

FEDERATION OF SCOTTISH AQUACULTURE PRODUCERS

Consultation on Coastal & Marine National Parks

INTRODUCTION

The Federation of Scottish Aquaculture Producers (FSAP) is an overarching trade body, helping to represent the interests of a range of aquaculture sectors. The marine environment is of great importance to our membership, since it is where their activities in farming species such as Atlantic halibut, Atlantic cod and large rainbow trout are taking place. These three aquaculture sub-sectors are still relatively small-scale, but are developing steadily. They represent the essential diversification the industry requires in Scotland, and therefore contribute significantly to one of the key undertakings of Partnership for Government Agreement number 327.

The FSAP welcomes the opportunity to comment on 'Scotland's first coastal and marine national park – a consultation'. We will address the specific questions contained within the document, but would also offer several introductory comments:

- We recognise Ministers' interest in and commitment to the concept of one or more CMNP, and we recognise that these types of areas are increasingly being created around the world.
- We believe the aquaculture industry in Scotland is already being regulated and managed to a higher standard than anywhere else in the world, and we question how the development of a CMNP could achieve any further degree of reassurance about the sustainability of our industry – **what would the added benefit of a CMNP be for fish farming in the area?**
 - It is important to note that we are not mandated to question or to promote the potential benefits to other sectors, but must focus on the concerns our members have articulated.
- We must also point out that we reject the suggestion of some sort of marketing advantage for fish farms located within a CMNP. A Park is not a brand, and regionalised branding does not tend to be very effective in marketing mainstream products. Fish are ultimately sold to consumers on the basis of price.
- Food production is a competitive sector, and any regulatory regime which potentially adds further cost to our sector must be viewed with caution. It would seem inevitable that for the fish farms located within a CMNP, there would be a further layer of bureaucracy and therefore cost – and we are not persuaded by any arguments to the contrary at this time.
- It seems to us that marine spatial planning would be the key element of a CMNP, in relation to our sector. As Ministers will be aware, aquaculture is currently going through a significant upheaval with respect to the transfer of planning powers from the Crown Estate to Local Authorities. The introduction of a concern about a future CMNP is an addition to our worries at this time, and we question how good planning considerations could or should be any different inside rather than outside a CMNP.

- We are also very cautious about how planning decisions might be made for aquaculture within a CMNP, with respect to visual amenity. There is a risk that park management might take a precautionary approach in this regard, having the perception that fish farms are somehow incompatible with the goal of increasing visitors to the park. We must stress that this would only be a perception – the actuality is the only piece of independent research available on this subject indicates that 80% of visitors are either positive or neutral about the presence of fish farms.
- The main positive aspect of fish farm inclusion within a CMNP that we can envisage is that the new park authority warmly embraces the presence of aquaculture, and works to reinforce the industry's and the Executive's message that we are a sustainable and now well-established part of Scottish coastal/rural industry and community life. So the park would have an educational role, with respect to aquaculture, and this in turn would benefit communities within the park.

SUMMARY OF QUESTIONS

Chapter 1: The added value and benefits of a Coastal and Marine National Park

Views are invited on the potential benefits a Coastal and Marine National Park could bring:

> How could a Coastal and Marine National Park help communities develop in a more sustainable way and meet community aspirations?

We have no particular insights to offer.

> What problems could a Coastal and Marine National Park address?

Problems that are not already being addressed by other initiatives such as ICZM, marine spatial planning, SSMEI, potential future Marine Bills, TWG, WFD AAGs, Habitats Regulations, etc, etc?

None that we can envisage.

➤ Are there any other examples of benefits that a Park could bring?

The main obvious reason to have any National Park is to encourage more of the public to get out into it – i.e. presumably it's about healthier lifestyles and social inclusion in all aspects of our natural and cultural heritage. The FSAP is by no means inherently opposed to such broad aspirations, provided they do not endanger the livelihoods of our members.

Chapter 2: Selecting the Location of Scotland's First Coastal and Marine National Park

Comments on whether the final selection should be based on these factors are invited, including how accessibility can best be considered.

Ease of access and availability of sustainable activities that relate to being on and in the marine environment are obviously the key criteria, whilst ensuring the ongoing wellbeing of existing and well-established activities within the park area.

Are there other factors that should also be considered when selecting the location? Consultees are invited to rank the proposed criteria in order of preference.

Having the chance to provide the most benefit to communities is a key criterion.

Which area do you consider to be the strongest candidate as a Coastal and Marine National Park?

In particular do consultees agree that:

The strongest all round case can be made for Argyll Islands and Coast area and Ardnamurchan, Small Isles and South Sky Coast area?

No

A combination of these two areas would also be a strong candidate?

No

Any other views on the areas outlined or other areas not identified are also invited.

During the SNH consultation and stakeholder working process, sound arguments were put forward for making the Firth of Forth a CMNP.

What criteria would you use to set the landward and seaward boundaries of the Park?

We have no strong suggestions in this regard.

Chapter 3: Functions, Powers and Governance The Park Plan

What functions and powers would you wish a Park to have?

Relationships with Town and Country Planning

Do you consider that planning control for the land component should remain with the local authority or should it be transferred to the Park Authority?

Local authority

Conservation and Recreation Management

Comments are invited on the potential functions of a Coastal and Marine National Park relating to conservation and recreation management.

Conservation. It's hard to know what else a CMNP can do in this area that's not already being done. There are already 316,000 hectares of the marine environment designated as Special Areas of Conservation. If one considers the coastal 'strip' of marine waters all around Scotland, from the shoreline out to 1 km, these SACs already occupy the equivalent of 32% of that area. We therefore don't believe 'conservation' is a major function for a park authority.

Recreation Management. Encouraging more 'use' of the park, by Scotland's public and by visitors, is what a park authority should be for. In this regard, sustainable recreation management and development would probably be the main function.

Do you think that the potential for zoning to form an element of the development and implementation of the Plan is sufficient or should other site-based protection measures be considered?

Zoning should be sufficient, within the context of a statutory development plan and its implications for planning development decision-making. Other site-based protection measures already exist, and would be taken into account in the creation of such a plan. Material considerations then come into play in decision-making, and these offer the democratic and transparent fine-tuning that such a system requires.

Ministers seek consultees' views on whether the Park Authority should be given a last resort 'stop' power. Comments on these issues are invited.

No, the Park Authority cannot have last resort 'stop' powers. Ministers remain the final arbiters in any dispute, and the Reporters Unit's role must not be bypassed.

Relationships with Inshore Fisheries Management

Comments on this approach are invited. How can Inshore Fisheries Groups work with the Park Authority?

No comment

Other Context Issues

The consultation paper seems to have missed out other existing 'management' regimes – whether statutory or voluntary.

How will a Park interact with Area Advisory Groups under our WEWS obligations?
How will a Park interact with Area Management Groups under the auspices of the Tripartite Working Group?

Relationships with Aquaculture

Do you agree with the proposed approach (option e) to managing aquaculture?

Yes, if a CMNP is going to exist, option e seems the most pragmatic. With the proviso that these 'frameworks' as described should actually be statutory development plans for aquaculture in the marine environment, thus giving all parties more certainty in terms of planning decision-making. It is inconceivable that a statutory development plan could exist within a CMNP with the Park Authority having been consulted. So, option e.

Selecting the right model for the National Park Authority

Which approach do you prefer for the National Park Authority and why.

We would favour the 'Planner and Enabler' route at the outset, for all the pragmatic reasons laid out in the consultation paper.

We specifically oppose 'Planner, Enabler, Manager and Regulator'. This is 'one-stop-shop' stuff, and very difficult to achieve in practice. It's not the way

we balance overall regulation between different branches of government, and it would end up being more costly, cumbersome and non-transparent.

Comments are also invited on the option of a phased approach that provides for review at a later date.

There is a problem here. Planning decisions (whether for aquaculture or anything else) need to be made on the basis of the regulatory regime in force at the time. Leaving decision-makers with some vague notion that things might change sometime in the future makes it very difficult for them to decide about developments that will be permanent. It opens the door for delaying pressures from single-issue groups, and that will not help the Park Authority, nor the communities and businesses within the Park.

Do you think the existing powers and functions provided in the Act are sufficient for a Coastal and Marine National Park Authority?

No comment

Governance

Are the principles for establishing the Park Board the right ones for ensuring local and national views are taken into account, including the views of those using the area but who do not live there?

We will need to consider this area more carefully, and revert in more detail at a later stage in the development of CMNP thinking. Our initial reaction at this time is:

- **National consistency in terms of decision-making relating to aquaculture, so that there is no tendency towards ghetto-isation.**
- **A 'National Park' is for the 'nation' – its management should exist to provide a resource which everyone in the nation is encouraged to enjoy. It's hard to see why there should be such a focus on governance by people who live 'in or near' the Park.**

Do you have any other views on the Board and governance of the National Park Authority?

Financial Implications

Comments are invited on the running costs and financial implications of a Coastal and Marine National Park.

There is not really enough detail yet to comment objectively.

However, this very lack of detail leads to one key concern: what provision will be made to measure our progress with a CMNP? What are the 'high level indicators' that will tell us whether the expense of creating and managing the Park is justified in economic, environmental and social terms – the three pillars of sustainability, against which we must measure all our policies?

We believe very strongly that providing clear tools for monitoring the outcomes from public expenditure projects is essential. Presumably such tools are in place for Cairngorm and Loch Lomond and the Trossachs? For example, the costs of £4 and £6 million per annum are being shown to be good value for money because:

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- **Visitor numbers are increasing (day visitors, bed-nights)**
- **Visitor expenditure is increasing**
- **Unemployment is falling**
 - **(Excluding Park Authority employees)**
- **Wages have risen faster than the national average**
 - **(Excluding the public servants from the Park Authorities themselves)**
- **Population is stable/increasing**
- **Biodiversity indices have improved**
- **Water body classifications have improved faster than the national average rate**
- ***Etc, etc***

We would be very interested to see the reports of this sort of monitoring for the existing national parks.

For further information, please contact:

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