

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

## Consultation Response: Scottish Wildlife Trust

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### 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?

Common Fisheries Policy, OSPAR Convention, Climate Change (Scotland) Act

#### 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?

#### 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?

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?

6.4 - a purpose to achieve sustainable development, including the protection and, where appropriate, enhancement of the health of plan area would be consistent with duties under the Marine (Scotland) Act. Additionally, the inclusion of a purpose to achieve and maintain Good Environmental Status under the MSFD. Both would aid transition to statutory regional planning.

6.7 – those concerned in the conservation and management of natural systems could also be described as users of the pilot plan – this could include research institutions and eNGOs. SNH could use the plan in the management of MPAs and coastal protected sites as well as to inform consultation responses.

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)

It makes sense for the pilot plan to match the boundaries of the proposed North Coast and Orkney marine regions as illustrated in Figure 6. There are clear efficiencies to this change when considering the transition to statutory regional planning – not least in streamlining the process to reduce burden on stakeholders. We are concerned that while the pilot area encompasses the whole of the Pentland Firth, the proposal for regional planning will split the firth between two authorities. We remain opposed to the subdividing of units of ecological continuity (e.g. firths, sea lochs or sounds) in setting the boundaries of regional marine planning. However, we are confident that a strong partnership between Orkney and Highland authorities during the pilot phase can help foster a common approach to managing the pentland firth as a single unit through marine planning partnerships. We would encourage that a key part of learning from the pilot process focuses on future working arrangements to ensure collaboration and agreement across administrative boundaries.

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).

The need for integration of the two systems cannot be overstated to ensure the plan objectives for the respective regimes are compatible. Aquaculture stands out in this regards as an activity guided by one system but operates in the marine environment. Close collaboration between the authorities involved will be essential – through for example both formal and informal consultation. This could be aided by a specific liaison role within the local authority working across both regimes. The partnership approach taken in the development of the pilot appears to be useful model.

Stakeholder engagement could be streamlined by aligning key stages of the two plan development process; for example public consultation.

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?

We agree the key principles listed.

## **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?

We support the guiding principles and themes in Section 7. Under climate change there we seek assurance that adaptation to climate change will be included as a guiding principle alongside mitigation – a requirement on Ministers and public authorities under the Marine (Scotland) Act.

We fully endorse the ecosystems-approach to marine planning and believe it should be aimed at achieving ecological objectives that maintain or restore (a) native species diversity, (b) habitat diversity and heterogeneity, (c) populations of keystone species and (d) connectivity.

### 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 vision should be consistent with the Scottish Government's vision of '*clean, healthy, safe, productive, biologically diverse marine and coastal environments, managed to meet the long-term needs of people and nature.*'

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.

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

Scottish Minister's have a duty, when undertaking statutory marine planning in Scottish waters under the Marine (Scotland) Act, to further the achievement of sustainable development, including the protection and, where appropriate, enhancement of the health of that area. Utilising an ecosystems-based approach as per the MSFD the plan should be aimed at achieving and/or maintaining GES. As above the plan should further aim to achieve ecological objectives that maintain or restore (a) native species diversity, (b) habitat diversity and heterogeneity, (c) populations of keystone species and (d) connectivity.

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

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?

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

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?

The economy should be considered within context of sustainable development and the 5 guiding principles of sustainable development as set out in the UK Government Sustainable Development Strategy.

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

## 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?

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?

### 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?

Yes, yes we agree with the broad approach described in the consultation paper. Additionally a specific PFOW web based GIS tool based would be a useful asset in addition to the data being available through MSI.

### 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:

1. Sustainable Development

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

We warmly welcome the intention to include a crosscutting policy on sustainable development. However the consultation paper uses the term sustainable economic growth where sustainable development would be the expected term. That said we agree with the preferred option as stated, although would like to see it reflect the 5 guiding principles of sustainable development outlined in the UK SD strategy.

Would you suggest an alternative approach?

Comments

### **Proposed Policy Options - Response Box 2**

Please indicate which proposed policy you are commenting on:

3B Protected Species

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

We would support the alternative supporting spatial information of broadly mapping the locations of protected species. Although we understand that species recording effort in the PFOW is not evenly distributed, there are areas that can be identified as important for cetaceans (e.g. Scapa Flow, Gills Bay, Dunnet Bay) and could be usefully identified in the spatial plan.

Would you suggest an alternative approach?

### **Proposed Policy Options - Response Box 3**

Please indicate which proposed policy you are commenting on:

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

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?

Comments

## 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:

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 7

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 8**

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 9**

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 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?](#)

The overall approach is warmly welcomed and the planning issues and options paper is well considered document clearly demonstrating the benefits of multidisciplinary partnership working between Marine Scotland and Highland and Orkney Councils. We look forward to further consultation on the pilot plan.