

## CONSULTATION QUESTIONS

This consultation questionnaire sets out the consultation questions from within the relevant sections of the Planning Issues and Options Paper. Your views are sought on the proposed policies, and where appropriate, alternative policy approaches, as set out in section 11 and section 12 of the paper. Please insert your response to the questions and proposed policy options in the text boxes provided.

WHEN MAKING COMMENTS IN RELATION TO SPECIFIC SECTIONS OF THE PLANNING ISSUES AND OPTIONS PAPER, IT WOULD HELP IF YOU COULD QUOTE THE RELEVANT PARAGRAPH NUMBER(S), IF APPROPRIATE, SO WE CAN CLEARLY UNDERSTAND YOUR COMMENTS.

### 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?](#)

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### 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?](#)

Environmental monitoring and research relevant to the PFOWs and activities within the area are advancing. New and important information is emerging that will inform decision and plan making processes. There must be a positive feedback loop to inform the next iterations of the plan. In this respect the activities of the Scottish Marine Renewables Research Group (SMRRG) will be a key reference point for ensuring the flow of this information into plan development.

### 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?](#)

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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?

Section 6.4

In relation to that set out in the third bullet point, another purpose of the Plan is to contribute to and support achievement of the Marine Strategy Framework Directive's goal of good environmental status across Europe's marine environment by 2020 through working towards the 11 descriptors that constitute GES.

Section 6.7

We recommend that the natural environment is considered not only as the physical system in which users of the marine area are active, but also in the context of those who work to and have aspirations for the protection, enhancement and sustainable management of the areas natural resource.

In this context, there are a number of bodies, including environmental NGOs, who should be included as 'users' of the marine area and marine spatial plan (MSP).

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)

The existing 'strategic area' is appropriate in terms of retaining continuity between the plan and the ecological unit that is the Pentland Firth & Orkney Waters. However, establishment of the marine regions will result in the separation of this ecological unit across two authority areas. As a result it is necessary to ensure there is a mechanism in place that effectively integrates the two authorities and their spatial plans so that they may contribute effectively, together, to the sustainable development of the whole region/ ecological unit.

The alternative would be to alter the forthcoming Scottish Marine Regions to be contiguous with the strategic area boundary.

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).

Wherever possible mechanisms should be established whereby there is regular dialogue between those responsible for marine planning and those for terrestrial. This will help achieve a consistency of approach across the terrestrial and marine plans and provide opportunity for cross cutting themes to be addressed efficiently, avoiding the establishment of conflicting policies. This is in addition to the need for wider stakeholder consultation between those with terrestrial and/or offshore interests.

Furthermore, there is a requirement to facilitate a shared evidence base to ensure better understanding of the environmental issues relevant to either/ or/ both plans.

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?

Whilst avoiding duplication of those features mapped in terrestrial plans, it is likely that many terrestrial activities and plans will also directly or indirectly influence the marine area and visa-versa, particularly along inshore and coastal zones. It is recommended, in drafting a list of terrestrial activities/ developments, that a thorough review is undertaken to consider all potential links to activities in the marine area.

Overall the proposed key principles seem adequate.

## **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?

We welcome and support the guiding principles and themes presented in Section 7. Seeking to support the aims and principles of sustainable development through implementation of the MSFD is key to ensuring successful management that meets the needs of the local area whilst protecting and enhancing the marine and coastal environment.

### **Principle 3 – Climate Change**

The focus on marine renewable energy technology is one element which the plan seeks to contribute towards reducing climate change impacts. However, the Plan can and should also play a crucial role in establishing a framework for adapting to the effects of climate change. Flexibility and adaptability must be built into the plan to ensure the challenges posed by climate change are identified and detected early and responded to in a manner that protects the environment, increases its resilience and where possible enhances its integrity. This approach will support the aims and objectives of the MSFD.

### **Principle 5 – Co-existence**

This could be extended to consider co-location in terms of human activities within designated natural heritage sites. This is particularly relevant to marine renewables and is important in ensuring projects are sited in the least sensitive areas. Establishing clear guidance on which activities may be compatible with which designation will offer greater clarity and environmental protection.

This approach requires research and monitoring to help define compatibility. In some cases potential environmental impacts of devices and activities may not be well understood. However, as further information becomes available this should inform future iterations of the plan.

## 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 vision should align with that set out in the UK Marine Policy Statement where the PFOWs are '*clean, healthy, safe, productive and biologically diverse.*' The Scottish Government's vision for the marine environment extends the UK Policy to include '*...managed to meet the long term needs of nature and people.*'

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.

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

The protection and enhancement of the natural environment should be integral facets of the marine spatial plan. Consideration should be made in the context of achieving good environmental status of the marine environment as per the aims of the MSFD. To achieve this, the ecosystem-based approach should be applied.

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?

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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)

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2

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4

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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 promotion and support of economic growth should be considered within the context of sustainable development, with the economy given equal weight to social and environmental considerations. There must be due recognition of the fact that the natural environment generates and sustains economic activity and brings wider benefits to society<sup>1</sup>.

At a strategic level, RSPB Scotland believes a more sustainable economy would be aided by the development of new measures of social and economic wellbeing to complement the traditional, but limited measure, of GDP. We agree with the recommendation from the Carnegie report<sup>2</sup> that there should be a shift in emphasis from measuring economic production to measuring people's wellbeing.

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

'data gaps' section: should include species ecology and behaviour in addition to the knowledge gaps which refers to effects of some marine sectors on habitats, species and ecosystems.

'opportunities to address strategic issues in the pilot marine spatial plan': this section should include consideration of measures that would increase the plan's resilience to climate change e.g. adaptive management that identifies potential future scenarios specific to the region and responding with innovative solutions to counter the effects of these predicted impacts.

For Marine Renewable Energy the strategic issues section should include marine habitats and species under the second bullet point for 'risks and barriers'.

<sup>1</sup> [Wellbeing through wildlife](#) (RSPB publication)

<sup>2</sup> <http://www.carnegieuktrust.org.uk/getattachment/edc70373-49a0-48bb-84a3-5b0a253a5a6f/More-Than-GDP--Measuring-What-Matters.aspx>

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 how these interactions should be addressed in the pilot marine spatial plan?

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## 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?

An overarching spatial strategy is important as it can provide a coherent framework that clearly portrays the fundamental elements of the plan. Such a strategy would provide certainty to marine sectors active within the region and it would help avoid ambiguity as to the key intentions, aims and objectives of the plan.

Such a strategy should present the priority economic, social and environmental considerations and policies that together support the aims of the plan and the principles of sustainable development.

## 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:

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

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Would you suggest an alternative approach?

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### Further crosscutting / overarching policy areas

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

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### 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:

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

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Would you suggest an alternative approach?

Comments

### Further sectoral policies

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

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### 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?](#)

The draft plan is of a very high quality and is both legible and concise, clearly setting out the key policy and legislative drivers behind development of the plan. Furthermore the emphasis on sustainable development and the importance of these underpinning principles that are presented throughout the plan are welcomed and supported.

We hope to be engaged in further stages of the plan preparation process and look forward to seeing the proposed plan and its policies.