

# Pilot Pentland Firth & Orkney Waters Marine Spatial Plan

Strategic Environmental Assessment  
Post Adoption Statement

March 2016

# PILOT PENTLAND FIRTH AND ORKNEY WATERS MARINE SPATIAL PLAN

## Strategic Environmental Assessment Post Adoption Statement

March 2016

Report prepared by:



On behalf of the Pilot Pentland Firth and Orkney Waters working  
group:



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## Abbreviations

AA	Appropriate Assessment
BRIA	Business and Regulatory Impact Assessment
CCS	Carbon Capture Storage
dSPA	Draft Special Protection Area
EC	European Commission
EIA	Environmental Impact Assessment
EQIA	Equalities Impact Assessment
EU	European Union
FISA	Fisheries Industry Science Alliance
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables
Framework Plan	Pentland Firth and Orkney Waters Marine Spatial Plan Framework Plan
HES	Historic Environment Scotland
HRA	Habitats Regulations Appraisal
JNCC	Joint Nature Conservation Committee
LDP	Local Development Plan
LNCS	Local Nature Conservation Site
LSE	Likely Significant Effects
NGO	Non-Government Organisation
NMP	National Marine Plan
NMPi	National Marine Plan Interactive
NPF3	National Planning Framework 3
ORJIP	Offshore Renewables Joint Industry Programme
PFOW	Pentland Firth and Orkney Waters
Pilot Plan	Pilot Pentland Firth and Orkney Waters Marine Spatial Plan
PIOP	Planning Issues and Options Consultation Paper
PPS	Plans, Programmes and Strategies
pSPA	Proposed Special Protection Area
RLG	Regional Locational Guidance

SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
SEPA	Scottish Environment Protection Agency
SIMD	Scottish Index of Multiple Deprivation
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SpORRAn	Scottish Offshore Renewables Research Framework
SPP	Scottish Planning Policy
TCE	The Crown Estate
The 2005 Act	The Environmental Assessment (Scotland) Act 2005
The 2010 Act	The Marine (Scotland) Act 2010.

# 1 Introduction

## 1.1 Background

- 1.1.1 A working group consisting of Marine Scotland, Orkney Islands Council and Highland Council developed the Pilot Pentland Firth and Orkney Waters (PFOW) Marine Spatial Plan (the Pilot Plan). The Pilot Plan sets out an integrated planning policy framework to guide marine development, activities and management decisions in the PFOW area, and promoting integrated and sustainable decision on marine use and management. It also seeks to balance the needs of a diverse range of economic sectors including commercial fishing, renewable energy, tourism, recreation, aquaculture, shipping, and oil and gas, amongst many others; with those of local communities, whilst also protecting the environment on which these depend.
- 1.1.2 The Pilot Plan has been developed as a non-statutory document, building upon previous work undertaken in preparing the Planning Issues and Options Consultation Paper (PIOP) published for consultation in May 2013<sup>1</sup>, and the Consultation Draft of the Pilot Plan published in June 2015<sup>2</sup>. It takes forward the proposals set out in both Papers, in the context of the views of respondents from the two consultations and the input of stakeholders from discussions held in its development. The Pilot Plan has also been prepared to establish a useful basis for the preparation of statutory Regional Marine Plans for the Orkney and North Coast Scottish Marine Regions, and through the publication of its Lessons Learned Report, help to inform the development of other Regional Marine Plans elsewhere in Scotland.

The draft Pilot Plan was subject to Sustainability Appraisal (SA) which comprised a Strategic Environmental Assessment (SEA), Habitats Regulation Appraisal (HRA) Record and a Socio-economic Assessment<sup>3</sup>. Regional Locational Guidance (RLG)<sup>4</sup> and a Socio-economic Baseline Review<sup>5</sup> were also prepared and published alongside the draft Pilot Plan to

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<sup>1</sup> The Scottish Government (2013) Consultation on Pilot Pentland Firth and Orkney Waters Marine Spatial Plan Planning Issues and Options Paper [online] Available at: <http://www.gov.scot/Publications/2013/06/9672/0> (accessed 22/02/2016)

<sup>2</sup> The Scottish Government, The Highland Council and Orkney Islands Council (2015) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan Consultation Draft [online] Available at: [https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting\\_documents/PFOW%20MSP%20Consultation%20Draft.pdf](https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting_documents/PFOW%20MSP%20Consultation%20Draft.pdf) (accessed 22/02/2016)

<sup>3</sup> ibid

<sup>4</sup> The Scottish Government, The Highland Council and Orkney Islands Council (2015) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Draft, Regional Locational Guidance [online] [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-regionallocationalguidance](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-regionallocationalguidance) (accessed March 2016)

<sup>5</sup> The Scottish Government, The Highland Council and Orkney Islands Council (2015) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Draft, Socio-economic Baseline Review [online] Available at:



inform its development. It is anticipated that the Pilot Plan, supported by these documents, will become a material consideration in existing consenting processes and help to guide developers, planners and other stakeholders towards sustainable decision making and co-operative management of the PFOW marine area.

## 1.2 The Sustainability Appraisal (SA)

1.2.1 A SA was prepared during the development of the draft Pilot Plan and this was published for consultation alongside the draft Pilot Plan in June 2015. The SA process was undertaken in parallel to the Plan development from an early stage to enable decision-making to be informed by relevant environmental and socio-economic information.

1.2.2 The SA incorporated three main components:

- A SEA required under Directive 2001/42/EC and the Environmental Assessment (Scotland) Act 2005 (the 2005 Act).
- A Socio-economic Assessment.
- A record of work undertaken to meet obligations under the European Commission (EC) Habitats Regulations (a HRA).

1.2.3 These assessments were undertaken iteratively alongside the preparation of the draft Pilot Plan, and their findings were jointly presented in the SA Report. The integration of these separate assessment components into one report provided several benefits. For example, this enabled the potential for cumulative impacts on the environment, communities and other sea users to be considered in a cohesive way, and assisted recommendations of a holistic nature to be drawn. This was considered to be a particular benefit in the development of the Pilot Plan; especially given the close interactions of environment and socio-economic aspects within the PFOW area, and the prominent role that the marine environment plays in supporting the many communities in this region.

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[https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting\\_documents/PFOW%20MSP%20%20SocioEconomic%20Baseline%20Review.pdf](https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting_documents/PFOW%20MSP%20%20SocioEconomic%20Baseline%20Review.pdf) (accessed 22/02/2016)

## 1.3 This Post Adoption Statement

1.3.1 The requirements for the post-adoption stage of SEA are set out under Part 3 of the 2005 Act. This stage involves the publication and advertising of the finalised Plans and a statement setting out:

- How environmental considerations have been integrated into the plan (Section 18(3)a of the 2005 Act).
- How the environmental report has been taken into account (Section 18(3)b of the 2005 Act).
- How consultee opinions have been taken into account (including transboundary consultations) (Section 18(3)c and d of the 2005 Act).
- The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives considered (Section 18(3)e of the 2005 Act).
- Measures to be used to monitor the significant effects of the plan (Section 18(3)f of the 2005 Act).

1.3.2 This SEA Post Adoption Statement (this Statement) fulfils these requirements and brings together the findings of the SEA, HRA and Socio-Economic Assessment, a summary of the views expressed in the consultation on these documents and an overview of those on the draft Pilot Plan itself.

1.3.3 Together, the Consultation Analysis and Modifications Report<sup>6</sup> for the Pilot Plan and this Statement have been prepared to set out how these findings and views have been considered in the development of the Pilot Plan.

## 1.4 Structure of this report

1.4.1 This statement is structured as follows:

- Section 1: Sets out background information on the Pilot Plan, the SA process and the set out of this Statement.
- Section 2: Sets out the three stage process undertaken in developing the Pilot Plan.
- Section 3: Presents a broad summary of the views expressed in the consultation on the PIOP and the Draft Environmental Report published for public consultation, and an overview of the findings of the Draft

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<sup>6</sup> The Scottish Government, The Highland Council and Orkney Islands Council (2015) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Analysis and Modifications Report [online] Available at: <http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-consultationanalysisandmodificationsreport> (March 2016)

Environmental Report. This section also sets out how these views and findings have been considered in the development of the Pilot Plan.

- Section 4: Presents a summary of the views expressed by respondents to the consultation on the draft Pilot Plan.
- Section 5: Presents an overview of the findings of the SA and a summary of the views expressed by respondents to the consultation the SA. This section also sets out how these views and findings have been considered in the development of the final Pilot Plan.
- Section 6: Sets out the rationale behind the development of the Pilot Plan and its policies, including discussion on the reasonable alternatives considered and assessed in the SA process.
- Section 7: Sets out the monitoring framework and next steps of the process.

## 1.5 Links to Relevant Documents

### The Plan Scheme

- 1.5.1 A link to the Plan Scheme is available from:  
<http://www.gov.scot/Resource/0040/00408910.pdf>

### The Planning Issues and Options Consultation Paper (PIOP)

- 1.5.2 Links to the PIOP and related documents are set out below:
- The PIOP is available from:  
<http://www.gov.scot/Publications/2013/06/9672/0>.
  - The Consultation Analysis for the PIOP and its Draft Environmental Report is available from:  
<http://www.gov.scot/Resource/0043/00439683.pdf>.
  - The Consultation Report for the PIOP and its Draft Environmental Report is available from: <http://www.gov.scot/Publications/2014/04/5576>.
  - The Draft Environmental Report is available from the SEA Database:  
<http://www.gov.scot/Topics/Environment/environmental-assessment/sea/SEAG>.

### The draft Pilot Plan

- 1.5.3 Links to the draft Pilot Plan and related documents are set out below:
- The Consultation Paper for the draft Pilot Plan is available from:  
[https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting\\_documents/PFOW%20MSP%20Consultation%20Draft.pdf](https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting_documents/PFOW%20MSP%20Consultation%20Draft.pdf).

- The SA Report is available from [https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting\\_documents/PFOW%20MSP%20%20Sustainability%20Appraisal.pdf](https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting_documents/PFOW%20MSP%20%20Sustainability%20Appraisal.pdf) and is on the SEA Database at: <http://www.gov.scot/Topics/Environment/environmental-assessment/sea/SEAG>.
- The Socio-economic Baseline Review is available from: [https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting\\_documents/PFOW%20MSP%20%20SocioEconomic%20Baseline%20Review.pdf](https://consult.scotland.gov.uk/marine-scotland/pfowmarinespatialplan/supporting_documents/PFOW%20MSP%20%20SocioEconomic%20Baseline%20Review.pdf).
- The RLG is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-regionallocationalguidance](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-regionallocationalguidance).

## The Pilot Plan

1.5.4 Links to the Pilot Plan and related documents are set out below:

- The Pilot Plan is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan).
- The Pilot Plan summary is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-summary](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-summary).
- The Consultation Analysis and Modifications Report for responses received in the consultation is available from: <http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-consultationanalysisandmodificationsreport>.
- The Lessons Learned Report is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-lessonslearned](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-lessonslearned).
- The HRA Record is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-habitatsregulationsappraisalrecord](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-habitatsregulationsappraisalrecord).
- The Business and Regulatory Impact Assessment (BRIA) is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-businessandregulatoryimpactassessment](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-businessandregulatoryimpactassessment).
- The Equality Impact Assessment (EqIA) is available from: [www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-equalityimpactassessment](http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-equalityimpactassessment).

## 2 The Development of the Pilot Plan

### 2.1 The Process and Timescales

- 2.1.1 Between 2008 and mid-2012 the marine spatial plan process for the PFOW area was managed by Marine Scotland. A working group for the development of a Pilot Plan for the PFOW area was created in May 2012, and whilst lead by Marine Scotland, a partnership approach to the delivery of the plan was established between Marine Scotland and the Orkney Islands and Highland Councils. This partnership approach was taken to enable the balancing of local and national issues in the development of the draft and final Pilot Plans, and to manage effective engagement with local stakeholders.
- 2.1.2 Since 2009, the development of the Pilot Plan was undertaken in three main stages.

### 2.2 Stage 1 – PFOW Marine Spatial Plan Framework Plan and Regional Locational Guidance (RLG)

- 2.2.1 The development of a Marine Spatial Plan for the PFOW began in 2009 with the commencement of work on the PFOW Marine Spatial Plan Framework Plan (the Framework Plan) alongside the specific development of RLG for the PFOW area. The Framework Plan and RLG were published in March 2011.
- 2.2.2 Together, these documents provided a summary of existing information on different uses of the seas in the area, and allowed the Framework Plan to explore how the many different uses of the coastal and marine space can affect each other. From this process, the Framework Plan made recommendations for future research to ensure that the development of the Pilot Plan was underpinned by relevant, good quality information.

### 2.3 Stage 2 – Data gaps and research projects

- 2.3.1 The second stage took forward the recommendations of the Framework Plan and the RLG, and was ultimately aimed at informing and supporting the policy framework proposed for the development of the Pilot Plan. This stage of the process specifically involved the identification of data gaps and the delivery of research studies undertaken to fill these data gaps. This included studies in inshore fishing, commercial shipping and boating, monitoring of marine mammals and sea birds, and tourism and recreation value studies, amongst others.
- 2.3.2 However, many of the studies commissioned were based on the previously defined PFOW plan area that had been based on The Crown Estate (TCE)

Strategic Area which omitted the western portion of the north Sutherland coast. Based on the development of the Scottish Marine Regions in accordance with the 2010 Act, and from feedback from consultation responses from the consultation on the PIOP, the preparation of the Pilot Plan was subsequently based on encompassing the Scottish Marine Regions of Orkney and North Coast, including the western portion of the north Sutherland coast.

## 2.4 Stage 3 – Development of the Pilot Plan

### Publication of the Plan Scheme followed by the preparation of a Planning Issues and Options Consultation Paper (PIOP)

- 2.4.1 In 2012, the Plan Scheme was published and this was followed by the preparation of the PIOP, published in mid-2013. The Plan Scheme acted as first statement of public participation in the preparation of the Pilot Plan and set out how the pilot plan would be prepared and opportunities for stakeholders to get involved. The Consultation Paper presented a range of key issues proposed by Marine Scotland for inclusion in the draft Pilot Plan. Whilst being developed as a non-statutory Pilot Plan, this process followed, as closely as possible, the key steps for the preparation of a regional marine plan set out in Schedule 1 of the Marine (Scotland) Act 2010 (the 2010 Act).
- 2.4.2 A draft SEA Environmental Report was prepared to accompany the publication of the Consultation Paper. The draft Environmental Report explored the significant environmental effects of the proposals outlined within the Consultation Paper. It was made available for consultation and obtained the feedback of stakeholders, including the Consultation Authorities, on the SEA undertaken thus far. The views expressed by respondents through the consultation process formed the basis for the development of the draft Pilot Plan and its Environmental Report.

### Development of the Pilot Plan and Associated Documents

- 2.4.3 The proposals outlined in the PIOP and its Environmental Report were taken forward in the development of the draft Pilot Plan. The working and advisory groups, set up for the Pilot Plan's development, played an important role in shaping the Pilot Plan and its general and sectoral policies.
- 2.4.4 The draft SEA Environmental Report was also taken forward alongside the development of the Socio-economic Baseline Review and updated RLG, all of which directly informed the development of the SA. The SA also set out the work undertaken to meet obligations under the EC Habitats Regulations. Alongside the draft Pilot Plan, the SA, Socio-economic Baseline Review, RLG, BRIA and EQIA were published on the Scottish Government's consultation websites for a 12 week public consultation commencing on 15 June 2015 and closing on 6 September 2015.

- 2.4.5 A series of consultation events were also held to provide an opportunity for stakeholders and the wider public to learn about, and provide comments on, the Draft Pilot Plan. These consultation events were held at the Warehouse Buildings in Stromness (6<sup>th</sup> July 2015), Caithness Horizons in Thurso (7<sup>th</sup> July 2015) and in the Village Hall in Durness (9<sup>th</sup> July 2015).

### Lessons Learned Report

- 2.4.6 A review of the development process was undertaken and the findings were collated and presented in a Lessons Learned Report. This process involved undertaking a detailed analysis of the development process for the draft Pilot Plan, and the consideration of options for improving the process with the benefit of hindsight. It was aimed at informing the development of subsequent Regional Marine Plans.

### Preparation of the Consultation Analysis and Modifications Report and Finalisation of the Pilot Plan

- 2.4.7 After the completion of the consultation, the responses received were collated and analysed in accordance with Scottish Government practice<sup>7</sup>. A Consultation Analysis and Modifications Report was prepared by the Working Group, providing a summary of the views expressed by respondents to the consultation and during the workshop sessions undertaken on the Draft Pilot Plan, and outlining how these were considered in the finalisation of the Pilot Plan.
- 2.4.8 The Modifications Report and this Post Adoption SEA Statement have been developed to complement one another, and together with the previous Consultation Analysis and Consultation Report on the PIOP, they outline the views of respondents on the PIOP and the draft Pilot Plan and its associated documents. Together, they also set out how the views of respondents have been taken into account in the development of the final Pilot Plan and its general and sectoral policies.

### The Pilot Plan

- 2.4.9 The Pilot Plan has been finalised and published alongside this Statement.

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<sup>7</sup> The Scottish Government (2014) About Scottish Government Consultations [online] Available at: <http://www.gov.scot/Consultations/About> (accessed 20/04/2015)

### 3 Views on the Planning Issues and Options Consultation Paper (PIOP) and Draft Environmental Report

#### 3.1 Overview

3.1.1 The following sections of this Statement provide a summary of views expressed in the consultation on the PIOP undertaken in June and July 2013, those received on the draft SEA Environmental Report, and how these have been considered in the development of the Pilot Plan.

#### 3.2 The Consultation and Engagement Processes

3.2.1 A total of 30 responses were received in the relation to the PIOP during its public consultation, including several respondents that also submitted separate responses relating to the draft Environmental Report, or provided comments on both the PIOP and the draft Environmental Report in joint responses. Consultation events were also held in Kirkwall and Thurso alongside public drop-in sessions in July 2013, and meetings with stakeholders were also conducted at this time to actively seek out the views and suggestions from stakeholders at an early stage in the Pilot Plan's development.

3.2.2 A detailed breakdown of these responses and further detail on the themes and issues raised during the consultation is provided in the Consultation Analysis<sup>8</sup> and the Consultation Report<sup>9</sup>.

#### 3.3 Summary of Views Received on the PIOP

3.3.1 A wide range of detailed comments were received in the consultation on the PIOP and there was also discussion on a diverse range of issues at each of the workshops and drop in sessions.

3.3.2 The views expressed by respondents in the consultation largely focused on issues that the respondents felt were important considerations to ensure that the Plan was fit for purpose. For example, the suggestions included ensuring that the vision and objectives of the Pilot Plan were clear, that a balanced approach to planning and sustainability was undertaken, and reinforcing the importance of ongoing engagement with stakeholders in the Plan's development.

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<sup>8</sup> Marine Scotland (2013) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Analysis [online] Available at: <http://www.gov.scot/Resource/0043/00439683.pdf> (accessed 22/02/2016)

<sup>9</sup> Marine Scotland (2014) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Report [online] Available at: <http://www.gov.scot/Publications/2014/04/5576> (accessed 22/02/2016)



3.3.3 These views are summarised in Table 3.1 alongside an explanation of how the issues raised were considered, and where appropriate, addressed in the evolution of the Pilot Plan.

**Table 3.1 Summary of Views Received on the PIOP**

Summary of views received in the consultation on the PIOP	Response
The Pilot Plan should have a clear vision and objectives.	The vision and objectives for the plan were developed and set out in the draft Pilot Plan and considered in the SA report. These have since been taken forward in the development of the finalised Pilot Plan.
There should be clear and consistent use of terminology and definitions, with links to relevant Scottish Government work, plans and other relevant information.	<p>This comment has been noted.</p> <p>Engagement with stakeholders and numerous public consultations has enabled the use of terminology and definitions to be progressively refined prior to the publication of the finalised Pilot Plan.</p> <p>The development of the PIOP, draft Pilot Plan and Pilot Plan involved several stages of review of the policy context of the Pilot Plan. This process enabled the progressive identification of links to other relevant plans and studies; many of which were developed since the initiation of the Pilot Plan process (i.e. National Planning Framework 3 (NPF3), Scottish Planning Policy (SPP) and National Marine Plan (NMP)).</p>
A very clear need was identified for on-going consultation with a wide range of stakeholders.	<p>Consultation was a key aspect of the Plan development process from its initiation. Stakeholder engagement was undertaken in the development of the PIOP, the development of the draft Pilot Plan and its General and Sectoral Policies, and several stages of consultation on both these documents, and their associated documents (i.e. RLG, draft Environmental Report, SA).</p> <p>The SA also identified the importance of engagement and achieving the 'buy in' of stakeholders, planning bodies and communities in order to achieve the potential benefits identified.</p>

Summary of views received in the consultation on the PIOP	Response
<p>It was felt that clarity was needed in relation to the information that will be used for the evidence base to inform the Plan.</p>	<p>Baseline information gathered in the preparation of the draft Environmental Report on the PIOP; the SA, RLG and socio-economic baseline processes for the draft Pilot Plan; and the views expressed by attendees of workshops, drop in sessions and via written responses were important considerations in the development of the Pilot Plan and its policies.</p>
<p>Some respondents provided detailed comments in relation to the proposed policies, and some suggesting changes to wording.</p>	<p>All comments received have been noted in the progression and finalisation of the Pilot Plan.</p> <p>The views expressed by attendees of workshops, drop in sessions and in written responses have been important considerations in the development of the Pilot Plan and its policies.</p>
<p>Some noted a need for a balanced and sustainable approach to planning.</p>	<p>As set out in the Environmental Report, the development of the Pilot Plan was focused on “balance[ing] the competing demands of economic sectors and local communities for the use of the coastal and marine waters in the PFOW, whilst promoting sustainability, early engagement amongst stakeholders and the protection of the coastal and marine environments on which these sectors and communities depend”.</p> <p>Undertaking the SA on the Pilot Plan and its many policies took this approach further forward, and set the foundation for providing a balanced assessment of the potential for social, economic and environmental effects associated with the adoption of the Plan; one with sustainability as a key component.</p>
<p>It was felt that the Plan area should be based on the proposed Scottish Marine Regions Orkney and North Coast regions.</p>	<p>This comment was noted and the area considered by the Pilot Plan was expanded to reflect the development of the Orkney and North Coast Marine Regions.</p> <p>The revised Pilot Plan area is set out in the Pilot Plan.</p>

Summary of views received in the consultation on the PIOP	Response
<p>The need for integration of marine and terrestrial planning was identified in the responses.</p>	<p>The integration of marine and coastal planning was addressed primarily through the inclusion of General Policy 7 (Integrating Coastal and Marine Development) in the Pilot Plan.</p>
<p>Some also noted a need to ensure that existing legislation was taken into account and that the policies did not add unnecessary extra requirements.</p>	<p>The development of the General and Sectoral Policies for the Pilot Plan involved the review of existing legislation and relevant plans, programmes and strategies (PPS) relevant to the sectoral and cross-cutting issues associated with the Pilot Plan. These reviews are set out in the PIOP, the draft Pilot Plan and the finalised Pilot Plan.</p> <p>The General and Sectoral policies were developed through engagement with stakeholders and the wider public, including representatives of the sectors themselves.</p> <p>The draft Environmental Report and SA Report also set out the policy context for the Pilot Plan, including a review of relevant environmental protection objectives and consideration of cumulative and in-combination effects.</p>
<p>One consultee felt there was a need for an overarching spatial policy for the Plan.</p>	<p>A re-occurring theme throughout the plan making process for some stakeholders related to how spatial the Plan should be. The PIOP suggested an overarching spatial strategy with maps identifying key features such as natural heritage designations. This was generally supported by the majority of respondents and throughout the process, and it was generally viewed that taking a strict zoning approach was not achievable at this stage of the marine planning process.</p> <p>The inclusion of a more spatial or zoning policy was considered and assessed in the SA, and details of this process are discussed further in Section 6.</p>

## 3.4 Summary of the Findings of the Draft Environmental Report

- 3.4.1 The draft Environmental Report was prepared alongside the PIOP and published for public consultation in 2013. As a draft, the Report explored the potential for environmental effects associated with the adoption of a Marine Spatial Plan for the PFOW area, and provided an early assessment of a range of policy sectors against seven SEA objectives<sup>10</sup>. This work was undertaken at an early stage of the development of the Pilot Plan, and the assessment within the draft Environmental report reflects this. Subsequently to the consultation, both the approach to the development plan and its SEA and SA also evolved.
- 3.4.2 The Draft Environmental Report identified that, on balance, the development of a Pilot Plan area would likely lead to significant environmental benefits by providing a holistic approach to marine development in the PFOW area. However, the potential for impacts on environmental resources in the PFOW area was also identified, relating primarily to impacts and pressures from marine use in general, and the importance of appropriate management of its resources.
- 3.4.3 The draft Report also identified the potential for localised and cumulative impacts on a number of environmental topic areas; a finding further explored in undertaking the SA of the draft Pilot Plan. In particular, the potential for impacts on biodiversity and natural heritage (i.e. disturbance, damage to, or loss of, habitats and species) and visual, access and noise amenity value for coastal residents and visitors were identified. The SEA also identified the potential for significant benefits for climatic factors.
- 3.4.4 However, it found that any such effects would likely be dependent on a range of local factors (i.e. location, siting, design, layout and construction processes required for each sector); many of which were uncertain. Notwithstanding this uncertainty, it was anticipated that most effects could potentially be mitigated. For example, the SEA considered that the potential for adverse effects on biodiversity, cultural heritage, landscape, geology and water quality had the potential to be largely mitigated at the project level through measures such as Environmental Impact Assessment (EIA), Appropriate Assessment (AA), and appropriate planning, assessment design and construction of developments.
- 3.4.5 Furthermore, the draft Report found that the consultation process would assist in identifying outstanding issues and that the data from the plan-making process would likely help in finalising policy options that minimise

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<sup>10</sup> Biodiversity and natural heritage; climatic factors; cultural heritage and historic environment; landscape, seascapes, marine geology and coastal processes; population and human health; water and the marine environment; and material assets.

environmental impacts. Along with the consultation process, the findings of the Draft Environmental Report directly informed the development of the Pilot Plan, its SA and the preparation of the SA Report. The findings of the SA are summarised in Section 5.4.

## 3.5 Views Received on the Draft Environmental Report

### Overview

- 3.5.1 Comments relating to the draft Environmental Report were received from six respondents, including the three statutory Consultation Authorities<sup>11</sup>, one recreational organisation, one environmental non-governmental organisation (NGO) and a public body.
- 3.5.2 The main issue raised in these responses related to the assessment methodology used in the SEA. The Consultation Authorities' comments raised concerns regarding the approach to the assessment and the transparency of communication of the decisions made. These comments included suggestions for improvement for the next iteration of work.
- 3.5.3 There was support amongst respondents for ensuring that future development and use of the marine area did not result in irrevocable damage to the marine environment, either specific activities in isolation or cumulatively. There was also support expressed for the inclusion of those who seek, and have aspirations for, the protection, enhancement and sustainable management of the PFOW area's natural resources as 'users of the marine environment'. However, it was a common theme amongst respondents that existing users also need be taken into account.
- 3.5.4 Some respondents also made specific comments relating to some policy areas; in particular, topics such as aggregate extraction, sea dumping [of dredged material], artificial structures along the coastline, the protection of fish and commercial fishing under controlled circumstances, and the impact of the aquaculture industry on safe navigation and anchorages were discussed by respondents. However, many respondents also identified a need to fill knowledge gaps in these areas; data gaps in biodiversity in particular.

### Specific Comments on the Draft Environmental Report

- 3.5.5 Specific comments received in the consultation and the responses to them are set out in Table 3.2.

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<sup>11</sup> Scottish Natural Heritage (SNH), Scottish Environment Protection Agency (SEPA) and Historic Scotland (now Historic Environment Scotland (HES)).

**Table 3.2 Summary of Views Received on the Draft Environmental Report**

Summary of views received in the consultation on the Draft Environmental Report	Response
<p>The responses received from the Consultation Authorities indicated that they were not clear that the Report was a draft, and was not the final Environmental Report.</p>	<p>A meeting was arranged with the Consultation Authorities, the Working Group and a representative of the Scottish Government Environmental Assessment Team in August 2013 to discuss this lack of clarity. This also provided an opportunity for the Consultation Authorities to outline what they expected from the final Environmental Report.</p> <p>The views expressed by the Consultation Authorities were noted and used to inform the subsequent SEA process. These views and suggestions were used to develop the SA (e.g. provision of greater clarity and revision of grading of environmental effects, amongst others).</p>
<p>One respondent felt that there was a need for consistency between the Plan purpose and its objectives.</p>	<p>This comment was noted.</p>
<p>Some respondents provided updates to references for sections of the draft Report.</p>	<p>These suggestions were noted and used in the development of the finalised Pilot Plan.</p>
<p>It was noted by one respondent that they felt it was difficult to accurately assess the environmental impacts of the Plan in any detail as the proposed policies, at this stage, had not been finalised.</p>	<p>At this stage of the SEA process, the draft Environmental Report was developed to assess the impacts of a marine plan that was still in development. As such, the assessment was based on the objectives and vision of the general and sectoral policy areas proposed for inclusion in the draft Pilot Plan; and as such, this involved a number of assumptions.</p> <p>The development of the SA took the findings and assumptions of the Environmental Report forward, and was focused on both the specific policies as they were being developed and considered the potential overarching effects of the Plan and its many policies.</p>

Summary of views received in the consultation on the Draft Environmental Report	Response
<p>The main issue raised by the Consultation Authorities was that they felt that the assessment methodology had been altered in light of comments received from the Consultation Authorities at the scoping stage. Concern was expressed that these changes meant that the assessment methodology and scoring system used in the draft Report was not sufficiently clear, and it was felt that this made it difficult to comment on the conclusions of the assessment.</p> <p>The respondents also felt this had led to a lack of consistency with the PIOP.</p>	<p>At this stage of the SEA process, the draft Environmental Report was developed to assess the impacts of a marine plan that was still in development. As such, the assessment was based on the objectives and vision of the general and sectoral policy areas proposed for inclusion in the draft Pilot Plan; and as such, this involved a number of assumptions. As the Pilot Plan and its policy areas evolved, the SEA and its methodology also evolved to ensure that the assessment was robust and beneficial to the Plan's development (e.g. undertaking an integrated SA).</p> <p>This was discussed at the August 2013 meeting between the Working Group and the Consultation Authorities, where it was clarified that the Report was a draft and that the SEA process was ongoing.</p> <p>The Consultation Authorities then provided their views on how they felt the work should progress and indicated their willingness to assist with this process. Their views were noted and used to inform the development of the Pilot Plan and the SA Report.</p>
<p>The respondents felt that the assessment needed further detail, particularly in how the assessment scores on the potential for impacts on the various sectors were developed (i.e. renewables, aquaculture, ports and harbours).</p> <p>They felt that further clarity was needed regarding how the SEA objectives had been developed.</p> <p>Comments were also provided on the proposed alternative approaches to the assessment, including the assessment of cross cutting policies and development of mitigation measures. Some made suggestions for how the information presented in the draft Report could be improved.</p>	<p>On-going discussion with the Consultation Authorities and other stakeholders was undertaken as the Pilot Plan and SEA developed, to consider and clarify the issues raised, and ensure that the views of the Consultation Authorities directly informed the SEA and SA processes.</p> <p>The views of the respondents were considered as the process evolved, including during the move towards an integrated SA approach. In particular, the development of the SEA objectives and assessment scoring process were revised and greater clarity provided on them, particularly in explaining the rationale behind the use of a grade system.</p>
<p>Another respondent supported the development of the Plan, but added that they were "not unsupportive" of developments taking place as long as existing uses were taken into account.</p>	<p>These comments were noted.</p>

Summary of views received in the consultation on the Draft Environmental Report	Response
<p>Specific comments were received relating to aggregate extraction and sea dumping [of dredged material], artificial structures along the coastline, the protection of fish and commercial fishing under controlled circumstances and the impact of the aquaculture industry on safe navigation and anchorages.</p>	<p>On-going discussion with stakeholders from these sectors was undertaken as the Pilot Plan and SEA developed, to consider and clarify the issues raised, and ensure that stakeholder views informed the SEA and SA processes.</p> <p>These comments were noted in the finalisation of the Pilot Plan and its general and sectoral policies.</p>
<p>Concerns were expressed by one respondent over the potential for long term cumulative effects, and they felt that there was a needed to ensure that development did not result in irrevocable damage to the marine environment.</p>	<p>These comments were noted.</p> <p>The potential for future development and use of the PFOW marine area to result in adverse impacts was a key focus of the SA and the development of the sustainability ambitions set out in the Pilot Plan.</p>
<p>Another respondent felt that users of the marine environment considered in the Pilot Plan should include those who seek, and have aspirations for, the protection, enhancement and sustainable management of the area's natural resource.</p> <p>They felt that this would include environmental NGOs.</p>	<p>This comment was noted in the finalisation of the Pilot Plan and its SA.</p> <p>The Pilot Plan sets out an integrated planning policy framework to guide marine development, activities and management decisions in the PFOW area, and promoting integrated and sustainable decision on marine use and management. It also seeks to balance the needs of a diverse range of economic sectors with those of local communities, whilst also protecting the environment and natural resources on which these depend.</p>
<p>Specific comments were received regarding the terminology used in the Environmental Report. For example, one suggested that the phrase "sustainable economic growth" be replaced with "economic growth" or "sustainable growth".</p>	<p>These comments were noted and considered in finalisation of the Pilot Plan and its SA Report.</p>
<p>Suggestions were made regarding filling of knowledge gaps in relation to biodiversity, with suggestions made for additions to specific sections.</p>	<p>These comments were noted.</p> <p>Section 7 of this Statement sets out the Monitoring Framework for the Pilot Plan.</p>



## 4 Views on the Draft Pilot Plan and its Associated Reports

### 4.1 Overview

- 4.1.1 The following sections set out a summary overview of the views expressed in the consultation undertaken on the draft Pilot Plan and its associated documents.
- 4.1.2 A total of 31 responses were received in the consultation including 28 responses containing comments specifically in relation to the draft Pilot Plan and a further three responses from the Consultation Authorities specifically addressing the Sustainability Appraisal. The Consultation Analysis and Modifications Report<sup>12</sup> presents a detailed breakdown of these responses and sets out how respondents' views have been considered and where appropriate, actions have been taken in the finalisation of the Pilot Plan.

### 4.2 General Views on the Draft Pilot Plan

- 4.2.1 A wide range of comments were received in the written consultation and during consultation workshops. These ranged from detailed responses covering a broad spectrum of topics and issues, to others that addressed specific issues, activities and/or sectors. A broad summary of the key findings of the analysis of views expressed in the consultation and workshops is presented below, with further detail provided in the Consultation Analysis and Modifications Report for the Plan<sup>13</sup>.
- 4.2.2 Overall, many respondents welcomed the development of the Pilot Plan and the approach taken by the Working Group. There was a general view that the Pilot Plan would form a good basis for the development of the two upcoming statutory Regional Marine Plans in the PFOW. Some also stated that they welcomed the opportunity for involvement in the process and expressed support for the collaborative work undertaken between Marine Scotland, Orkney Islands Council and the Highland Council in the Pilot Planning process. This was coupled with strong support by many stakeholders for being involved in the development of the Pilot Plan and its policies, and support for continued involvement in the development of the upcoming Regional Marine Plans.

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<sup>12</sup> The Scottish Government, The Highland Council and Orkney Islands Council (2015) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Analysis and Modifications Report [online] Available at: <http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-consultationanalysisandmodificationsreport> (accessed March 2016)

<sup>13</sup>Ibid.

- 4.2.3 The content of the Pilot Plan was the primary topic of discussion amongst the responses received. Some of these comments related to the ambition and focus of the plan. For example, one respondent felt that the Plan should more strongly reflect strategic/forward thinking in the planning process and that it could provide a 'call to action' to help inform the management of activities that are not subject to marine licensing. It was also noted that setting out key actions could help the upcoming Regional Marine Plans drive progress beyond current statutory regulatory requirements, and help contribute to the management of specific activities, including those that do not currently require spatially-specific consent.
- 4.2.4 Many respondents provided suggestions for improvement to the Plan and/or its development process. In particular, the detail of the Pilot Plan was raised in many responses with mixed views expressed over its length. Some felt the Plan was too lengthy, with one stating that it contained "a lot of information". For example, some felt that the text in the policy sections could be more concise or be focused on particular issues relevant to the PFOW area. However, others suggested the inclusion of further or alternative information would be beneficial. For example, some felt that additional information, particularly spatial information, could have been included to help guide potential developers and streamline the planning process (e.g. inclusion of a constraints mapping component). Several also gave suggestions for clarifying or correcting information presented in the Pilot Plan, its RLG and/or Sustainability Appraisal.
- 4.2.5 It was also noted by some that the policies set out in the Plan largely followed those contained within the NMP, and several also felt that the ambitions and actions set out in wider policy should also be reflected in the development of policies in the Pilot Plan (e.g. Plans for offshore renewables, fisheries and aquaculture policy). However, others suggested that the policies should be in a similar format to those within the NMP, or that these could be linked to those in the NMP or National Marine Plan Interactive (NMPi).
- 4.2.6 Many of the responses provided comments addressing the general and sectoral policies set out in the Pilot Plan; particularly those from marine users. Many were related to potential for improvements to the policies, including some that suggested the use of terminology, clarifications and corrections. However, these comments were primarily related to the policy content itself. There was overall support for the inclusion of many of the policies within the Pilot Plan; notably the inclusion of policies relating to invasive non-native species, the range of sectors included, and the consideration of sustainability ambitions in the Plan in the social, economic and environmental context. In particular, the importance the Pilot Plan provides in seeking to preserve and improve the management of high quality marine ecosystems in the PFOW was noted, and its fundamental role in providing a basis for sustainable development.

- 4.2.7 A need for co-ordination between marine and terrestrial planning was identified and the need for links to Local Development Plans (LDP) also discussed for some activities spanning both the marine and coastal environments (e.g. ports and harbours, pipelines, electricity and telecommunications infrastructure). Support for licensing and consenting authorities working together in ‘streamlining’ application processes was also conveyed, although there appeared to be mixed views held by respondents over the use of single EIAs for projects with both marine and terrestrial components.
- 4.2.8 Some respondents felt that co-existence between users is not always possible; a view that reflected similar comments provided on some of the sectoral policies. However, this view was coupled with those of other respondents that identified a range of synergistic effects associated with coastal and marine use in the region (e.g. the importance of ports and harbours for numerous sectors). There was also much discussion of how the policies and their performance would be measured and how this could contribute to meeting wider goals; many of which were viewed as challenging to measure (e.g. well-being, quality of life and amenity).
- 4.2.9 There was some disagreement over the way some marine activities were addressed in the sectoral policies, with these views being split largely along sectoral lines. While many comments were received on issues promoting activities in specific sectors, some also expressed concerns that some marine activities are not likely to be compatible for co-existence and that there is likely the potential for displacement of some activities.
- 4.2.10 In contrast some respondents also supported the ambition for promoting communication and engagement between coastal and marine users, and stated that the potential for impacts can often be avoided or mitigated through early communication. Some commented that the policies included in the draft Pilot Plan were “vague” and that they should more closely reflect the marine activities of the region and pressures. In particular, some felt that the sectoral policies should contribute more than they did in the Draft. For example, one respondent felt that it should both provide a strategic direction and look at impacts of coastal and marine activities on the environment, including their effects on other marine activities (e.g. effects on navigational safety, displacement of other activities and users).
- 4.2.11 Some identified data gaps that they felt needed to be addressed, and many raised a need for further monitoring to both inform future decision-making and monitor the Pilot Plan’s performance (i.e. investment in monitoring, identification of specific monitoring needs, post-consent monitoring).

4.2.12 The Consultation Analysis and Modifications Report<sup>14</sup> presents a detailed breakdown of these responses and sets out how respondents' views have been considered, and where appropriate, the actions that have been taken in the finalisation of the Pilot Plan.

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<sup>14</sup> The Scottish Government, The Highland Council and Orkney Islands Council (2015) Pilot Pentland Firth and Orkney Waters Marine Spatial Plan, Consultation Analysis and Modifications Report [online] Available at: <http://www.gov.scot/pilotpentlandfirhandorkneywatersmarinespatialplan-consultationanalysisandmodificationsreport> (accessed March 2016).

## 5 Views on the Sustainability Appraisal for the Draft Pilot Plan

### 5.1 Overview

- 5.1.1 The following sections set out a summary of the findings of the SA and the views expressed in the consultation on the SA Report. This section also sets out how the findings were considered in the development of the Draft Pilot Plan, and also how they influenced the finalisation of the Pilot Plan.

### 5.2 Findings of the Sustainability Appraisal

#### Ambitions and Themes

- 5.2.1 The SA found that many of the themes and ambitions set out in the draft Pilot Plan and its constituent policies are also key threads running through wider policy; notably the inclusion of support for sustainable development, sustainable social and economic benefits, and the need for balancing this with environmental considerations. The SA found that setting these out in the Pilot Plan will likely complement and add further weight to the positions of existing policy and planning, and reinforce their relevance in relation to the future management and use of the PFOW area and its many resources.
- 5.2.2 Furthermore, by setting out these ambitions and working in-combination with existing consenting processes (e.g. Marine Licensing, Town and Country Planning), the SA identified the potential for the Pilot Plan to positively contribute to promoting the sustainable management of activities in the PFOW area.

#### Potential for Environmental and Socio-economic Effects

- 5.2.3 In general terms, the assessment identified the potential for largely positive environmental and socio-economic effects from the development of the non-statutory Pilot Plan. However, it also found that the delivery of any benefits is likely to be contingent on having the support and 'buy in' of coastal and marine stakeholders.
- 5.2.4 The SA found that the fundamental focus of the Plan in supporting sustainable development in the Pilot Plan area has the potential to make a significant contribution to the protection of the coastal and marine resources in the PFOW area. From this, it identified the potential for associated benefits for coastal and marine environments themselves, and for those that use them. It also considered that this potentially presented an opportunity to help in delivering overall benefits for the many varied sectors operating in the

PFLOW and also the communities that they support, particularly those dependent on the coastal and marine resources of the area.

- 5.2.5 Alongside these overarching ambitions, the SA found that many of the general policies in particular seek to safeguard both socio-economic opportunities and environmental features in the PFLOW area, whilst also reflecting wider ambitions. For example, supporting the wider sustainability objectives of the Scottish Government, Orkney Islands and Highland Councils.

### General Policies

- 5.2.6 The SA found that many of the general policies offer built-in mitigation against the potential for adverse effects that can be associated with inappropriate development or coastal/marine use. For example, the inclusion of 'safeguarding' policies in the Pilot Plan could help to promote the sustainable use and conservation of important environmental and social features (e.g. biodiversity, landscape/seascape, cultural heritage and historic archaeology).
- 5.2.7 The SA noted that this increase in focus given through inclusion in the Pilot Plan could also help to reduce the risk of adverse effects that may be generated through increased use of the coastal and marine environments in the PFLOW. It could also support the work of existing mechanisms such as current consenting processes supported by protection legislation, HRA and EIA, amongst others; particularly when used as material considerations in decision-making (e.g. marine licence applications). The inclusion of messages in the Pilot Plan, particularly the overarching themes of efficient use of the marine area, co-existence and shared use of space and facilities, are also likely to further emphasise these themes in the coastal and marine environment of the PFLOW area and further strengthen wider ambitions.

### Sectoral Policies

- 5.2.8 The inclusion of the sectoral policies in the draft Pilot Plan was identified as a further opportunity to support for sustainability ambitions at the sectoral level. The SA identified the potential for these policies to set out expectations for these sectors and provide guidance for developers, marine users, consenting authorities and other stakeholders to ensure that any future growth in the region is centred on appropriate development and co-existence. However, the SA also noted the likelihood of incompatibility between some marine users, and identified the potential for displacement of some activities as a consequence of increased use of the PFLOW coastal and marine areas.
- 5.2.9 However, the SA also identified the potential for opportunities through the development of the Pilot Plan to improve communication and engagement

between future developers, marine users and other stakeholders; including the potential to manage interactions and conflicts at an early stage. Whilst dependent on achieving the 'buy in' of these stakeholders, the SA found that this could also help to identify potential opportunities for synergistic benefits amongst stakeholders and help to improve efficiency in the development process. For example, the SA identified the potential for streamlining current consenting processes around which applicant-lead engagement with stakeholders is considered to be a key potential benefit.

- 5.2.10 The SA also noted that having the 'buy in' of future developers, marine users, local communities and consenting authorities was likely to be an essential factor in the realisation of any potential benefits associated with the Pilot Plan. The SA also considered this to be a key factor in the Plan's role in informing and shaping the development of the two upcoming Regional Marine Plans, and particularly in fostering further engagement with stakeholders in their development.

### 5.3 Mitigation and Enhancement Opportunities identified in the Sustainability Appraisal

- 5.3.1 While the drive for sustainable development and growth within the PFOW area was seen as a key ambition of the Pilot Plan, the growth of marine industry in the region is also likely to present a number of challenges in the future. In particular, the SA identified the potential for the Pilot Plan and its policies to have significant positive effects but also that this is likely to depend on achieving the 'buy in' of stakeholders to the ambitions set out in the Pilot Plan. Without the support of developers, marine users, consenting authorities and local communities, the SA considered that many of the potential positive effects identified in the assessment would be unlikely to materialise. As such, the formal public consultation process supported by ongoing engagement with stakeholders was identified as a key component, as well as playing an important role in obtaining feedback on the draft Pilot Plan and in identifying possible improvements, opportunities and limitations. In particular, the stakeholder engagement undertaken in the development of the Pilot Plan and the lessons learned through its development should lay the foundation for future discussions and stakeholder involvement in the development of Regional Marine Plans for Orkney and the North Coast. The documentation of lessons learned in the Pilot Plan's development should also usefully inform the development of the regional plans; both those for the PFOW area and in other parts of Scotland.
- 5.3.2 The staged approach taken in the development of the draft Pilot Plan was specifically adopted to help identify and fill data gaps and uncertainties in relation to the marine environment and allow stakeholder engagement early in the process; in particular, the inclusion of a stage for studies for the Plan's development and the subsequent preparation of RLG and the Environmental

and Socio-economic Baselines. Building upon this knowledge-base is likely to be a critical aspect in progressing regional marine planning in the PFOW area, and particularly in further developing the required spatial information likely to be needed to inform the development of relevant and useful Regional Marine Plans. The consultation process and ongoing engagement with stakeholders may also provide opportunities to seek input on the information outlined in the Pilot Plan, the SA and the RLG, and for identifying opportunities to enhance this data.

- 5.3.3 The SA identified the potential for conflicts between some coastal and marine users, and the potential for some sectors to grow or develop at the expense of others. The potential for impacts on existing sectors and marine users through the emergence of new or evolving sectors was also identified (e.g. offshore renewables, offshore aquaculture). This is likely to be an important consideration in future iterations of marine planning in the PFOW area, particularly if developed with a more spatial approach. The resilience of coastal communities to change, particularly those reliant on specific industries (e.g. fishing, recreation and tourism), was also identified as a concern, particularly as sectoral growth is likely to be driven by market forces. In addition, ensuring any environmental, social or economic risks associated with sectoral growth are minimized while growth itself is optimised was also seen as a likely challenge.
- 5.3.4 As areas of pressure or opportunity become more apparent, the regional plans and their future iterations could be used to rebalance regional ambitions, including the identification and management of adverse impacts. Maintaining links with wider policies such as the NPF3, NMP, Sectoral Marine Plans for Offshore Renewables and existing consenting processes should also help to ensure that the scale of development in different areas is recognised and addressed through strategic level mitigation, as well as that at the project level. Further, this could be used to guide future monitoring programmes, ensuring that they are appropriately targeted towards priority data gaps and produce relevant and useful outcomes that inform future decision-making.

## 5.4 Views on the Sustainability Appraisal

### Summary of Views on the Sustainability Appraisal

- 5.4.1 The consultation yielded broadly positive feedback from respondents on findings of the SA and general agreement over the consideration of the SEA issues included within the assessment. In particular, there was broad agreement on the likely positive effects of the development of the Pilot Plan; specifically the potential for benefits such as increased transparency in decision-making from the collation of policies and ambitions. However, some felt that the benefits of the Pilot Plan had been overstated and some



felt that the policies were unlikely to significantly alter the current baseline condition. As a consequence, several felt that the effects are likely to be more neutral than positive, particularly in relation to several sectoral policies (e.g. commercial fisheries, aquaculture, ports and harbours, defence).

5.4.2 The Consultation Authorities also made comments on the approach taken in preparing the SA. While they felt that the SA addressed all the SEA topics scoped into the assessment and expressed support for the use of key questions in the SA to guide the assessment process, they stated that they found it difficult in some instances to distinguish the findings relating to social, economic and environmental factors. However, they also gave positive feedback on how the assessment had evolved; particularly that many of the issues that had been raised in the 2013 consultation in relation to the Initial Draft Environmental Report had been addressed in the SA Report. For example, there was support for the clarification and explanation provided in assessing the policies and on the rationale behind the grading system used in the assessment.

5.4.3 These views are set out in greater detail in Table 5.1.

#### Views on the Environmental Issues Raised in the Sustainability Appraisal

5.4.4 Specific comments received in the consultation and the responses to them are set out in Table 5.1.

**Table 5.1 Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal**

Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<b>General Comments</b>	
<p>The Consultation Authorities noted that they found it difficult to distinguish between findings relating to social, economic and environmental factors in some parts of the SA Report. They felt that the narrative did not always make it clear which of the above interests were under discussion.</p>	<p>The marine environment plays a prominent role in supporting many communities in the PFOW region, and as a consequence, there are close interactions between environmental and socio-economic aspects and effects. The SA was developed to consider the potential for impacts on these closely linked aspects, and to the environment, communities and other sea users to be considered in a cohesive way, and to enable recommendations of a holistic nature to be drawn. As a consequence, many of the effects identified and discussed in the SA had common environmental and socio-economic elements.</p> <p>Appendix E of the SA Report was included to set out how the Report complied with the 2005 Act, and to identify the sections of the report that addressed environmental issues in the context of the SEA.</p> <p>In light of the comments received, the need for greater clarity in narrative has been noted for consideration in future SEA/SA work.</p>
<p>Several made suggestions for improvement and/or corrections to text in the SA Report.</p>	<p>These comments have been noted for consideration in future SEA/SA work.</p>
<p>One respondent noted that the use of key questions in the SEA was undertaken for the second tier of assessment, but that the policy assessments were framed at the topic level and did not explicitly refer to these questions. They stated that it seemed ‘counter-intuitive’ to apply these questions to the Plan as a whole rather than to its constituent elements.</p>	<p>Section 6.3 of the SA Report set out the two tier approach taken in the assessment including the use of key questions to consider the overall cumulative effects of the Plan and its group of general and sectoral policies within the wider policy and regulatory context.</p> <p>As the Plan and its policies took shape, it was considered that some policies, by themselves, were unlikely to have significant social, economic or environmental effects.</p>

Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal	Response
	<p>Rather, it was felt that the primary role of many of the policies would largely be in their contribution to the delivery of wider environmental and socio-economic ambitions (e.g. sustainability, protection of the marine environment, reduction of GHG emissions). While these questions were used to guide the assessment of the general and sectoral policies themselves set out in Appendices A and B and the SA Report, and provide a common link between the two tiers of assessment, it was therefore considered that they would be best utilised in considering the effects of the Plan and its policies as a whole.</p>
<p>One respondent felt that there was no reference in the SA Report to the assessment of “the limited range of policy alternatives identified at the issues and options stage” and that they “would have anticipated that all reasonable alternatives identified would have been subject to assessment”.</p> <p>Specifically, it was anticipated that an SEA of a regional marine spatial plan be applied to regionally specific, spatial and non-spatial, alternatives at all levels within the developing plan, including individual policies and/or policy areas.</p>	<p>The PIOP and draft Pilot Plan set out the scope and limitations of the Pilot Planning process, and the identification of alternatives to the development of the Pilot Plan.</p> <p>Section 6.6 of the SA Report set out the reasonable alternatives considered in the assessment, including the consideration of both spatial and non-spatial options. Many of the options raised by stakeholders during the many consultations and engagement events were adopted into the Pilot Plan’s development, and this is further discussed in both the SA Report and this Statement.</p> <p>In the development of the PIOP it was suggested that the Pilot Plan be an overarching spatial strategy, with the inclusion of a series of maps identifying key features. This approach was generally supported by the majority of respondents, and it was considered that taking a greater spatial focus or a strict ‘zoning’ approach was not currently achievable. However, the inclusion of spatial information in the plan-development process (i.e. in the Environmental Baseline of the SA and RLG) should both inform decision-making and also aid the potential for further spatial focus in future regional marine planning.</p>

Summary of views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<b>Baseline</b>	
<p>Several respondents suggested information sources for inclusion in the environmental baseline.</p> <p>Sources such as Caithness.org, research programmes and studies such as Joint Nature Conservation Committee's (JNCC) Seabird Monitoring Programme and the current Succorfish study in Orkney, and the seabird tracking data illustrating where tracked seabirds commute and forage during the breeding season when providing for their young, were identified by respondents.</p>	<p>These sources were considered in the development of the Pilot Plan and in the development of future Regional Marine Plans both within and outwith the PFOW area.</p>
<p>Another respondent welcomed the intention of the SA to assess the draft SPAs (dSPA) in the HRA, but also felt that this should be consistently applied or recognised throughout the plan.</p>	<p>Until formally proposed by the Scottish Government, these sites have no legal standing under the Birds Directive<sup>15</sup>. However, Section 7.4 of the SA Report identified the 14 draft SPAs in Scotland, and the presence of North Orkney dSPA and Pentland Firth and Scapa Flow, Orkney dSPA within the PFOW Marine Spatial plan area. It stated that these "sites have been identified to alert stakeholders to additional marine sites that are likely to be considered by the Scottish Government for designation".</p> <p>Section 9.4 of the SA Report and the HRA Record set out how the dSPAs had been considered in the HRA process.</p>
<p>Whilst mentioned in the Report, one respondent also felt that Local Nature Conservation Sites (LNCS) should be presented alongside other nature conservation areas.</p>	<p>While not considered to be material to the findings of the assessment, this comment has been noted for consideration in future SEA work.</p>

<sup>15</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds [online] Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0147> (accessed 11/01/2016)

Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<p>One respondent felt that commercial crustacean stocks should receive greater consideration in the SA Report.</p> <p>They also felt that the assessment should consider the role of latitude, depth, tidal flow and water temperature in and around the Orkney Islands that together contribute to a unique growing environment for these stocks.</p>	<p>Commercial fishing activities were considerations in the development of the Pilot Plan, particularly the development of Sectoral Policy 1 (Commercial Fisheries), the RLG and in the SA.</p> <p>These comments have been noted for consideration in future work.</p>
<p>One respondent felt that the pressures listed in the baseline could have been more specific. One felt that these were limited to the consideration of future developments and did not consider pressures that may arise from existing, and in particular unregulated, activities in PFOW.</p>	<p>The key pressure boxes in the SA Report were developed to provide a broad overview of the main pressures discussed in the environmental baseline sections for each environmental topic area.</p> <p>With the potential for further spatial considerations in future Regional Marine Plans in the PFOW area, it is likely that further detail and greater specificity of the key pressures could be better implemented in future Plan development and SA processes.</p> <p>This comment was noted in the finalisation of the Pilot Plan and its SA, and for consideration in future assessment work.</p>
<p>Several respondents provided suggestions for improvement to the environmental baseline, either generally or via specific recommendations.</p> <p>For example, it was noted that Sule Skerry and Sule Stack are not within territorial waters out to 12 miles.</p> <p>Several respondents noted the reference to nephrops landings in Orkney, and stated that this was a small fishery. Rather, it was felt that landings of Brown crab, lobster, Velvet crab and King scallops would be better examples.</p>	<p>This comment was noted in the finalisation of the Pilot Plan and its SA, and for consideration in future assessment work.</p>

Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<p>One respondent suggested that the Fishing Liaison with Offshore Wind and Wet Renewables (FLOWW) group be mentioned in discussion on stakeholder engagement.</p>	<p>This comment was noted in the finalisation of the Pilot Plan and its SA, and for consideration in future assessment work.</p>
<p><b>Environmental Effects</b></p>	
<p>One respondent felt that the level of uncertainty in relation to the assessment of landscape/seascape impacts was not as high as that set out in the Environmental Report. They felt that with “the assessment of landscape and visual impacts, and landscape character assessment, are well-established methodologies” it should be possible to determine at a strategic level whether certain policies are likely to have a positive, neutral or negative impact on landscape objectives.</p>	<p>The SA Report acknowledged the available guidance, including that published by SNH relating to the siting and design of installations for the aquaculture industry and offshore wind. It noted that these have been developed to address approaches to impact and capacity assessment, and also to help in minimising visual impacts.</p> <p>The policy assessments undertaken in the SA identified that whilst this guidance is in place, an assessment of landscape and visual impact of development in the coastal and marine environment remains uncertain and dependent on location-specific factors. Rather, such an assessment is likely to be better considered at the project or activity level, and within existing mechanisms (e.g. planning applications). The Pilot Plan and its SA may support these assessments through acting as material considerations in these processes.</p>
<p>One respondent felt that more emphasis should be put on the direct and indirect benefits of the amenity aspects (e.g. sport and leisure use), not just commercial tourism.</p>	<p>The assessment of Sectoral Policy 6 (Recreation, Sport, Leisure and Tourism) identified the potential for positive effects for landscape/seascape through more consistent consideration of sectors based around the appreciation and enjoyment of these assets, in addition to commercial tourism.</p>
<p>Some queried the specific scores applied to the environmental topic areas in the Assessment Tables in the SA Report.</p>	<p>These comments were noted for consideration in future SEA work. However, the suggested changes were not considered to be material to the overall findings and outcomes of the assessment nor the finalisation of the Pilot Plan.</p>

Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<p>One respondent felt that the SA over-estimated the significant positive effects the Plan will have on the environment in some instances. They considered that it also considered the effect of the policy activity rather than how it would be influenced by the Plan.</p> <p>Some felt that the effect of Pilot Plan and many of its policies would likely be neutral. They felt that while benefits in setting out the making the decision process more transparent, they were unlikely to enhance or improve the current baseline situation.</p>	<p>These comments have been noted.</p> <p>As the respondent noted, the assessment identified the potential for positive effects overall via implementation of the draft Pilot Plan and its policies. It considered that these were likely to be principally related to setting out expectations and providing guidance for marine users, consenting authorities and communities for the sustainable use and management of natural resources in the PFOW, and the promotion of appropriate development and co-existence.</p> <p>However, the SA also noted that the delivery of any such benefits was also likely to be contingent on having the 'buy in' and support of stakeholders. Without this support, it considered that any potential benefits would be unlikely to materialise.</p>
<p>One respondent felt that the assessment could have been used as a mechanism to ensure that individual elements of the Plan were enhanced or to ensure that as a whole the policies delivered a range of positive effects to all aspects of the environment (e.g. climate change).</p>	<p>The draft Environmental Report was prepared alongside the PIOP and the SA was undertaken alongside the development of the Pilot Plan. Integrating the assessment and the data gathering in the preparation of the RLG, into the plan development process was undertaken to enable the findings of these processes to inform the development of the Pilot Plan. For example, this played an important role in guiding the development of both the safeguarding general policies and the sectoral policies.</p> <p>It is anticipated that the SA findings and the information in RLG will form a useful foundation for the development of the Regional Marine Plans in the PFOW area.</p>
<p>One respondent felt that due consideration had not been given to the potential adverse effects on biodiversity from Sectoral Policy 7 (Ports and Harbours). They asked if this policy would have otherwise been considered had the report focused on purely environmental issues as required by SEA.</p>	<p>Appendix E of the SA Report set out how the Report complied with the 2005 Act.</p> <p>The SA Report identified the potential for positive effects for biodiversity and other environmental topic areas, due largely to the potential for a reduction in collision and</p>

<b>Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal</b>	<b>Response</b>
<p>They felt that the narrative largely concentrates on the impacts on marine users, safeguarding of jobs and industry requirements.</p>	<p>pollution risk associated with promoting navigational safety and the safeguarding of port and harbour access.</p> <p>It also noted that “the development of port and/or harbour facilities would also continue be subject to existing consenting processes (e.g. Marine Licensing, Town and Country Planning, etc.) and supported by environmental assessments where applicable (e.g. EIA, HRA, etc.). The SA “expected that any future marine development would be in accordance these requirements” and that these processes and assessments would continue to be used to identify the potential for adverse effects, and where appropriate, to avoid or apply appropriate mitigation.</p>
<p>One respondent stated that inappropriate beach cleaning can result in the removal of cast weed from coastal areas. They felt that it was important as these materials support important populations of wading birds in PFOW, and that their removal would have negative impacts on biodiversity.</p>	<p>This comment was noted in the finalisation of the Pilot Plan and its SA, and for consideration in future assessment work.</p>
<p>One respondent stated that nature conservation designations have the potential to adversely affect communities where fishermen are prevented from “working” in them. They added that in the outer isles in particular, fishing activities provide jobs and support their communities in social ways.</p>	<p>The establishment of nature conservation designations is considered outside the scope of the Pilot Plan.</p> <p>However, this comment has been noted and passed on to the appropriate persons in the Scottish Government for their consideration.</p>
<p><b>Recommendations for Mitigation</b></p>	
<p>Several respondents noted their support for the iterative plan review process, where new information would be fed back into the development of future plan iterations so that lessons can be learnt and priorities can be adapted to avoid unwanted outcomes.</p> <p>One respondent suggested that the sections on mitigation and monitoring could provide more specifics in terms of the</p>	<p>The comments have been noted.</p> <p>It is anticipated that the publication of the Lessons Learned Report will help to inform future marine plan-making, and in particular, aid in the development of the upcoming Regional Marine Plans.</p>



Summary of Views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<p>recommendations and commitments. They added that the Plan would benefit from specific actions being listed to act as an aide memoir to planners as the Plan is adopted and used to develop into Regional Marine Plans.</p>	
<p>Another felt that the focus of these measures in the SA Report was primarily on future planning processes, and how some of the 'short-comings' in the pilot Plan could be further explored and addressed.</p> <p>They also expressed their support for recognition of the need for a more spatial approach and of the importance of stakeholder engagement.</p>	<p>The comments were noted.</p> <p>It is anticipated that the publication of the Lessons Learned Report will help to inform planners and aid in the development of Regional Marine Plans in the future.</p>
<p>A respondent stated that they anticipated additional recommendations for more specific mitigation measures to address environmental impacts that might arise from implementation of the pilot Plan. However, they noted that the absence of such measures in part reflects the high-level approach taken to the assessment of the policies.</p>	<p>This comment has been noted.</p> <p>Given the strategic and high level focus of the Pilot Plan, development of more specific mitigation measures are likely to be more appropriate at the regional marine plan and project/sectoral levels.</p>
<p>A respondent recommended that measures be devised to assess the extent to which the Plan (and/or RLG) is referenced in future EIAs for developments in the PFOW, and the extent to which the quality of any EIAs is improved as a result of this.</p>	<p>This comment has been noted for consideration in monitoring use of the Pilot Plan in the future.</p> <p>At present, the recommendations made at the 'gate check' stage of a proposed development usually contain a section on planning policy and legislation. It is anticipated that the Pilot Plan would be noted as a document that would need to be consulted by the developer.</p> <p>The Scoping stage of the EIA process would also include reference to the Pilot Plan if it was relevant to a development in the PFOW.</p>

Summary of views on the Environmental Issues Raised in the Sustainability Appraisal	Response
<p>A respondent felt that it would have been useful if a clear table had been provided to confirm exactly what existing monitoring would be examined in the context of the Plan, and whether any plan-specific monitoring is also proposed.</p> <p>They also felt that this should be included in the Post Adoption Statement.</p>	<p>This comment has been noted.</p> <p>Proposals for monitoring are set out in Section 7 of this Statement.</p>
<p>A sectoral respondent stated that data is not limited to spatial information, and that there are biological factors that are fundamental to commercial fisheries stocks. They felt that these require biological mapping and greater understanding, particularly given the multidimensional characteristics of the marine environment.</p>	<p>This comment has been noted.</p> <p>Monitoring is a key focus of research in Scotland's fisheries sector, including a range of studies being currently undertaken by the Scottish Government. For example, Marine Scotland Science surveys on abundance and collection of biological data obtained from sampling catches, being complemented by research in academia and the sector itself.</p>
<p><b>HRA</b></p>	
<p>One respondent noted that while the Plan had been screened out of the need for an Appropriate Assessment (AA) that Table F1 demonstrated that the potential for likely significant effects (LSE) has not been able to be ruled out.</p> <p>They felt that it was not appropriate to simply defer HRA to project level without undertaking AA at this plan stage.</p>	<p>The HRA Record sets out the findings of the HRA process undertaken for the Pilot Plan. This confirms that the policies in the PFWO have appropriate reasons to be screened out of requiring an AA.</p>
<p>The same respondent also noted that the Sectoral Marine Plans for Offshore Renewables and their HRA were in draft form. They felt that given this, the conclusions in that HRA could not be relied upon nor used as justification for screening the Pilot Plan out of an AA</p>	<p>The findings of the assessments undertaken for the Sectoral Marine Plans, including the development of the draft and final HRA Records, informed the assessments of the Pilot Plan.</p>

## Summary of Views on the Socio-economic Baseline

- 5.4.5 The majority of respondents either did not provide an answer to the question in the consultation or stated that they had no comment to make in their response. Of those that did provide responses in the consultation, mixed feedback was received on the socio-economic baseline, with some suggesting a range of improvements in their responses.
- 5.4.6 Several respondents questioned the figures produced in the socio-economic baseline, including the employment statistics, stating that they seemed high for some sectors (i.e. sea angling) and felt that they would need to be reviewed for the fishing sector. Some requested clarification on the information presented in the Socio-economic Baseline Review. Some of these comments were specific; for example, whether the future targets for finfish aquaculture presumed no new developments on the north and east coasts. Some suggested the inclusion of additional information in the report and felt that this presented an opportunity to better inform stakeholders and the plan development process on socio-economic issues in the PFOW area. For example, one respondent suggested that the use of total biomass figures for aquaculture sites may be more informative than presenting the locations and numbers of farm sites.
- 5.4.7 Several also questioned why certain information had been included, and others identified information that they felt would be beneficial or had been overlooked. For example, one respondent stated that Wick Harbour was well placed to service several offshore wind areas.

## Views on the Socio-economic Baseline

- 5.4.8 Specific comments received in the consultation and responses to them are set out in Table 5.2.

**Table 5.2 Summary of Views Received on the Socio-economic Baseline Review**

Summary of Views Received in the Consultation on the Socio-economic Baseline Review	Response
<b>Clarifications and Corrections</b>	
<p>Some respondents asked for clarifications on information presented in the baseline review.</p> <p>For example, one respondent stated that it was unclear if the future targets for finfish aquaculture presumed no new developments on the north and east coasts. They felt that if so, a note should be added to this effect.</p>	<p>The Socio-economic Baseline Review was prepared to directly inform the development of the draft Pilot Plan and its SA. Whilst there are no current plans to revise or reissue the Review, it is anticipated that its development and the feedback obtained from the consultation process will inform the consideration of socio-economic issues in the development of the upcoming Regional Marine Plans in the PFOW area.</p>
<p>Another noted that marine renewables and other sectors have contributed to additional passenger numbers in the PFOW area, and stated that this was not represented in the Report.</p>	<p>These comments have been noted and considered in the finalisation of the Pilot Plan, and in future assessment work.</p>
<p>Several queried the inclusion of information in the Baseline Review and consistency with the Pilot Plan.</p> <p>For example, one noted that only wave and tidal renewables technologies were mentioned in Section 9.1.1, but noted that the RLG also showed areas in relation to offshore wind.</p>	<p>These comments have been noted and considered in the finalisation of the Pilot Plan, and will be considerations in future assessment work.</p>
<p>Another noted that the potential beneficial use of dredged material was not carried over into the Plan.</p>	<p>The adoption of the Pilot Plan was considered unlikely to lead to an increase in aggregate extraction activities or capital and maintenance dredging. Rather, the Plan advocated the preservation of natural resources and the promotion of co-existence amongst coastal and marine activities, including future aggregates extraction and dredging.</p> <p>Dredging activities were also discussed in the SA Report.</p> <p>These comments have been noted and considered in the finalisation of the Pilot Plan.</p>

Summary of Views Received in the Consultation on the Socio-economic Baseline Review	Response
<p>It was noted that whilst landings are given as those by Scottish vessels, the fleet details and employment can lead to misinterpretation of the total landings. They added that most of the landings in Orkney are made by Orkney vessels, whilst most of those in Scrabster (particularly demersal) are made by Scottish vessels from other areas.</p> <p>Another stated that Scrabster is an EU designated landing port, and that this influences the value and amounts of landings made there. They added that there is no such port in Orkney, so all major landings there are crustaceans and other shellfish.</p>	<p>The Socio-economic Baseline Review was prepared to directly inform the development of the draft Pilot Plan and its SA. Whilst there are no current plans to revise or reissue the Review, it is anticipated that its development, and the feedback obtained from the consultation process, will inform the consideration of socio-economic issues in the development of the upcoming Regional Marine Plans in the PFOW area.</p> <p>These comments have been noted and considered in the finalisation of the Pilot Plan, and will be considerations in future assessment work.</p>
<p>Another felt that EU regulations have influenced the type of fin fish targeted in Orkney waters, and that a scale of subsidised public investment in the different industries is needed.</p>	<p>These comments have been noted for consideration in the finalisation of the Pilot Plan.</p> <p>The comments have also been passed on to the relevant policy area for their consideration.</p>
<p>Several respondents suggested changes to the text included in the Report. For example, consistency in currency units across documents. Cross referencing should be done to ensure consistency and allow direct comparison.</p> <p>Another noted that Figure 11 did not show the aerial zones presented in other documents.</p>	<p>The Socio-economic Baseline Review was prepared to directly inform the development of the draft Pilot Plan and its SA.</p> <p>Whilst there are no current plans to revise or reissue the Review, it is anticipated that its development, and the feedback obtained from the consultation process, will inform the consideration of socio-economic issues in the development of the upcoming Regional Marine Plans in the PFOW area.</p>
<p>One respondent felt that employment figures would need to be reviewed for the fishing sector, whilst another felt that the employment statistics for sea angling seem high.</p>	<p>These comments have been noted and considered in the finalisation of the Pilot Plan, and will be considerations in future assessment work.</p>
<p>One respondent stated that the employment figures did not mention the large number of divers in Orkney diving for Scallops. They felt that these divers can contribute to aquaculture and tourism with charter vessels depending on time of year.</p>	

<b>Summary of Views Received in the Consultation on the Socio-economic Baseline Review</b>	<b>Response</b>
A respondent noted that Carbon Capture Storage (CCS) had been raised in the Socio-economic Baseline but not in the main document under Oil and Gas.	No CCS sites have been identified in the PFOW area. Should this change in the future, it is anticipated that this would be reflected in the development of the upcoming Regional Marine Plans.
A respondent stated that the energy generation details provided in Section 9 of the Baseline Review for Inner Sound and Lashy Sound are incorrect.	This comment has been noted and considered in the finalisation of the Pilot Plan.
<p>Another felt that considering the total biomass figure rather than the number of fish farm sites would be more informative. They felt that several extensions in recent years have been of the equivalent of installing an entirely new site.</p> <p>They also felt that the addition of the total spatial occupation, including moorings and the parameters of the filter systems are of spatial and biological were relevant to developing commercial crustacean stocks.</p>	<p>The Socio-economic Baseline Review was prepared to directly inform the development of the draft Pilot Plan and its SA. Whilst there are no current plans to revise or reissue the Review, it is anticipated that its development, and the feedback obtained from the consultation process, will inform the consideration of socio-economic issues in the development of the upcoming Regional Marine Plans in the PFOW area.</p> <p>These comments have been noted and considered in the finalisation of the Pilot Plan, and will be considerations in future assessment work.</p>
<p>They also felt that gross incomes for aquaculture sites in the isles would be helpful, alongside additional information on the types of jobs in the sectors (e.g. workers, management, directors).</p> <p>Another felt that a breakdown of business profiles in the commercial fisheries sector would also be beneficial.</p>	
<b>Suggestions for Inclusion</b>	
Several felt that additional information should have been included. For example, one respondent noted that there is no mention of the proposed SPAs (pSPAs) in the Baseline Review, and that these may enhance tourism.	<p>These comments have been noted and considered in the finalisation of the Pilot Plan.</p> <p>The presence of Special Protection Areas (SPA), including the presence of draft and pSPAs, were discussed in both the SA and the Pilot Plan.</p>
Another noted that Section 4 focused on primary production for Aquaculture, and that unlike the section on fisheries, it had no information on processing. They also noted that Stromness Lobster Hatchery had not	The Socio-economic Baseline Review was prepared to directly inform the development of the draft Pilot Plan and its SA. Whilst there are no current plans to revise or reissue the Review, it is anticipated that its

Summary of Views Received in the Consultation on the Socio-economic Baseline Review	Response
<p>been mentioned, and felt that it may be an important form of mitigation with respect to renewables developments.</p>	<p>development, and the feedback obtained from the consultation process, will inform the consideration of socio-economic issues in the development of the upcoming Regional Marine Plans in the PFOW area.</p> <p>These comments have been noted and considered in the finalisation of the Pilot Plan, and will be considerations in future assessment work.</p>
<p>A respondent noted that Wick Harbour is also well placed to service several offshore wind areas.</p>	
<p>A respondent stated that the use of local firms and contractors in the supply chain is significant in the context of the Orkney Isles, and added that this should be identified.</p>	

## 6 The Pilot Plan and the Consideration of Alternatives

### 6.1 Requirements

- 6.1.1 The 2005 Act requires that the potential for significant environmental effects of the reasonable alternatives to the draft Pilot Plan are assessed as part of the SEA process.

### 6.2 The Reasonable Alternatives

#### Development of Alternatives

- 6.2.1 As detailed in the Environmental Report, four options were identified early in the plan-making process. As the development of the Pilot Plan and its SEA progressed, and with the input of stakeholders via engagement processes and several stages of public consultation, these options also evolved.
- 6.2.2 In accordance with the requirement of the 2005 Act, the SA explored the implications and likelihood of environmental effects of several possible alternatives to the approach set out in the draft Pilot Plan. However, it also considered the potential for socio-economic and environmental effects of adopting a range of alternatives to aspects of the Plan; many of which were incorporated into its development as the process evolved.
- 6.2.3 The four broad reasonable alternatives identified in the development of the draft Pilot Plan were:
- Do not develop a Pilot Plan – this alternative considered not preparing a Pilot Plan but rather proceeding directly with the development of the Orkney and North Coast Regional Marine Plans under the 2010 Act. It also included an option involving to the potential development of separate Pilot Plans for the Orkney and North Coast regions to inform the development of these regional plans.
  - Consider adopting a ‘zoned approach’ in the development of a Pilot Plan – this alternative involved looking at the concept of zoning marine areas for different types of marine uses and/or development.
  - Limiting the scope of the Pilot Plan to outlining existing requirements for developers and marine users – this alternative involved restricting the scope of the Plan to setting out the current requirements for future developers and marine users only. For example, this alternative involved referring to the requirements of current consenting processes, and awareness of obligations under the SEA and HRA Directives, amongst others, without explicitly linking these to wider ambitions.



- Adopting a ‘staged approach’ to inform the future development of Regional Marine Plans for the PFOW area – this was identified as the preferred alternative for the draft Pilot Plan and involved building upon the intent of the previous alternatives to inform and guide decision-making in the PFOW area and complement current mechanisms for managing development in and use of the marine environment. It was considered that it would provide an overview of existing ambitions and policies and promote ambitions for the sustainable development and consideration of socio-economic and environmental factors in the future management of the PFOW area.

### Engagement with stakeholders

- 6.2.4 As the Pilot Plan and its policies developed, the feedback of stakeholders and respondents through the consultation process were important in gauging interest in the Pilot Plan itself amongst coastal and marine users, and in helping to guide its development. In this process, particular focus was given to ensuring that the Pilot Plan and its associated documents (i.e. SA, Socio-economic Baseline Review, RLG) were accessible, relevant and useful for marine users, developers and decision-makers alike, and also aligned with overarching and related policy.
- 6.2.5 The General and Sectoral Policies set out in the Pilot Plan were initially identified through a process of stakeholder engagement undertaken as part of the PIOP consultation. From these discussions, the application of alternative priorities was a key focal point and a range of other alternatives were identified during these periods of consultation. Subsequent engagement and consultations also helped to refine these policies and alternatives further.
- 6.2.6 These alternatives included broad suggestions such as providing additional focus on the co-existence of marine users, having a ‘balanced approach’ with no one type of development having priority over another, focusing on designing development around the considerations for other marine users, and greater engagement between developers and stakeholders, amongst others. However, several specific alternatives were also identified in relation to specific policies contained within the Pilot Plan. For example, some raised concerns that some stakeholders have not received due consideration in development in the PFOW area previously (e.g. surfers along the north Caithness and Sutherland coast, amongst others), whilst others expressed a desire for a presumption in favour of certain types of development or activity, many of which cited the financial benefits of some sectors as reasons behind this.
- 6.2.7 Many of these suggestions were considered and included in the development of the Pilot Plan, and as discussed in the SA Report, were assessed as part of the SA process.

## 6.3 Selection of the Pilot Plan and its Policies

- 6.3.1 The SA explored the implications of the reasonable alternatives for the development of the Pilot Plan, and compared this against that of adopting the draft Pilot Plan and its policies.
- 6.3.2 Prior to inception, it was felt that the development of a Pilot Plan for the PFOW area could provide a range of benefits ahead of the development of statutory Regional Plans for the North Coast and Orkney regions. The opportunity to taking a shared approach in managing coastal and marine use of the PFOW area was considered a key benefit, particularly given the socio-economic and environmental importance of the area and its surrounding waters to many industries, communities and individuals in both regions.
- 6.3.3 As demonstrated in the SA, the promotion of co-existence, shared use, sustainable use of natural resources, and protection of the coastal and marine environments on which many sectors and communities depend, were considered to be key factors in making this the preferred alternative. It was seen as a means of establishing a sound and common foundation for the upcoming statutory plans, and provide for a joint socio-economic and environmental baseline upon which to build future work. Providing a transparent framework to actively engage with stakeholders and the wider public through direct discussion and formal consultation on marine planning issues, and the opportunity to learn lessons from the pilot process were also seen as potential benefits; particularly as many of the sectors and industries that operate in both Orkney and along Scotland's North Coast.
- 6.3.4 In contrast, it was considered that if a Pilot Plan were not prepared or developing separate Pilot Plans for the Orkney and North Coast regions, many of these opportunities and benefits could be missed. Of particular note, the collation of baseline information for separate Pilot Plans would likely be less efficient and 'joined up' than the preparation of a single Pilot Plan covering both regions. A similar view was taken on developing a Pilot Plan with a limited scope. However, it was also noted that setting out existing requirements for developers and marine users was taken forward and included in the Pilot Plan and its general and sectoral policies.
- 6.3.5 Taking a 'zoned approach' in the development of the Pilot Plan was discussed at an early stage in the process, and as demonstrated by discussion in a number of consultation responses, this continued to be a topic of discussion as the Plan evolved. It was considered that at present, there was insufficient appetite amongst marine users and developers for zoning areas for types of development or activities, and further, the majority of stakeholders felt that this was not currently achievable. However, as noted in the SA, there is the potential for greater spatial data in regional marine planning in the PFOW area. Further, the use of methods such as constraints mapping could be utilised in the development of future plans.

The staged approach taken forward in the development of the Pilot Plan indicates that steps are being taken in this direction. The development of the two Regional Marine Plans will build upon the Pilot Plan and expand on the data collected in its development. With further knowledge and data on the many socio-economic and environmental issues in the PFO, it is anticipated that these plans will continue to explore the potential for adoption of a greater spatial focus.

## 7 Monitoring Framework and Next Steps

- 7.1.1 Changes to the mix of coastal and marine use and the growth of the sectors operating in the PFOW area are likely to continue to change over time. As a consequence, the SA identified monitoring to be an important mechanism in assessing the potential impacts of sectoral growth in the area, as well as the influence of the Pilot Plan and the upcoming statutory Regional Marine Plans on the environment. This was also found to be an important part of informing future decision-making in the PFOW area.
- 7.1.2 A range of existing monitoring programmes for socio-economic, health and well-being factors has been established. This includes the many programmes used to provide information presented in the Socio-Economic Baseline Review and a number of overarching monitoring programmes (e.g. Scottish Health and Wellbeing Monitoring, Economic and Employment Monitoring, Scottish Index of Multiple Deprivation (SIMD)<sup>16</sup>).
- 7.1.3 The potential for environmental impacts of development in each of the sectors discussed in this Statement could also be better understood, and this was identified as a priority. As noted in Section 2.3, Stage 2 of the Pilot Plan's development involved the identification of data gaps and the delivery of research studies to address these gaps. This work included studies on inshore fishing, commercial shipping and boating, monitoring of marine mammals and sea birds, and tourism and recreation value studies, amongst others. Further, existing monitoring programmes for sectors such as the offshore renewables sector (e.g. the Scottish Offshore Renewables Research Framework (SpORRAn)), the fisheries sector (e.g. the work of the Fisheries Industry Science Alliance (FISA)<sup>17</sup>) and ongoing work in the aquaculture sector (e.g. Locational Guidelines on the Authorisation of Marine Fish Farms in Scottish Waters and the research behind this) are likely to continue to address some of the gaps identified in the SA and by respondents to the consultations.
- 7.1.4 While much of the research is currently targeting the potential for environmental effects of offshore renewables, the potential for benefits in project or development-specific studies or monitoring information was also noted (e.g. studies undertaken in preparing consent applications, compliance monitoring undertaken as a condition of consent, renewables test and demonstration monitoring). The availability of information from these sources, particularly given the number of test and demonstrator sites for offshore renewables and aquaculture developments within the PFOW area,

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<sup>16</sup> Scottish Government (2012) Publications[online] Available at: <http://www.scotland.gov.uk/Topics/Statistics/SIMD/Publications> (accessed 22/02/2016)

<sup>17</sup> Scottish Government (2014) Fisheries Industry Science Alliance [online] Available at: <http://www.scotland.gov.uk/Topics/marine/science/FISA> (accessed 22/02/2016)

has the potential to play an important role in informing future decision-making at the local and regional levels, and identifying environmental impacts. The role of targeted research through groups such as SpORRAn and the Offshore Renewables Joint Industry Programme (ORJIP)) are also likely to aid in filling data gaps associated with specific sectors (e.g. offshore renewables) and biological features (e.g. studies on marine fauna behaviours).

- 7.1.5 Other sources, such as national environmental monitoring programmes (e.g. water quality monitoring undertaken by SEPA, climate change research conducted by SNH), local or regional programmes (e.g. coastal classifications) and targeted monitoring of biodiversity features conducted by the Scottish Government, Marine Scotland Science, academic and environmental groups (e.g. monitoring of seabird and seal populations, basking shark monitoring, Atlantic salmon migration research, collision impacts with onshore and offshore wind, wave and tidal infrastructure) are also likely to contribute to filling data gaps. This data could also help to refine the potential for sectoral growth in line with sustainable objectives.
- 7.1.6 However, greater co-ordination of data gathering, monitoring and research would likely prove beneficial to the development of the upcoming Regional Marine Plans for the PFOW area (e.g. General Policy 9: Invasive Non-native Species notes that such an approach would likely be the most efficient when setting up a biodiversity plan). Encouraging this approach at the regional level could enable the identification of relevant data and the use of it to effectively plan the use of space in the region.
- 7.1.7 In summary, the monitoring of sectoral growth and environmental and socio-economic parameters will continue to be undertaken on an ongoing basis, alongside the filling of data gaps through targeted research and studies. Together, the information obtained from this wide range of sources, complemented by targeted monitoring and research on specific sectoral and environmental effects, would likely help to further inform the development of the upcoming Regional Marine Plans, and potentially, to allow ongoing revision of the RLG. In a similar way, this data could also inform the requirements for further environmental assessment at the strategic or project levels.



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