

Scottish Crown Estate Strategic Management Plan

Strategic Environmental Assessment Post Adoption Statement

July 2020

Table of Contents

1	Background	3
2	The Strategic Environmental Assessment Process	5
3	Integration of Environmental Considerations into the Strategic Management Plan ..	7
4	How the findings of the Environmental Report have been taken into account	8
5	Comments on the draft Plan and how these have been taken into account	10
6	Comments on the Environmental Report	18
7	Reasons for selecting the Strategic Management Plan as adopted	20
8	Monitoring.....	21
9	Conclusion.....	24

1 Background

- 1.1.1 The draft Crown Estate Scotland Strategic Management Plan was prepared in 2019 and was subject to Strategic Environmental Assessment (SEA). The associated Environmental Report was consulted alongside the draft Plan between 30 August and 22nd November 2019¹. The finalised Plan is available online at <https://www.gov.scot/publications/first-strategic-management-plan-scottish-crown-estate/>.
- 1.1.2 The development of the first Strategic Management Plan for the Scottish Crown Estate marks an important milestone within a wider programme of work to secure devolution and reform of the management of the Scottish Crown Estate. The assets, which have a current total capital value of nearly £400 million, include rural estates, just under half of Scotland's foreshore and leasing rights for activities on the seabed out to 200 nautical miles. The assets form a core element of how Scotland can protect, use and develop its marine, coastal, rural and other assets in the future.
- 1.1.3 The Smith Commission (2014) recommended that the management of Crown Estate assets in Scotland and their revenues should be devolved to the Scottish Parliament. This was given effect through provisions in the Scotland Act 2016 which came into force on the 1st April 2017.
- 1.1.4 The draft Plan sought to build on the considerable work undertaken to date, including:
- Securing control of the assets for Scotland.
 - Establishing Crown Estate Scotland to manage the assets, ensuring a smooth transfer for staff, tenants and other stakeholders. Its core purpose is to invest in property, natural resources and people to generate lasting value for Scotland.
 - An explicit commitment was made by Scottish Ministers to develop proposals to reform the long-term management of the Crown Estate in Scotland. The Scottish Crown Estate Bill 2018 was subsequently introduced to the Scottish Parliament in January 2018.
 - The Scottish Crown Estate Act 2019, which was granted Royal Assent on the 15th January 2019. This provides a new legislative framework for the management of Scottish Crown Estate assets. It provides a mechanism for the transfer or delegation of the management of individual assets to a defined range of eligible managers, including local authorities, Scottish Harbour Authorities and community organisations.

¹ <https://consult.gov.scot/marine-scotland/scottish-crown-estate-strategic-management-plan/>

- Early conversations as to how the wider sustainability benefits for Scotland can be enhanced and how local approaches to the management of assets can be piloted.

2 The Strategic Environmental Assessment Process

- 2.1.1 The Environmental Assessment (Scotland) Act 2005 (the '2005 Act') requires public bodies in Scotland to carry out SEA on their plans, programmes and strategies. SEA is a way of examining plans, programmes and strategies as they develop, to identify any significant effects they may have on the environment. It ensures that environmental considerations are taken into account. SEA also aims to build in any mitigation measures where required, to avoid or minimise any potentially significant adverse effects on the environment, and look for opportunities to enhance a strategy's environmental performance.
- 2.1.2 This SEA process began with the production of a Screening and Scoping Report which was submitted to the SEA Gateway in April 2019. Representations received from the SEA Consultation Authorities (Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Historic Environment Scotland (HES)) to the Screening and Scoping stage helped to inform the content of the draft strategy and the following stages of the SEA process. All SEA topic areas were scoped into the assessment.
- 2.1.3 The assessment and the production of the SEA Environmental Report progressed during July and August 2019, in parallel with the preparation of the draft Plan.
- 2.1.4 Following consultation on the draft Plan and associated Environmental Report, an independent analysis of consultation responses received was carried out and is available online at <https://www.gov.scot/publications/consultation-analysis-report-draft-strategic-management-plan-scottish-crown-estate/>.
- 2.1.6 This Post Adoption Statement concludes the SEA process and sets out those ways in which the findings of the SEA Environmental Report, and the views expressed by consultees have been taken into account.
- 2.1.7 Section 18(3) of the Environmental Assessment (Scotland) Act 2005 sets out the information that should be included in the Post Adoption Statement. This can be summarised as:
- how the environmental considerations have been integrated into the plan;
 - how the Environmental Report has been taken into account;
 - how the opinions of consultees have been taken into account;

- the reasons for choosing the plan as adopted, in light of the other reasonable alternatives considered; and
- the measures to be taken to monitor the significant environmental effects of the implementation of the plan.

3 Integration of Environmental Considerations into the Strategic Management Plan

- 3.1.1 This section explains how key environmental considerations were identified and how these were taken into account in the development of the final version of the Strategic Management Plan.
- 3.1.2 From the outset, the preparation of the environmental assessment helped to frontload environmental considerations into the draft Plan. Consultation with the SEA Consultation Authorities (HES, SEPA and SNH) assisted in highlighting key environmental issues for further consideration.
- 3.1.3 During the development of the draft plan, the Scottish Government policy and SEA teams worked closely together to draw on evidence on the potential key issues facing Crown Estate Scotland over the period of the plan, and the requirements of the Act, as a basis for developing the Plan's vision and the economic, social and environmental objectives, priorities and policies.
- 3.1.4 These key issues, and the scope of the Plan's vision, objectives, priorities and policies were then discussed with a broad range of internal and external stakeholders, as well as representatives from the SEA consultation authorities.
- 3.1.5 A Stakeholder Advisory Group was formed to feed into the development of the draft Plan. The group's members represented a wide range of interests and expertise.

4 How the findings of the Environmental Report have been taken into account

4.1 The findings of the Environmental Report

- 4.1.1 The Environmental Report details the conclusions and recommendations of the assessment on the consultation draft Plan. The key themes drawn from the assessment are discussed below.
- 4.1.2 The SEA concluded that the draft Plan, with its core purpose of promoting and supporting the implementation of tailored management for the benefit of Scotland and communities, will have overall positive effects for the SEA topics of population and human health, material assets and climatic factors, with the potential for some short term local negative effects for the latter arising from development on the ground. Mixed effects are anticipated for biodiversity, soil, water, air, cultural heritage and landscape, and visual topics. Investment and management changes related to Crown Estate assets have the potential to alter the balance of ecosystem services provided by an asset, with some increasing and some reducing.
- 4.1.3 The draft Plan has the potential to positively and cumulatively contribute across a wide range of Scottish Government policy areas. However, there is an inherent uncertainty in the actions that will be taken and therefore in the resultant assessment findings.
- 4.1.4 Where appropriate, the requirements of existing statutory consenting and licensing regimes and environmental assessment requirements were taken into account as 'assumed mitigation' and factored into the assessment of the significance of effects. Finally, the report made a number of recommendations for mitigation and / or enhancement measures, where appropriate. These are:
- Where the management of an asset is transferred, the draft Management Plan allows for assets to be brought back under Crown Estate Scotland management/ alternate management if the asset was deemed to be managed poorly or if maintenance became an issue. It is recommended that the Scottish Government or Crown Estate Scotland monitor on a regular basis those assets subject to local control.
(material assets)
 - In terms of provisions for the sale of assets for less than market value, it is recognised that realisation of financial benefits or wider environmental or social benefits may not be immediate. It is therefore recommended that the length of time that any wider benefits will take to develop is considered, but does not prejudice the assessment of whether there is potential to sell assets for less than market value.
(material assets)

- Consideration should be given to exploring opportunities through lower tier Plans, Programmes and Strategies as well as in the consenting and licensing of individual projects at local level where appropriate, to mitigating the environmental effects of increased tourism. **(population and human health, air and water)**
- Consideration should be given to opportunities to maximise provision of public access to recreation facilities, green infrastructure and green spaces. **(population and human health)**
- It is recommended that consideration is given to opportunities for building capacity and understanding on all aspects of environmental management and protection in community organisations when taking on asset management responsibilities through the provision of guidance and advice. **(all SEA topics including biodiversity, flora and fauna and cultural heritage)**
- Asset Managers should give consideration at the earliest stages to appropriate siting and design of new infrastructure in collaboration with community bodies where appropriate. **(soil and geodiversity)**
- The assessment findings support the draft Plan's focus on increased investment activity for community or national benefit and which contributes to Scotland's Climate Change Plan. **(climatic factors)**
- Investment decisions at asset level should consider opportunities for enhancing the environment for the wider community benefit. **(landscape and visual).**

4.1.5 The SEA process aligned with the development of the draft Strategic Management Plan and helped to refine the objectives, priorities and policies into broader themes. It has allowed further consideration of environmental topics that may be affected by the implementation of the Plan and has offered recommendations on how these can be mitigated, or enhanced further.

4.1.6 The findings of the SEA also helped to re-emphasise the importance of providing guidance to managers, where control of assets was to be managed locally.

5 Comments on the draft Plan and how these have been taken into account

5.1 General feedback

- 5.1.1 The Environmental Report was issued for consultation alongside the draft Plan. The consultation sought views on the Plan: its vision, objectives, priorities and policies, as well as the ways in which it can be routinely monitored.
- 5.1.2 Views were invited on 21 questions (including four sub questions which comprised question 17). 11 questions related to the draft strategy, two to the Environmental Report and 8 questions related to other impact assessments.
- 5.1.3 The consultation received 34 responses from 2 individuals and 32 organisations - an equal mix of local (16) and national organisations (16). Respondents from organisations included local authorities, enterprise or coastal management bodies, natural heritage/ conservation bodies including the three SEA Consultation Authorities (HES, SEPA and SNH) and leisure and tourism organisations. Wider feedback was also provided by land and estates, fisheries/ seafood bodies, ports and harbours, commercial/ research organisations, and other organisations.
- 5.1.4 There was limited input from individuals (2 responses). Further, not all respondents answered all questions. There was however general support for the draft Plan and its contents across all questions.
- 5.1.5 Following the public consultation, the draft Plan was updated, taking into account the findings of the Environmental Report and the views expressed during the consultation, as well as to reflect developments since the draft was published in November 2019.
- 5.1.6 The sections below include a summary of the comments received during the consultation and how these comments have been taken into consideration in developing the final Plan.

5.2 Opportunities to contribute to sustainable development

- 5.2.1 The vast majority of respondents said that the opportunities to contribute to sustainable development as outlined in the consultation document were appropriate for the Scottish Crown Estate (24, 89%). There were a few comments that aspects of sustainable development might need to be further defined and one issue raised by a couple of respondents (natural heritage/ conservation body and land and estates) was the need to conceptualise value in ways that go beyond traditional financial aspects to also embrace the wider economic, social and environmental aspects of sustainable

development. Also, while not proposed within the draft Plan, a specific concern inferred was that environmental wellbeing could be “out-ranked” in decision-making processes by economic or financial considerations.

There was a request from a few respondents (including enterprise or coastal management bodies and land and estates) for a greater emphasis to be placed on, and a stronger commitment made to, community empowerment within the final version of the Plan. It was reported that this was “*at the heart of sustainable development, regeneration and social and economic wellbeing*”. The importance of communities delivering sustainable development across the estate was emphasised. Numerous specific comments and suggestions were also provided relating to the community ownership of assets and community empowerment.

- 5.2.2 A number of high-level examples were outlined in the consultation document to illustrate how the objectives, priorities and policies for the Scottish Crown Estate align with and can contribute to Scottish Ministers’ wider objectives, priorities and policies on economic development, regeneration, social wellbeing and environmental wellbeing. Where specific comments were provided on the high-level examples provided in the consultation document, the feedback largely confirmed that the examples provided were appropriate, but not necessarily an exhaustive list of potential opportunities.
- 5.2.3 Only a few respondents said that the opportunities to contribute to sustainable development outlined in the consultation document were not appropriate for the Scottish Crown Estate (three, 11%). This included a local authority, a leisure/ tourism body, and a fisheries/ seafood body. They raised individual points regarding experiences and potential solutions to issues with the pilot scheme, the need to properly address the sustainable development of the marine estate and the opportunity for Crown Estate Scotland to support the net-zero emissions target through management based on land type. It was felt that this could be delivered in such a way as to maximise jobs and enhance the economy.
- 5.2.4 A fisheries/ seafood body commented that the examples provided in the consultation document did not recognise the historic legal role of the Crown Estate to protect the rights of navigation and fishing. It was suggested that this could give greater clarity to the range of development activities, and help develop stronger links between the Plan, Scotland’s National Marine Plan, and general/ fisheries policies.
- 5.2.5 **SG response:** *Given that the vast majority of respondents were content with the opportunities to contribute to sustainable development, we did not make significant changes to this section. All comments were considered as part of the final review process and we intend to expand on the examples within any future guidance for managers, which may provide additional detail or additional examples. The Scottish Government will continue to work with*

Crown Estate Scotland and prospective managers of Scottish Crown Estate assets to protect the rights of navigation and fishing.

5.3 The Vision in the Plan

- 5.3.1 Almost all respondents felt that the vision articulated in the Plan met their expectations (either in full or partially) for the Scottish Crown Estate for the next five years (28, 97%).
- 5.3.2 Where respondents indicated that the vision met their expectations in full, this was more likely to be expressed by local authorities, natural heritage/conservation bodies, land and estates, and ports and harbours. Across the board, however, respondents who answered ‘fully’ often caveated the response with commentary that economic benefit or traditional financial aspects should not have priority over the wider aspects of sustainable development (i.e. social, environmental).
- 5.3.3 Where respondents indicated that the draft vision only partially met their expectations for the Scottish Crown Estate, this was more often reported by other organisations, fisheries/seafood bodies, enterprise or coastal management bodies and leisure/tourism bodies. However, there was general support among these respondents for the high-level vision, including the *“commitment to deliver long term social, economic and environmental benefits for Scotland and its communities”*.
- 5.3.4 This support was often set within the context of the following points:
- It was reported that there was a need for a duty to strike a balance between economic and other benefits;
 - It was considered important that the Plan clearly demonstrated, and placed sufficient emphasis on, the involvement of communities;
 - Wider points made reference to the term “environmental” in the vision (leisure/ tourism and local authority).
- 5.3.5 Wider individual points raised by these respondents included a few suggestions to help strengthen the vision, for example, by incorporating reference to accountability, the benefits of seabed and fisheries management to Scotland and its communities, and cross referencing with the National Islands Plan.
- 5.3.6 Only one respondent (leisure/ tourism) reported that the vision articulated in the Plan did not meet their expectations for the Scottish Crown Estate for the next five years (3%). Their view was that vision statements were of limited use in the context of strategic planning, and that a clear sense of direction was best delivered by a clear statement of purpose.

- 5.3.7 **SG response:** *The powers and duties in the Scottish Crown Estate Act 2019 provide further opportunities for communities to derive enhanced benefits from the assets in their area.*

5.4 Objectives, Priorities and Policies

- 5.4.1 Some 87% of respondents felt that the objectives, priorities and policies would deliver success to the Scottish Crown Estate. Strong support was expressed by most organisation sub-groups.
- 5.4.2 A diverse range of comments were provided by these respondents, however, only a couple of common themes emerged; a few respondents said that “success” would need to be clearly articulated and defined in the final Plan before an informed view could be provided to this question; that any definition of what success looks like should ensure due consideration of socio-economic benefit and environmental wellbeing. Various comments on how to achieve success were provided.
- 5.4.3 Only three respondents felt that that the objectives, priorities and policies would not deliver success to the Scottish Crown Estate. No real themes emerged, however, feedback did highlight that success should only be measured by socio-economic benefit derived and not “*corporate*” criteria/ measures.
- 5.4.4 When asked if respondents felt there were other opportunities for revenue generation less than half felt there were other opportunities. A wide range of individual comments were provided; ranging from scope to more closely link the Scottish Crown Estate to developments included as part of Growth Deals to carbon offset projects, and from payments for delivering public good to opportunities that seek to improve the resilience, efficiency and productivity of rural estates.
- 5.4.5 The majority of respondents reported that the objectives, priorities and policies would impact them positively. The potential to generate considerable income to meaningfully engage and empower local communities, and to support community projects and programmes was mentioned in a few cases. A variety of wider positive impacts were mentioned, including increased influence and sense of local ownership, and more sustainable management and use of Scottish Crown Estate assets. Where the impact was reported to be negative, some concerns were raised including that benefits might not be retained within local communities, and that a loss of local control in decision making risks disillusionment with the process. A further concern was the potential administrative burden that could be placed on communities.
- 5.4.6 All respondents reported that the objectives, priorities and policies would align and take account of wider Scottish Government objectives either fully or partially. Much of the feedback expressed support for the aims of the Plan

and its aspiration to more fully involve communities in the management of individual assets. Some respondents called for closer links to be made between the Plan and wider strategies and plans, namely the Land Use Strategy, Growth Deals, National Planning Framework, Local Development Plans, emerging Regional Spatial Strategies, National Islands Plan, Island Community Impact Assessments, National Marine Plan, Climate Change Plan, Climate Change Adaptation Plan/ Programme, and priorities related to the historic environment.

5.4.7 SG response: *The implementation of the Plan will continue to build on and align, where possible, with wider areas of policy that contribute to a fair and just society while balancing public and private interests. Scottish Ministers made the decision to not list all the wider strategies, policies and plans as this would not be exhaustive.*

5.4.8 Specific consultation questions were posed around the three themes which encompassed the various objectives, priorities and policies in the draft Plan. Further detail is provided below on responses to questions posed around each theme.

Theme 1: Delivering Benefits and Realising Opportunities

5.4.9 Four-fifths of respondents believed that the objectives, priorities and policies contained in theme 1 would support achievement of the vision for the future management of the Scottish Crown Estate (80%). Among others, strong support was expressed by local authorities, enterprise or coastal management bodies and leisure and tourism bodies. Of those respondents who answered “Yes” to this question, a broad range of general comments were provided. This included comments from some respondents (e.g. enterprise or coastal management bodies, leisure/ tourism) who felt that the commitment to involving and supporting communities within the Plan could be further strengthened.

5.4.10 It was reported in a few cases that stronger and more explicit linkages could be made between the objectives, priorities and policies in the Plan and other priorities, plans and acts. There was also wider reference to the importance of accountability and transparency at all levels.

5.4.11 While the option to charge less than market value for sales and leases where wider community and sustainability benefits could be demonstrated was welcomed - *“it would unlock enormous potential for communities”* – various comments were provided regarding the term *“equivalent scale”*.

5.4.12 A respondent felt that there was greater scope for the relocation of Crown Estate jobs in the islands. It was reported that this would contribute to added expertise locally, and make Crown Estate Scotland (Interim Management) more connected to island communities. Another respondent, while recognising the interests of those in coastal areas, noted that the interests of

Scotland and its people as a whole should also be taken into account, with respect to Scottish Crown Estate coastal assets.

- 5.4.13 All respondents (i.e. those that answered “Yes” or “No” to Question 3 or left it blank) provided more specific comments on the seven theme 1 objectives and/ or the associated narrative within the consultation document. Some comments were not explicitly linked to theme 1 and included references to the importance of adopting a strategic and long term approach to help maximise impact, the importance of making reference to the historic environment in theme 1 and throughout the Plan and the need for robust mechanisms to ensure transparency around the income generation, including scrutiny of management expenses.
- 5.4.14 **SG response:** *Through the Plan and wider policy intervention we will continue to explore ways to strengthen the voice of all communities whilst ensuring to capture the differences between islands in local and national decision-making.*

Theme 2: How Scottish Crown Estate Assets are Managed

- 5.4.15 Over 80% of respondents believed that the objectives, priorities and policies contained in theme 2 would allow the achievement of the vision for the future management of the Scottish Crown Estate. Strong support was expressed by local authorities, enterprise and coastal management bodies, leisure and tourism bodies, and others (e.g. ports and harbours, land and estates, fisheries/ seafood bodies). These respondents presented a range of general comments on the detail of theme 2 as specified in the consultation document.
- 5.4.16 Good governance of Scottish Crown Estate assets was considered important by some respondents and in some cases respondents provided further detail on their suggestions and feedback regarding the need for clear and fair policy for charging community organisations and comments around reporting requirements.
- 5.4.17 Wider points included that raised by a local authority who felt that there could be greater recognition of the role local authorities could play as potential managers of the Crown Estate and the associated benefits. It was considered important that the management of the Crown Estate does not become “*fragmented and piecemeal*”.
- 5.4.18 There was considered to be scope in the future to review the extent to which certain assets could be managed locally. Here, it was mentioned that the scope of locally managed assets could be broadened. A local authority reported that further fragmentation of ownership of the river bed should be considered in a wider context and managed on a regional/ national basis.
- 5.4.19 16 % (4 respondents) did not think that theme 2 would allow the achievement of the vision for the future management of the Scottish Crown

Estate. There were a few concerns regarding appealing and providing support to communities to take ownership and keep them engaged. Other comments were less consistent and related to specific points around control of salmon farming and extension of the maritime limit.

- 5.4.20 **SG response:** *Due to the high level of support expressed from respondents, no major revisions were made to this section. We will monitor the objectives, policies and priorities within theme 2 in the Plan to ensure they remain relevant and meet expectations. Through the Plan and wider policy intervention we will continue to explore ways to strengthen the voice of all communities whilst ensuring to capture the differences between islands in local and national decision-making.*

Theme 3: Revenue, Management of Liabilities and Other Issues

- 5.4.21 The vast majority of respondents believed that the objectives, priorities and policies contained in theme 3 would allow achievement of the vision for the future management of the Scottish Crown Estate (21, 88%). Strong support was expressed by local authorities, enterprise and coastal management bodies, leisure and tourism bodies, and others (e.g. ports and harbours, land and estates, fisheries/ seafood bodies).
- 5.4.22 The most commonly provided feedback from these respondents included support for the proposal to ensure that all of the net revenue from the estate should be used for the benefit of Scotland, in particular coastal communities, “increased ownership” for coastal communities over the adjacent inshore area. Here, accountability and transparency in decision-making processes were said to be important and would help ensure that coastal communities benefitted.
- 5.4.23 The importance of having appropriate processes and mechanisms in place to ensure that the management assets did not become “fragmented” or “un-coordinated” at local/ regional level was emphasised.
- 5.4.24 A few local authority respondents specifically welcomed the distribution of net revenues to local authorities, and mentioned that undertaking a review of future allocations with COSLA would be important. Here, wider comments highlighted the importance of partnership working between local authorities and Crown Estate Scotland to “avoid duplication and fragmentation”. The importance of ‘taking full cognisance of the views of the communities it is benefiting’ was also mentioned.
- 5.4.25 A few respondents believed that the objectives, priorities and policies contained in theme 3 would not support achievement of the vision for the future management of the Scottish Crown Estate (three, 12%); this included some concern raised about the appropriateness of the formula proposed for the distribution of net revenue to coastal local authorities.

5.4.26 **SG response:** *Due to the high level of support expressed from respondents, no major revisions were made to this section. Where appropriate, specific comments were incorporated into the text.*

5.5 Other Policies for consideration in the Plan

5.5.1 When asked if there were other Scottish Government policies which should be taken into account, the majority of respondents answered no. Only a few respondents made reference to wider policies. One respondent mentioned the importance of not losing sight of the Community Empowerment Act and another respondent felt that stronger links could be made with Growth Deals, National Planning Framework, and Local Development Plans, and emerging Regional Spatial Strategies.

5.5.2 **SG response:** *Based on the responses received, we did not make any changes to the final Plan's outcomes and no new objectives were identified as required.*

6 Comments on the Environmental Report

6.1 Questions on the Environmental Report

6.1.1 The two questions used in the consultation to help frame responses on the Environmental Report are provided below. Corresponding views and comments received have been summarised in the sections that follow.

1. Do you have any views on the evidence set out in the Strategic Environmental Report?
2. Do you agree with the conclusions and recommendations set out in the Strategic Environmental Report?

6.2 Do you have any views on the evidence set out in the Environmental Report?

6.2.1 Just over two-thirds of respondents did not have any views on the evidence set out in the Environmental Report (14, 70%). Where respondents did provide views, a long list of individual points were raised. Examples include that there could be reference to the State of Nature 2019 report and the Intergovernmental Science Policy Platform on Biodiversity and Ecosystems Services (IPBES) report as referencing the condition of biodiversity in Scotland and more broadly. The same respondent felt that the report could acknowledge the scale of the issue of biodiversity and habitat loss more appropriately.

6.2.2 One respondent felt that the report could make reference to production technology in the finfish aquaculture sector and its consequences for animal health/ welfare, environmental impact and impact on wild fish.

6.2.3 One organisation reported a perceived lack of clarity in relation to the historic environment where undesignated but known sites were omitted from the text and figures in the Strategic Environmental Report, and therefore felt that there was an incomplete consideration and protection of historic environment (designated and undesignated).

6.2.4 **SG response:** *The Scottish Government welcomes and notes this feedback. Whilst the comments received and suggested evidence sources are not considered to alter the results of the assessment, where applicable, they will be noted for future reference.*

6.2.5 Other respondents commented that the environmental baseline provided a comprehensive analysis of the different pressures facing each of the SEA topics and welcomed consideration in the baseline of the pressures facing the historic environment.

6.2.6 One respondent commented that they would expect to have sight of an SEA Statement as the Plan is finalised to take account of the findings of the SEA report and the views expressed during the consultation.

6.2.7 **SG response:** *This Post Adoption Statement is the document referred to and will be submitted to the SEA Gateway and also made publicly available. In addition to this, an advert will also be placed in at least one newspaper that circulates in the area to which the plan or programme relates, outlining the plan's adoption and this Statement's publication.*

6.3 Do you agree with the conclusions and recommendations set out in the Strategic Environmental Report?

6.3.1 Over 70% of respondents agreed with the conclusions and recommendations set out in the Strategic Environmental Report. Two respondents provided further commentary including one respondent who felt that monitoring and evaluation arrangements could have greater links to the Climate Change Plan, Climate Change Risk Assessment and Climate Change Adaptation Plan. The other respondent noted that they were content with the methodology used to consider the environmental effects, the thought processes involved, consideration of reasonable alternatives, monitoring arrangements, and the findings and recommendations of the assessment.

6.3.2 A specific comment was provided on the findings and recommendations relating to the historic environment, stating that more could have been made of the benefits associated with building maintenance and improvements within the historic environment (and contribution to place-making).

6.3.3 **SG response:** *Responses to the Consultation on Reporting, Monitoring and Reviews of the Plan are discussed further in section 8.2 below.*

7 Reasons for selecting the Strategic Management Plan as adopted

- 7.1.1 The 2005 Act requires that the Scottish Government identify, describe and evaluate the likely significant effects on the environment of any reasonable alternatives to the draft Strategy, taking into account its objectives and geographical scope.
- 7.1.2 For the purposes of the assessment the 22 Strategic Management Plan objectives, priorities and policies were organised into themes. Some of these were scoped out of the assessment as they were considered unlikely to have significant environmental effects, for example, because they related to administrative or procedural matters or concerned the future provision of advice which will be non-binding in nature. The two scoped in themes were:
- Theme 1: Delivering Benefits And Realising Opportunities, and
 - Theme 2: How Scottish Crown Estate Assets Are Managed.
- 7.1.3 During the process to develop the draft Plan, the Scottish Government considered reasonable alternatives to key objectives, priorities and policies including the 'do nothing scenario'. Following detailed consideration of various alternatives, it was concluded that there were no reasonable alternatives to the Plan.
- 7.1.4 The extent to which alternatives could be considered 'reasonable' was influenced by the existing legislative and policy context the document must align with, including existing Scottish Government commitments and targets.
- 7.1.5 In the finalisation of the Plan no changes have been made to the contents of the objectives, priorities and policies aside from some changes to wording. The wording does not include any additions that would necessitate further assessment.

8 Monitoring

8.1 Monitoring Proposals

- 8.1.1 Section 19 of the 2005 Environmental Assessment (Scotland) Act requires the Responsible Authority to monitor significant environmental impacts arising as a result of the implementation of the plan, programme or strategy. The purpose of the monitoring is to identify any unforeseen adverse effects at an early stage and to enable appropriate remedial action to be taken.
- 8.1.2 The Scottish Government will monitor implementation of the Strategic Management Plan, delivery of the objectives, priorities and policies and alignment with wider objectives, priorities and policies. The Scottish Government will work with Crown Estate Scotland and prospective managers of Scottish Crown Estate assets to ensure that appropriate monitoring is undertaken alongside wider monitoring under the National Performance Framework.
- 8.1.3 Crown Estate Scotland also have a number of monitoring mechanisms in place such annual reporting through their Business Plan² and Framework Document³.
- 8.1.4 The monitoring and review of the Plan will be informed by the delivery of targets and indicators in Crown Estate Scotland corporate plans and any management plans prepared by other managers.
- 8.1.5 Corporate plans and management plans should set out how the manager plans to manage the asset over the next 3 years. Annual reports will also provide an assessment of how a manager has performed against the objectives. Therefore, annual reports and management plans will be one method used to monitor the performance of the managers of the assets.
- 8.1.6 Monitoring of significant environmental effects will be aligned with the monitoring for the Value Project which is a tool being developed by Crown Estate Scotland to better understand, measure and monitor the social, economic and environmental benefits generated from the Scottish Crown Estate. Therefore the proposed monitoring and reporting mechanism for monitoring environmental effects would include use of this monitoring tool.
- 8.1.7 It is expected that this Value Project will provide an appropriate monitoring framework for the purposes of SEA. The requirements of the 2005 Act will be fully incorporated into the monitoring framework and all relevant comments received will be considered.

² <https://www.crownestatescotland.com/maps-and-publications>

³ <https://www.crownestatescotland.com/maps-and-publications/download/452>

8.2 Responses to the Consultation on Reporting, Monitoring and Reviews of the Plan.

- 8.2.1 A specific consultation question was posed around the Reporting, Monitoring and Reviews of the Plan.
- 8.2.2 When asked if they had any comments or additional suggestions on the arrangements for monitoring and review of the Plan, the majority of respondents commented. It was felt that there should be explicit reference to engagement with stakeholders and the public as part of the monitoring and evaluation requirements (and this should also be reflected in the suite of indicators developed). The arrangements were felt to be relatively high level, and there would need to be further development work undertaken and more detail provided on the process and a common set of outcomes and indicators. A comment was made that to ensure that monitoring and reporting arrangements are not too onerous or burdensome, in particular for community groups. Another comment stated that monitoring and reporting arrangements should be underpinned by a commitment for openness and transparency.
- 8.2.3 **SG response:** *The Scottish Government agrees that the suite of indicators should include indicators based on stakeholder engagement. The Scottish Government also propose that common indicators will be developed and will be measured against the objectives, priorities and policies (wording has been added to the Plan accordingly). The Scottish Government agrees in principle regarding ease of monitoring and reporting, while recognising it is the management of public assets. Monitoring arrangements will be confirmed in due course. A commitment for openness and transparency has been included in the Plan.*
- 8.2.4 A comment was made that monitoring for SEA purposes would be aligned with monitoring for the Value Project which is a tool being developed to better understand, measure and monitor the benefits generated from the Scottish Crown Estate. It was suggested that monitoring could also include gathering data on the location and extent of activities associated with the Plan's objectives, priorities and policies and potential environmental effects.
- 8.2.5 **SG response:** *The Scottish Government agrees in principle and in future, the results of CES's Value Project could build on the SEA findings. In the future, activity will not be limited to the footprint of the SCE. This is linked to the objectives, priorities and policies relating to investment outside of the estate. Where a manager is investing outside of the estate the effects should be monitored.*

- 8.2.6 Other comments specific to reviews of the Plan included consideration to be given to a mechanism to allow early or interim reviews and alignment of the timeframes for review of the Plan and Crown Estate Scotland Corporate Plan.
- 8.2.7 **SG response:** *Strategic Managers already have the ability to review the Plan at any time with a five year period. The Scottish Government notes the comment regarding aligning the reviews, and will keep this suggestion under review.*

9 Conclusion

- 9.1.1 The Scottish Government is content that the level and scope of the SEA is proportionate and that, given the high-level nature of the Strategic Management Plan, it has been pitched at the appropriate level. Where appropriate, the findings of the SEA and the comments received from the consultation have been used to further refine the Strategic Management Plan.
- 9.1.2 This Post Adoption Statement concludes the SEA process, setting out the ways in which the findings of the SEA Environmental Report and the views expressed during the consultation on the SEA Environmental Report, as well as on the draft Plan, have been taken into account within the CES Strategic Management Plan.



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