: Ports and harbours
- Proposed Policy 15: Oil and Gas
- Proposed Policy 16: Marine aggregates and dredging
- Proposed Policy 17: Development of coastal protection and flood defence infrastructure
- Proposed Policy 18: Development of new telecommunication cables
- Proposed Policy 19: Commercial fisheries
- Proposed Policy 20: Aquaculture
- Proposed Policy 21: Tourism and recreation

Proposed Policy Options - Response Box 6

Please indicate which proposed policy you are commenting on:

Proposed Policy 11: Marine renewable energy

Please provide your comments on the proposed preferred option and/or alternative approach:

The Fishing industry must be one of the first consultees at the start of any prospective renewables development. Historically the catching sector has been presented with development plans which are at a stage where fishers could understandably regard them as being a “fait accompli”. Early engagement with fishing is essential to avoid conflict, and without full understanding of the operations of the fishing industry a zoned approach is neither useful or desirable.

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 7

Please indicate which proposed policy you are commenting on:

Proposed Policy 16: Marine aggregates and dredging

Please provide your comments on the proposed preferred option and/or alternative approach:

The SFF would expect current sites for dredging and dumping to remain, but would not expect any new sites to be introduced without a full ecosystem assessment of their impact on commercial fisheries.

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 8

Please indicate which proposed policy you are commenting on:

Proposed Policy 18: Development of new telecommunication cables

Please provide your comments on the proposed preferred option and/or alternative approach:

Engagement with Subsea Cables UK would seem appropriate to this proposal as they are the overarching trade body for that industry.

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 9

Please indicate which proposed policy you are commenting on:

Proposed Policy 19: Commercial fisheries

Please provide your comments on the proposed preferred option and/or alternative approach:

The importance of working with local stakeholders cannot, and should not, be ignored, but given the dynamic nature and mobility of the catching sector it will also be important to engage at the national level.

Would you suggest an alternative approach?

For the SFF, the inclusion of the proposed alternative approach **presumption against development in grounds scientifically proved to be important to fisheries** would seem eminently sensible, and the embodiment of the precautionary approach.

Proposed Policy Options - Response Box 10

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Should you wish to respond to further proposed policy options please provide your response on an addition page(s) and submit with your completed Consultation Questionnaire.

Further sectoral policies

Question 18: [Are there other sectoral policies that should be developed in the marine spatial plan?](#)

Comments

Further comments or opinions

Question 19: [Do you have any further comments or opinions in relation to the preparation of the Draft Pilot Pentland Firth and Orkney Waters Marine Spatial Plan?](#)

Comments