



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland  
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Scottish Marine Regions Consultation  
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### PF078/12-13: Consultation on The Draft Scottish Marine Regions Order 2013

Thank you for consulting Scottish Natural Heritage (SNH) on the draft Scottish Marine Regions Order 2013. As stated in our response to the 2010/11 consultation *Scottish Marine Regions, defining their boundaries*, SNH strongly supports the introduction of a marine planning system for Scotland, as a tool to help manage our seas more sustainably. Whilst the National Marine Plan will set the strategic framework for marine planning, we see regional marine planning as a very important element of the system. Regional marine plans should allow for more detailed and spatial coverage of the nearshore zone, where activity and pressures tend to be most acute.

In relation to SMR boundaries, our comments below are based on the following guiding principles:

1. Where an area has clear ecological continuity (e.g. a firth or sealoch), this should not be sub-divided;
2. The scale of the regions should be such that it allows for plans of appropriate detail to be produced;
3. Where no obvious ecological boundary exists, alignment should be sought with other relevant administrative boundaries where possible.

We wish to make the following comments on the draft Order.

#### Content of the Order

We note that 12 nm (from baseline) is proposed as the seaward limit for regional marine plans. We can understand the rationale for this, but are concerned that some of the sea areas are consequently large and that this may make it more difficult to plan in sufficient detail to address more complex interactions in the nearshore area, particularly in estuaries or in regions with extensive and intricate coastlines like the proposed West Highland. As stated in our previous response, we suggest that key areas within such regions may need to be given a particular spatial focus (e.g. a detailed policy map at a larger scale) within the larger plan.

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Paragraph 7 states that previously proposed 'Strategic Sea Areas' (SSA) have been included within the regions as set out in the Order. However, it appears from the illustrative map that all the areas that were proposed as SSA (the Pentland Firth, the Minches and the mouth of the Clyde) are split between two marine regions. Where there are important issues or interactions that straddle two marine regions, it would be helpful if the national marine plan could provide a steer on how these should be addressed. Given that it may take a number of years to develop plans for all Scottish Marine Regions, there is a risk that planning for some of these 'strategic sea areas' could be done in a piecemeal way, without fully addressing the strategic issues.

#### **Proposed SMR names**

The proposed names for regions seem far more land focussed and less descriptive than those previously suggested. It would seem sensible for marine planning region names to more accurately reflect the area of water and coast they cover. For example, we would prefer 'Solway Firth' instead of South West; 'Forth & Tay' instead of South East; 'Aberdeenshire coast & waters' instead of North East; and 'Argyll coast & islands' instead of Argyll.

#### **Specific boundary issues**

Please note that we have not reviewed the co-ordinates outlined in the draft Order and the comments below are based on the illustrative map included in the consultation paper. Our comments relate to the guiding principles outlined in the introduction to this letter.

#### North Coast & Orkney

It is surprising that North Coast & Orkney is not proposed as a single SMR, given the importance of activities (marine renewables, shipping, cables, etc.) that straddle the Pentland Firth into Orkney waters. As there is already a pilot regional marine plan in preparation for the majority of this area and the stakeholders are already engaged in joint discussions, we suggest a combined SMR might be appropriate. We understand that it might be possible to amend the boundaries of the pilot PFOW area to accommodate the whole of the North Coast and Orkney Waters SMRs.

#### Moray Firth

We note that the boundary between the Moray and North East SMRs has been shifted westwards to include Fraserburgh. Although we recommend that firths should be treated as entire ecological units and not sub-divided, we note that the eastward ecological limit of the Moray Firth is actually quite difficult to define and there are significant ecological linkages (e.g. movement of bottlenose dolphins) with the North East region. On that basis, and recognising the powerful socio-economic rationale for including Fraserburgh in the North East region, we would accept the proposed boundary.

#### Western Isles / West Highlands

As highlighted above in relation to the loss of 'Strategic Sea Areas', we consider it regrettable that the proposed boundaries split the Minch in two. Whilst we can understand the considerable logistical challenges (and historic difficulties) in attempting a joint plan for this area, we feel it is essential that a mechanism is established to ensure that important issues that affect the Minch are able to be highlighted and planned-for in an integrated way (which might not be possible if relying on a lengthy sequence of planning for individual SMRs). We would welcome

some consideration of a suitable mechanism to achieve this, such as special consideration of this area within the national marine plan.

#### Sound of Mull

It is unfortunate that the ecological unit of the Sound of Mull is split down the middle. As we highlighted in our response to the 2011 consultation, we consider that Ardnamurchan point would have defined a more appropriate boundary, as used for the Sound of Mull SSMEI plan and for the River Basin Management Plan Area Advisory Group boundary.

#### Firth of Clyde / Solway

The proposed boundary of the South-West region seems to include a lot more of the Firth of Clyde than would be expected. With reference to the National Marine Plan interactive map layers, we are not sure why the Scottish sea area boundary has not been used here. Again, it is unfortunate if the natural ecological unit of the Firth of Clyde has been divided in this way.

#### Alignment and integration with IFGs

We understand that the proposed revision of Inshore Fishery Group boundaries will align with SMR boundaries (although there may be fewer IFGs than SMRs). We would welcome such alignment, which should make for more efficient integration of fisheries management into broader marine planning.

#### **Scope of consultation**

We are keen to engage further in discussions on the arrangements for formation of Marine Planning Partnerships and consider that careful consideration of the structure, governance and resourcing arrangements for these bodies will be critical to the success of regional marine planning in Scotland.

We hope this response is useful. Please contact Cathy Tilbrook ([Cathy.Tilbrook@snh.gov.uk](mailto:Cathy.Tilbrook@snh.gov.uk)) if you have any questions relating to our comments.

Yours faithfully



**SUSAN DAVIES**  
Director of Policy and Advice

## CONSULTATION QUESTIONS

### 1. Do you agree with the proposals set out in the draft Scottish Marine Regions Order 2013?

Yes  No

If no, please explain why not and your suggested alternative(s).

SNH is broadly content with the proposals, but our attached letter raises some issues that we believe still need to be addressed to create meaningful and effective planning units.

### 2. Do you have any further comments? In particular we are seeking views on

- the drafting of the Order;
- the co-ordinates establishing the marine region boundaries;
- the boundaries outlined at paragraph 8 above;
- the names of the regions suggested; and
- the illustrative map.

Please see attached letter which sets out our detailed comments. The key points are:

The regional marine plans cover large areas and will still require an appropriately scaled spatial assessment to deal with complex interactions e.g. nearshore issues in some busy sea areas.

A clearer steer could be provided on how strategic issues across '*strategic sea areas*' should be dealt with; especially as the individual regional marine plans may develop at a different pace and/or have a focus on different issues.

We recommend that the Inshore Fisheries Groups boundaries align with the regional marine plan boundaries (whilst recognising that there will be fewer IFGs than SMRs).

Regional marine plan boundaries should be based on ecological continuity or where no ecological boundary exists on other relevant administrative boundaries. We have suggested minor amendments to reflect this for North Coast & Orkney; Sound of Mull; and Firth of Clyde & Solway.

**3. Do you believe that the creation of Scottish Marine Regions discriminates disproportionately between persons defined by age, disability, sexual orientation, gender, race and religion and belief?**

Yes  No

**4. If you answered yes to question 3 in what way do you believe that the creation of Scottish Marine Regions is discriminatory?**

Comments