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# LERWICK PORT AUTHORITY

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10 January 2007

Nikki Milne  
Scottish Executive Environment and Rural Affairs Department  
Marine Management Division  
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Victoria Quay  
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Dear Ms Milne

**SCOTLAND'S FIRST COASTAL AND MARINE  
NATIONAL PARK: A CONSULTATION.**

Thank you for the opportunity to comment on the Coastal and Marine National Park proposals.

The area we wish to comment on is on Functions, Powers and Governance. Three potential approaches have been identified for a National Park Authority.

Lerwick Port Authority has concerns with the suggestion that regulatory powers could transfer to a National Park Authority.

As a commercially operated port within one of the potential National Park Sites, we would not wish to see any difference in regulatory powers between ports in Scotland, or indeed in the UK.

Lerwick harbour is a significant area of economic generation in Shetland and is the islands major employment location. The harbour has to keep pace with the requirements of its customers and the industries using the port.

Recent developments include the enlargement of passenger ferry facilities and ongoing challenges include provision of deep water berthing, and associated dredging, for ever-larger ships. Lerwick Port Authority is a Trust port, operating the harbour under its own statute. The existing regulatory regime for harbour developments is well proven and there is a wealth of relevant experience in the regulatory bodies.

For harbour developments the existing regulatory regime depends on the individual project but may include:

- Harbour Revision Order (if project not covered under existing statute)
- Coast Protection Act 1949.



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- Consent under Food and Environmental Protection Act 1985, Part II Deposits in the Sea (as amended by Environmental Protection Act 1990)
- Crown Estate Commissioners consent.
- Planning consent from the local authority if the project is above the Low Water Mark. (Port authorities have permitted development rights for certain projects).

These consent processes are common to ports throughout the country and we do not wish to see any difference in the regulatory regime due to any National Park Authority status from that applicable elsewhere.

Lerwick competes with other ports for business and a level playing field is essential for its success. It is also important that any developer considering a harbour project at Lerwick is not discouraged by even a perception of difficulty due to any differences in the regulatory regime from the norm.

We hope this comment is useful for your consideration of the proposals.

Yours sincerely

Sandra Laursen  
Deputy Chief Executive