

PENTLAND FIRTH AND ORKNEY WATERS MARINE SPATIAL PLAN: PLANNING ISSUES AND OPTIONS PAPER

Consultation Response: Pentland Firth Yacht Club

CONSULTATION QUESTIONS

Section 4 - Legal and policy context

Question 1: Are there other legislation, policies or plans not identified in Table 4.1 and Annex 3 that should be considered in the development of the Pilot Pentland Firth and Orkney Waters Marine Spatial Plan?

Not that we are aware of

Section 5 - Knowledge and evidence to underpin the plan

Question 2: Is there other information that you think should be used to inform the development of the marine spatial plan for Pentland Firth and Orkney Waters?

The strategy addresses environment, commercial / tourism exploitation and leisure use (generally from a revenue perspective) but does not seem to have a category relating to Local Amenity Use by residents

Section 6 - The purpose, users, status and spatial extent of the pilot plan

Question 3: Considering paragraph 6.5, are there other stakeholder engagement and governance related issues that should be investigated through the pilot marine planning process?

No. It appears that a great deal of effort has gone into including as many stakeholders as practicable. The PFYC may comment on some issues that benefit other stakeholders to ensure all interests are considered.

Question 4: Do you agree with the identified purposes and users of the marine spatial plan set out in Section 6? Are there additional or alternative purposes or users of the plan that should be considered?

Please refer to comments regards Local Amenity Use by local residents above

Question 5: Should the existing Pilot Pentland Firth and Orkney Waters Marine Spatial Plan boundary be realigned with the boundaries of the proposed Scottish Marine Regions or do you think the existing 'strategic area' boundary is appropriate? (Refer to Figures 5 and 6)

As long as the same area is included e.g. Skule Skerry then a single strategic area might be more appropriate to ensure an integrated response and less bureaucracy. The geography, flora, fauna and culture of this area is similar and interdependent throughout. We don't have strong feelings and think it would be wasteful to debate too much on this

Question 6: How should the pilot plan and/or marine planning process facilitate and support integration between the terrestrial and marine planning systems? (See paragraphs 6.16 – 6.17).

The onshore, coastal and offshore planning must be integrated. It is no use agreeing an offshore area of low impact when its adjacent landfall has a significant impact and vice versa.

Question 7: How should the adjoining terrestrial areas be mapped in the pilot marine spatial plan? Do you agree with the proposed key principles set out at paragraph 6.18?

We believe Principle 2 would give the most comprehensive coverage but could be the most expensive. Assuming the lead in task was completed comprehensively then Principle 1 would be a suitable (cheaper?) alternative. We disagree with Principle 3. We agree with Principle 4.

Section 7 The guiding principles and themes that will inform the development of the marine spatial plan

Question 8: Are the guiding principles and themes identified in Section 7 appropriate? Are there other guiding principles and themes that should inform the development of the pilot marine spatial plan?

Generically we agree with the guiding principles. We have some technical / financial concerns over the target of 100% renewable energy if taken as an absolute commandment at the cost of all else. Whilst these are sound principles we recognise that the application will result in compromises. By definition adding a new user to a shared marine space requires existing users to compromise on their use. We do not believe that commercial / revenue exploitation should be the only considerations when addressing these principles.

Section 8 Strategic Vision, Aims and Objectives

Question 9: What is your vision for the future of the Pentland Firth and Orkney waters area? What would you like the area to be like in 20 years time?

The PFYC as an organisation generally supports the exploitation of the Pentland Firth and Orkney Waters for commercial purposes as long as this is carried out in a

caring manner that protects the environment, the amenities and allows existing users continuing access – although with acceptable compromises.

We would be resistant to arguments from developers and their investors that they must have more than their share to make a project financially viable if this means the compromises are unacceptable to existing users.

We don't believe that exploitation or revenue or job creation should take priority but should be part of the mix.

So we would like to see a vibrant area rich in flora, fauna, archaeology, geology etc. with a mix of uses that are successful both commercially and socio-economically where no user can dominate; and existing users have accepted reasonable compromises to allow these new users.

Question 10: [Are there existing marine activities that you think should be safeguarded now and into the future? For example, commercial fisheries, ferry services and recreational activities.](#)

Exploitation of the assets of the area should not be carried out such that any existing user is discouraged or phased out. From a PFYC perspective we would accept some sensible curtailment of our freedom to sail anywhere at any time as long as this curtailment is reasonable. Any changes must be done in a manner that is not unduly hazardous to navigation bearing in mind that sailing vessels and small craft transiting these waters during high flow conditions may not be under command. Both consenting authorities and developers must accept responsibility for introducing new artificial hazards and not use legislation to protect themselves from this responsibility. Simply marking a new hazard on a chart should not relieve them of responsibility should a vessel become damaged or wrecked. These are not normal navigational waters and vessels may not be able to avoid new hazards in what was previously a clear passage.

Question 11a: [How should the protection and/or enhancement of the natural environment be considered in the marine spatial plan?](#)

The termed sustainable is used but without a proper definition is not a real scientific explanation. Every interference by man will impact the environment negatively. Either by actual damage or by upsetting the natural balance. Whilst some species may benefit it will may at the expense of others.

Only exploitation that has a real benefits to society should be considered. We do not object to investors making profits from such exploitation as long as this is not the solely the motivation for the exploitation.

Prior to allowing such investment it is key that the downstream ecological, environmental, archaeological etc. impacts are determined and properly explained; including the integrated impact across the region and between different users. If

the scientific evidence is unreliable then staged development with on-going monitoring should be undertaken. Once this has been completed and deemed an acceptable level of damage for the benefit, the socio-economic impact on existing users needs to be reviewed. Where unacceptable compromise is needed by existing users this would also be grounds for rejection.

We also recognised that some current users e.g. fishing practices may be doing more damage than some of the proposed new uses. Introduction of new users may require compromises from some users that overall could reduce the amount of damage.

Question 11b: *Is the protection of the natural environment important? How important is it?*

Please indicate on a scale of 1-5 (1 = Not important at all, 5 = The highest importance)

1

2

3

4

5

Question 12a: *How should the protection and/or enhancement of historic and culture resources (e.g. Scapa Flow wrecks) be considered in the marine spatial plan?*

Consistent with our previous comments we believe that such assets should remain protected irrespective of the benefits to new uses. However this does not mean that access to or exploitation of these assets by existing users should not be subject to compromise to allow additional beneficial uses of the region.

Question 12b: *Is the protection of the historic and culture environment important? How important is it?*

Please indicate on a scale of 1-5 (1 = Not important at all, 5 = The highest importance)

1

2

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Question 13a: *How should the promotion and support of economic growth be considered in the marine spatial plan? If any, which economic activities would you like to see grow and develop?*

The PFYC has no preferences for any particular type of exploitation as long as consistent with our comments previously – beneficial, acceptable level of damage, fits with existing users. For some types of development this is easier to achieve than others. For example seabed tidal turbines will likely have less impact than

surface mounted wave generators.

Question 13b: [Is promoting and supporting economic growth important?](#)

Please indicate on a scale of 1-5 (1 = Not important at all, 5 = The highest importance)

1

2

3

4

5

Section 9 Identifying strategic issues and interactions

Question 14: [Having considered Table 9.1, do you have any views on the identified aspirations for growth, strategic issues and opportunities to address the strategic issues in the pilot marine spatial plan?](#)

Biodiversity and Natural heritage – On face of it this would be an ideal source for careful exploitation as long as amenity maintained. However must not exploit some species at expense of others. One of the assets of the region is little general disturbance of bio-systems.

Cultural heritage and historic environment – This is also an asset that must be preserved and could be exploited. Some compromises may be necessary to allow other users access to region

Marine renewable energy – if done acceptably this is an asset that should be carefully exploited as socio-economically beneficial to region and potential beneficial to environment.

Electricity grid infrastructure – If carried out in a sympathetic manner then upgrading and extending the electrical infrastructure is a necessary facility to allow other exploitation. The region must not end up as a cable bridge sending clean energy elsewhere with limited local benefit. We should consider using our electricity generated locally for creating other opportunities locally.

Shipping and Navigation – Although of little local benefit shipping and navigation should still be encouraged as generally beneficial to society. New uses within the region need to be permitted only where safe to do so without unduly compromising shipping.

Ports and harbours – As generally brown field sites (although often full of biodiversity) we have no general problem with development and exploitation of our ports and harbours for the benefit of new users. This must be done in a manner that does not unduly compromise or discourage existing users – including leisure use.

Oil and Gas – Whilst environmentally damaging hydro-carbon energy remains essential to modern UK society and provides local socio-economic benefit and should continue to be exploited. Controls to be in place to minimise and repair, where possible, the damage.

Marine aggregates and dredging – As a general rule we do not support extraction of such resources from this region. However we recognise that we are all consumers of such resources and would reconsider this where it can be demonstrated that less sensitive sources are not available elsewhere. We would not agree to the damage such extraction would cause to such a pristine environment simply for commercial gain. Similarly we would aggressively object to commercial large waste / spoil dumping but accept some limited dumping to assist with other developments.

Other infrastructure (e.g. flood and coastal erosion defences) – only if done sympathetically with the culture of the region and acceptable environmental damage.

Commercial fisheries – We support sustainable and sensible commercial and leisure fishing. We believe that fishing authorities need to exercise more control such that the sea is farmed rather than just exploited. The quota system does not seem an adequate means for protection for either the fisherman or the resource.

Aquaculture – as long as rights of navigation and anchorages for existing users are not impaired in an unacceptable manner we have no objections in principle to this type of farming. We are aware of the serious environmental damage poorly managed / legislated farms cause that must be stopped.

Tourism and recreation – we are naturally supporters of environmentally well manage exploitation of the natural resources for the purposes of tourism and recreation. As well the direct fiscal advantages, we believe that such amenities provide a soft benefit to local residents and visitors that enhance the region for the benefit of developers and residents.

Question 15: [Having considered Table 9.2, do you have any views on the identified potential for interaction between the various sectors, what these interactions might be and and how these interactions should be addressed in the pilot marine spatial plan?](#)

The spatial plan needs to consider all aspects of current users and new users in an integrated manner. There will likely always be an impact between sectors and local residents and necessary compromises need to be understood and agreed. Such a system needs to be dynamic as environmental knowledge, technology, economics and demand will continuously change.

Section 10 Spatial strategy and information

Question 16: [Do you think it is important to have an overarching spatial strategy? If so, what should the strategy include and why?](#)

Yes. See answer to question 15. The spatial strategy, as seems to be the plan, needs to include:

Local amenities and residents; existing users; new planned users; possible future uses; impacts (environment, geology etc.)

Exploitation, unless complete benign (unlikely) should only be permitted where:

Of general society / socio-economic benefit and not just for fiscal benefit;
environmental / archaeological etc. damage is acceptable; the compromises
necessary from existing users are reasonable.

Section 11 Crosscutting or overarching marine planning policies

This section of the Consultation Questionnaire seeks your views on the proposed policy options set out in Section 11 of the Planning Issues and Options Paper. Please indicate in the proposed policy option response boxes below which proposed policy you are commenting on and provide any comments on the preferred option and/or alternative approach, as appropriate. The proposed policies are:

Proposed Policy 1a: Sustainable Development
Proposed Policy 2a: Integrating marine and coastal development
Proposed Policy 3a: Nature conservation designations
Proposed Policy 3b: Protected species
Proposed Policy 3c: Wider biodiversity and geodiversity interests
Proposed Policy 3d: Non-native species
Proposed Policy 3e: Landscape and seascape
Proposed Policy 4a: Cultural and Historic Environment
Proposed Policy 5a: Water environment
Proposed Policy 6a: Coastal erosion and flooding
Proposed Policy 7a: Waste management and marine litter
Proposed Policy 8a: Safeguarding existing pipelines, electricity and telecommunications cables
Proposed Policy 9a: Hazardous development and Health and Safety Executive consultation zones
Proposed Policy 10a: Defence

Proposed Policy Options - Response Box 1

Please indicate which proposed policy you are commenting on:

Policy 1a

Please provide your comments on the proposed preferred option and/or alternative approach:

The criterion should include the benefit from the exploitation i.e. not just for revenue purposes and why there are not other better locations

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 2

Please indicate which proposed policy you are commenting on:

Policy 3c

Please provide your comments on the proposed preferred option and/or alternative approach:

As long as bio-diversity does not means upsetting the natural balance by allowing new species to develop or existing species to dominate compare to pre-exploitation.

Would you suggest an alternative approach?

May need to have staged development with monitoring over sufficient period.

Proposed Policy Options - Response Box 3

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Proposed Policy Options - Response Box 4

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 5

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Should you wish to respond to further proposed policy options please provide your response on an addition page(s) and submit with your completed Consultation Questionnaire.

Further crosscutting / overarching policy areas

Question 17: [Are there other crosscutting / overarching policy areas that should be addressed in the marine spatial plan?](#)

Comments

12 Sectoral policies

This section of the Consultation Questionnaire seeks your views on the proposed policy options set out in Section 12 of the Planning Issues and Options Paper. Please indicate in the proposed policy option response boxes below which proposed policy you are commenting on and provide any comments on the preferred option and/or alternative approach, as appropriate. The proposed policies are:

- Proposed Policy 11: Marine renewable energy
- Proposed Policy 12: Electricity infrastructure to support marine renewable energy projects
- Proposed Policy 13: Shipping, Navigation and Marine Safety
- Proposed Policy 14: Ports and harbours
- Proposed Policy 15: Oil and Gas
- Proposed Policy 16: Marine aggregates and dredging
- Proposed Policy 17: Development of coastal protection and flood defence infrastructure
- Proposed Policy 18: Development of new telecommunication cables
- Proposed Policy 19: Commercial fisheries
- Proposed Policy 20: Aquaculture
- Proposed Policy 21: Tourism and recreation

Proposed Policy Options - Response Box 6

Please indicate which proposed policy you are commenting on:

Policy 12

Please provide your comments on the proposed preferred option and/or alternative approach:

Also needs to include environmental effects of noise / electrical fields from power cables

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 7

Please indicate which proposed policy you are commenting on:

Policy 13

Please provide your comments on the proposed preferred option and/or alternative approach:

Safe navigation for small vessels and sailing vessels needs special attention in fast tidal waters. Closing some channels and using alternative routes may increase risk if more exposed. Both construction and O&M need to be considered.

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 8

Please indicate which proposed policy you are commenting on:

Ports & Harbours

Please provide your comments on the proposed preferred option and/or alternative approach:

Policy needs to include the impact on all harbour users including leisure and tourism. Need to make sure lower income users are not squeezed out in preference for commercial use.

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 9

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Proposed Policy Options - Response Box 10

Please indicate which proposed policy you are commenting on:

Comments

Please provide your comments on the proposed preferred option and/or alternative approach:

Comments

Would you suggest an alternative approach?

Comments

Should you wish to respond to further proposed policy options please provide your response on an addition page(s) and submit with your completed Consultation Questionnaire.

Further sectoral policies

Question 18: [Are there other sectoral policies that should be developed in the marine spatial plan?](#)

Comments

Further comments or opinions

Question 19: [Do you have any further comments or opinions in relation to the preparation of the Draft Pilot Pentland Firth and Orkney Waters Marine Spatial Plan?](#)

We commend Marine Scotland on its open approach and the depth and effort of its consultation process. The language style and documents are quite heavy going and time consuming for private individuals. The PFYC generally supports the careful and thoughtful exploitation and development of the region providing this is done with all interests being equally considered. We believe that reasonable compromises are acceptable for overall societal benefit.