

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

Consultation Response: Michael Grainer

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## 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?

No

### 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?

Comments

### 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?

With regard to marine recreation and tourism we have far too little knowledge. The Anatec report shows tracks obtained from AIS. This however is only 17% of the total movements and is mainly from the large sail training vessels. We need to know where the majority are coming from and eventually going to; the weather they had on passage; did they have any navigational problems; do they know about all the changes that have taken place in the seas in the PFOW; are their charts up to date including the electronic ones plus many other items. All this needs to be tabulated over a period of two to three years and it is only then will we know what mitigation needs to take place.

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?

In Section 6 of the Consultation Paper major commercial aspects of the Pilot Plan such as ports, ferry terminals, oil terminals, ship to ship transfers are not included yet the "Plan

Scheme” states in Section1, Introduction, Background the following:-

“The pilot plan will promote the sustainable management and development of the marine environment and will incorporate economic, environmental and social considerations into marine development decision making.”

“The pilot plan aims to develop a strategic decision making framework for licensing and other consent applications in the marine area. The plan will seek to reconcile the aspirations of **all users of the marine area including the interests of the marine renewable energy sector, inshore fisheries, shipping and navigation, aquaculture, the oil and gas sector, recreation (by locals and visitors) and tourism**. The plan will promote sustainable economic growth and management of the marine environment.”

The Plan Framework Section 1, Introduction Para 3 states the following

**“In preparing an MSP all users of the sea and all aspects of environment must be considered.** This Framework document therefore considers all sectors, and integrates the results of the RLG to provide more detailed consideration of the specific issues associated with marine energy projects.”

#### **INTRODUCTION (Plan Scheme) Page 4**

“Marine (Scotland) Act 2010 (“the Act”) provides Scottish Ministers with the powers to introduce statutory marine planning for Scotland’s seas. The Act creates a new legislative and management framework for the marine environment to manage the competing demands of the use of the sea whilst ensuring protection of the marine environment.

The Act sets out a simplified marine licensing process that will cover nearly all anticipated activities in the marine environment with the **exception of aquaculture within 3 nautical miles, which is consented by local authorities**. Public authorities have to take authorisation decisions in accordance with marine plans, as defined in the Act, unless relevant considerations indicate otherwise.”

By now I am completely confused on what is IN and what is OUT?

Does this mean that Local Authorities are outside the plan where their consent is needed or is OIC to be considered as a “user”? How does the Plan go about reflecting the policies of the Local Authorities? Surely ports, terminals etc are economic.

In 6.7 of the Consultation Document you state

“Orkney Islands Council (Orkney Harbour Authority) will use the plan to inform decisions on Works Licence applications”

As the Pilot Plan is non-statutory is the word “will” imperative? I am taking this in relationship to OIC being the licensing authority for aquaculture. Since OIC became the consenting authority for aquaculture there have been no consultation documents sent to RYA Scotland although I believe there have been applications.

6.4 of the Consultation Document states

The main purposes of the pilot plan are:

- ☐ To establish a coherent strategic vision and objectives to achieve sustainable development;
- ☐ To set out policies to support the delivery of sustainable development;
- ☐ To produce and use relevant, reliable and robust information to support the plan policies, inform decision making and support the sustainable management of the marine environment; and
- ☐ To develop a framework for integrating marine planning with terrestrial

Planning

Combining the discussion document with the Framework and the Scheme Plan there does seem to be a lack of coherence.

**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)**

There was some agreement that the area should be based upon the proposed Scottish Marine Regions. However Orkney Harbours did have some reservations as regards the

handling of traffic in the east of the area where currently tanker de-ballasting takes place.

Should renewables take place in the Outer Sound then there could be some conflicts of interest across the border line as regards the control of shipping. Section 6 does not cover this border line. This would need to be looked into.

As regards renewables in the Outer Sound these would probably all be connected through Caithness due to the cable capacity between Orkney and the mainland of Scotland.

The latest study of renewables in the Pentland Firth has downgraded the available Gigawatts from 9+ to between 1 and 2. This will make it more likely that the Outer Sound will need to be used resulting in navigation problems due to the amount of deeply laden ships.

If ships are forced to take passage to the north of Orkney their fuel consumption would be increased. This would defeat the purpose of having marine renewables in this area.

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

There is a problem with marine litter. A large proportion of this is sourced from shore side activities mainly farming and building. The strong winds here in Orkney do not help the situation. Another source is due to fish farming activities where litter is washed overboard from the boats. The RYA have a voluntary code of practice called the Green Blue possibly this sort of code should be looked at for the fish farming industry. Litter from farming and building would probably need a different approach.

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?](#)

I always use Admiralty charts and prefer to have all the information I need in one spot without the chart being cluttered hence prefer Principle 2.

## **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?

In the **Framework** the Echo System Approach is defined as

The Act incorporates **the ecosystem approach**, a concept that is now widely used by international, EU governments and institutions and conservation groups.

The Scottish Government publication Sustainable Seas for All defines the Ecosystem Approach as an *'integrating and managing the range of demands placed on the natural environment in such a way that it can indefinitely support essential services and provide benefits for all'*.

In the **Consultation Paper** the definition is

7.3 The Convention on Biological Diversity (CBD COP, 2000, V/6) defines the Ecosystem Approach as:

*" A strategy for the integrated management of land, water and living resources which promotes conservation and sustainable use in an equitable way."*

These two definitions can mean different things in that equitable meaning fair or just does not necessarily mean "benefits for all". This needs to be corrected to which ever meaning you wish it to be.

## 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?

There are great opportunities for the marine tourist industry. I could see Orkney as being the jumping off point for cruising around Shetland and Norway. For this to happen there would need to be an increase in facilities such as yacht storage and maintenance. The building of the marinas has been a good start but with the

correct vision there is still a long way to go.

Coupled with the above there could be various add-ons. I would like to see the various RYA training schemes spread out to cover all the small boat activities so that everybody who goes on the water has had some form of training. This could also cover the Green Blue scheme.

Since the Tall Ships in Shetland there has been some activity in enabling young people to get some experience in sea training on board various training ships. This needs to be expanded to take in schools and youth clubs. Part of the costs of this can come from the children and clubs raising the money from such things as bag packing. A small sail training ship such as the Shetland STS Swan could also be used by the various firms associated with renewables for bonding exercises.

Fin fish farming could see a large change with the development of onshore farming. This would do away with most of the pollution hence cleaner waters and less infectious diseases with wild fish.

Orkney Harbour's tugs and pilot boats based at the Scapa pier use a lot of fuel meeting ships in the Pentland Firth, Flotta and Stromness. In order to cut down on pollution and costs caused by burning fuel they need to be based in Flotta. It is also not without the bonds of imagination that these same tugs should be used in the renewables industry.

The marine renewables industry have yet to find out how much power they can generate using arrays. The latest findings, based on theory, indicate that tidal generation is less than originally estimated. This does seem to be a case of where  $1 + 1$  does not equal 2. If this is the case for wave as well then maintenance resources may be far less than originally thought.

**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.**

Commercial fisheries are a strong contender for being safeguarded but not saved. This is not to say that they should not evolve with time. Everything changes with time. The experience and knowledge is very important and needs to be passed on.

Ferry services are vital. Without them we would see centralisation and the islands they serve would become waste. Air travel cannot take their place. We see this with North Ronaldsay where air travel is fine for the individual but a ferry service is required for the upkeep of the island. This is not to say that we could do without air services. People need to travel for various reasons such as fast medical assistance and communications.

Recreation forms a large part of our lives. Some people take it on the sea others

on the land. On the sea it certainly develops the mind; it shapes your character; you learn to live in close proximity to others yet you also learn independence. It tests you and you learn to live with the elements. Yes it needs to be safeguarded.

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

Throughout the centuries the natural environment has been used for the support of mankind. At time it has been enhanced and is still enhanced again for the support of mankind eg the development of crops. The question is to what degree do we wish to protect or enhance the natural environment. Sand-eels were almost wiped out due to commercial fishing when they were being used for fertiliser. This caused untold damage in the bird population. In another part of this questionnaire you ask about sea weed cultivation. You need to look at every item individually and ask what will happen if we do this. For instance are salmon farms damaging the natural stock and the environment. If they are what do we do about it. This might be a case of if the wild stock is wiped out how do we get them back. Should commercial reasons override environmental ones?

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?](#)

The Scapa Flow wrecks are corroding away. In themselves they are probably of very little historic value unlike their story. As wrecks their only value is attraction for the tourist industry, marine growth and fish until they disappear. Any item of importance should be removed and placed on show in the Lyness museum. They are at present only of commercial value and hence should come under the control of OIC. It is this commercial side that needs to be looked at with the possibility of sinking other ships to keep this diving side of tourism functioning.

War graves are classed completely different. You cannot say that they should be preserved as this is not possible but they should be permanently marked.

With other wrecks one needs to determine whether it is the wreck itself that is of value or is it the story and then make a decision on this. It should also be remembered that a wreck in a safe haven cannot be used to prevent anchoring if the needs are their. The protection of the historic and cultural environment is in the written documentation and film if possible.

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

3

4

5

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?*

Marine renewables are not looking too healthy. [REDACTED]

To get out of this predicament the modification of the infrastructure needs to be running ahead of renewables development. OIC are doing a considerable amount with the providing of port facilities but outside of Orkney everything seems to be getting bogged down. This also includes connection and transmission charges. At present the authorities are playing round the edges and will be most unlikely to come up with a satisfactory conclusion. The bullet needs to be bitten and a complete new formula written. Whether you are in the SE of England, the Central Valley of Scotland, the Scottish Islands or Lands End the charges should be identical, not per unit nor per mile but the actual figure. This might also have benefits with equalising the spread of people throughout the UK. Unless all this is done stagnation will take place and the population will start to ask government why they are having such a large increase in their bills and seeing no results. How you could write this into a Marine Spatial Plan might be difficult but hasn't this all been raised because of renewables. To get things moving on a permanent long term basis the developers need to know that the infrastructure is going to be there in time, of sufficient scale and at the right price.

The greatest possibilities may be with marine tourism. Orkney, Shetland and the Norwegian Coast are just waiting to be opened up the same as France has been for many years. Many of the yachtsmen in the south of England and the Clyde must be longing to get to new and completely different venues. However to bring a boat up from these areas takes just too long especially if you have to take it back again. Studies will need to be made concerning the potential market, the supply of hard standing preferably under cover, availability of maintenance with the



necessary skills, sales literature etc.

Aquaculture as regards finfish should be limited to areas where there is sufficient flow of water to prevent damage to the sea bed and is not in direct opposition to other users. This will generally mean onshore cultivation where there should be no pollution of the local waters, no opposition to other users of the sea, no need for expensive work boats, no damage to wild fish and a reduction in marine litter.

Aquaculture as regards shellfish needs a lot more investigation. One of the biggest problems is with amnesic shellfish poisoning (ASP). There needs to be a major study into this and from this can it be prevented or how can you mitigate against it.

Sail training, as has already been mentioned, provides great opportunities for the development of personal character in its ability to work with others, to command, to make correct judgements and frequently all done under stress. There is a need for this form of training to be set up in Orkney to work in conjunction with schools and youth clubs. It may be possible for the cost of this to be partially offset by using the vessels for bonding exercises with the various companies in renewables etc.

It should be seen that Marine Scotland through the spatial plan is supplying the opportunities for not only protecting the environment but that the plan is able to create the social environment for producing work and opportunities for the population

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?](#)

The Interactions Matrix as set out in the PFOW Spatial Plan Framework and the Consultation Paper May 2013 are different in various respects. The main one as concerns Recreational Sailing is that in the Framework it is included with Shipping and Navigation whilst in the Consultation Paper it has been excluded as a separate item. Including it within Recreation and Tourism would tend to mask what are completely different types of operation one being land based in that nights are spent ashore whilst the other being sea based nights are spent on the water. The former would include such items as dinghy sailing, fishing, diving and sight seeing whilst the latter would include cruising

boats.

In order to keep Recreational Sailing, as regards cruising boats, apart from Shipping and Navigation, a Reserved Topic, and the land based function I have included a separate column in the Matrix. My reasoning on each topic is as set out below.

Biodiversity & Natural Heritage	Intermediate Interaction as regards anchorages and safe refuge in case of adverse weather.
Climate Change	Major Interaction. Weather patterns changing causing an increase in stormy conditions during the summer months. Refer to Orkney Harbours archives
Cultural heritage & Historic environment	Minor Interaction such as in Scapa Flow and with other wrecks possibly in safe anchorages.
Landscapes, Seascapes, marine geology and coastal processes	Intermediate interaction depending upon the type of coastal processes.
Water and Marine Environment	Major interaction as regards ballast water discharge in the NE portion of Scapa Flow where there is concentrated sailing in the St Mary's Bay area. Flow charts indicate that this area would be subject to pollution.
Hazardous development	All developments in navigable waters can be hazardous to vessels. Taking renewables as a separate item then current developments have a minor reaction provided that all precautions are taken.
ICZM	Major interaction with any coastal zone development and upkeep requiring due care in the management.
Marine Renewables	Major interaction due to being a danger to all free passage of vessels.
Electricity Grid	Minor interaction with under sea cables and at landfalls.
Shipping & Navigation	A Reserved topic. Standard rules of navigation and Collision Regulations. In normal circumstances there would be minor

	interaction.
Ports and Harbours	Major interaction depending largely on congestion and ease of communication.
Oil and Gas	Minor interaction. Some restricted areas and pipe lines.
Marine aggregates and dredging	Minor interaction all controlled by current rules and regulations.
Other infrastructure, <b>outfalls etc</b>	Minor interaction all covered by various regulations.
<b>Communication cables</b>	Intermediate interaction. Landfalls at Dunnet Bay, Bay of Skail and Water Sound. Exposed under sea cable in various places.
Commercial Fisheries	Minimal interaction marker buoys etc.
Aquaculture	Major interaction. Recreational sailing and fish farms wanting to use the same sheltered bays.
Recreation & Tourism	Minor interaction

Other infrastructure has been defined as outfalls etc to leave room for a separate topic of Communication cables. There has been reports of damage to fibre optic cables on exposed parts on the sea bed necessitating expensive repairs.

Table 9.2 Interactions Matrix

	Crosscutting / Overarching Strategic Issues										Sectors										Recreational Sailing
	Biodiversity & Natural Heritage	Climate Change	Cultural heritage & historic environment	Landscapes, Seascapes, marine geology and coastal processes	Water & marine environment	Hazardous development	ICZM	Marine Renewables	Electricity Grid	Shipping and Navigation	Ports and Harbours	Oil & Gas	Marine aggregates and dredging	Other Infrastructure	Commercial Fisheries	Aquaculture	Recreation and Tourism				
Biodiversity & Natural heritage	Neutral	Major	Minor	Minor	Minor	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Climate Change	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	No Interaction	Major	Major	Major	Major	Major	Major			
Cultural heritage & historic environment	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Landscapes, Seascapes, marine geology and coastal processes	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Water & marine environment	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Hazardous development	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
ICZM	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Marine Renewables	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Electricity Grid	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Shipping and Navigation	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Ports and Harbours	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Oil and gas	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Marine aggregates and dredging	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Other Infrastructure	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Commercial Fisheries	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Aquaculture	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			
Recreation and Tourism	Neutral	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major	Major			

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?

See previous question.

### 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?

The strategy has to be all encompassing. It has to be able to ask why, wherefore and therefore. It cannot just say take it or leave it. For everything it wants to do it has to be able to look at all arguments and come up with fair decisions or mitigations. The strategy is not just for the environment it is for all the people. You just have to be able to prove it.

### 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:

#### **PROPOSED POLICY 3D: NON NATIVE SPECIES**

The introduction of ballast water into Scapa Flow could result in the presence of non-native species plus other pollutants.

At present the throughput of the ballast water treatment at the Flotta Terminal will be well below the original design and should be capable of taking the quantities required. This could be done using the present de-commissioned east single point mooring.

It is important that the economy of the islands be assessed in relationship to ship to ship transfers and that the Spatial Plan should encourage this by bringing together the parties concerned. This should also be looked at as concerns other places in the UK as to the most suitable place taking into account all aspects of the environment.

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

The transfer of ballast from one ship to the other should also be looked into. Looking through the various regulations for ballast water there does not seem to be anything mentioned on this topic. Perhaps it needs looking into on a Governmental basis. If ships can transfer oil from one to another it would not seem insurmountable to be able to

transfer ballast water.

Would you suggest an alternative approach?

Comments

### **Proposed Policy Options - Response Box 2**

Please indicate which proposed policy you are commenting on:

Comments

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

### **Policy Area 4: Cultural and Historic Environment**

11.37 Scapa Flow has strong ties with the economy of Orkney. It is within the interests of Orkney that these ties be developed and kept safe for the future. The wrecks are corroding away and in the long term there will be nothing left. It should be left to OIC to determine the various controls and how these can be tied in with other areas of historic interest such as the Lyness Museum in order to create permanency. This, of course, would exclude war graves.

#### **Preferred Options Item 2**

It should be remembered that “safe havens” are called this because they are safe havens and should be available for anchoring under all conditions of weather and tide. Their ease of entry should not be obstructed in any form.

Would you suggest an alternative approach?

Comments

### **Proposed Policy Options - Response Box 3**

Please indicate which proposed policy you are commenting on:

Policy Area 5: Water Environment

There are various areas within Scapa Flow where consent has been given for fish farms. It is noticeable that on calm days pollution can be seen stretching a considerable distance from the cages. Dinghy sailing, which includes the training of children, regattas, canoeing and other activities takes place in many parts of Scapa Flow. In some of these activities there is always the risk of capsizing which comes as part of the training. If the water is polluted there is always the risk to health especially with children.

Is ballast discharge from tankers considered as being large scale?

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 4**

Please indicate which proposed policy you are commenting on:

Policy Area 7: Waste Management and Marine Litter

For quite a few years now I have been involved in beach cleaning in the Houton and Coldomo areas. In every year we have been collecting between 100 and 50 bags of litter, although the first year at Coldomo it was 150. These clean ups can really be regarded as partial ones as after every tide there is more showing as the seaweed is turned over and the sand and gravel moved.

The type of litter found consists of plastics in the form of bags, containers and sheets most apparently being farm sourced. Many of the containers tend to degrade breaking up into tiny portions when handled making them impossible to pick up. This farm sourced material I would say comes to about 40%. Another 40% may be considered as being marine litter in that it is ropes, old and new, bits of fishing nets and some complete nets probably just dumped. Some of the newer looking bits are the ends of ropes and possibly just washed overboard. The most likely source for these items will be fish farm boats, fishing boats and ferries. I would tend to say that recreation craft is an unlikely source as most of the litter appears through the winter months. There is a lot of small man made fibre coming from the breaking down of ropes and nets. Days can be spent picking up these

small items and they may come to just half a bag. These bits tend to get left as the various groups doing beach cleaning are doing it for the funding of their various organisations and they get funds for the number of bags filled. The final 20% comes from the dumping of building waste, wire and barbed wire, old tyres and wheels plus a myriad of other things.

Waste dropped by the public is pretty negligible as there may only three or four people on the beach in a year.

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:

Policy Area 9: Hazardous Development and Health and Safety

Executive Consultation Zones

I haven't detected in any of the maps or write ups the position of the Flotta pipeline shut off valve. This is situated in South Ronaldsay by the 4th barrier. ND477948

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 additional 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:

#### PROPOSED POLICY 11: MARINE RENEWABLE ENERGY

##### Preferred Option:

It is proposed that the sustainable growth of marine renewable energy and the potential for co-existence with existing marine users is a key objective of the pilot marine spatial plan. **This approach would be supported by identifying where there is current use of the marine area by existing economic sectors and other users and provide information to better understand the nature of this use.**

A policy(s) will be developed to facilitate sustainable development of the marine renewable energy sector, working in partnership with wider stakeholders and other marine users. This policy would set out the material planning considerations that will

be reconciled in the determination of a consent application and will set out how the interests of other marine users will be balanced in the decision making process. This policy would aim to avoid or minimise significant adverse effects on other economic sectors and marine users. Where appropriate, the policy would enable appropriate mitigation plans to be developed to address any potential adverse effects.

The following is to identify the nature of recreational sailing in the PFOW Pilot plan in order to achieve a better understanding.

Sailing can be split into two sections:-

1. That which is mainly based in local areas and takes place in daylight hours such as dinghy sailing and in this pilot area Orkney Yoles
2. That which takes place round the clock and mainly concerns passage making and tourism.

It is with this latter group with which the spatial plan will have most concern.

There are over 600 visiting yachts per year registering with Orkney Marinas. On top of this there are local boats plus the ones that prefer not to use marinas. In all this will account to over 2500 people arriving by sea every year mainly during the summer months. The nationalities of these people and their boats are world wide with the preponderance being UK and Europe.

The marinas are generally used as a base with the boats cruising around the islands anchoring in various anchorages. Their crews will visit places of interest and most likely eat ashore. In this way they benefit the local economies.

The Anatec Halcrow report Shipping Study of the Pentland Firth and Orkney Waters gives an indication of the sailing routes around the area as depicted by AIS. This is only approximately 17% of the total number of craft. As one would expect routes converge as they come close to land. Fig 8.16 etc showing lane boundaries (an estimated quantity) gives a good idea of approach and departure routes.

It is not possible to regulate routes over open water for recreational craft as it is for commercial vessels due to the following:-

1. The purpose of sailing ie tourism, various interests, challenges.
2. The distance to the horizon from the cockpit of a small craft is only around 3 miles and that is in good visibility.
3. Poor visibility
4. Forces of wind, wave and tide make it so that the course made good may vary by at least 5 degrees on either side of the required course.
5. Navigation aids on board may not be strictly accurate or not working due to weather/sea conditions.
6. Poor weather.

7. Visual navigation aids not being clear especially when the only chance of seeing them is when you are on the crest of a wave. This can happen when modern lights such as light houses only appear to give a pin prick of light from a distance. With the old fashion lights you could generally see the loom even if in a trough.
8. Human failures such as tiredness, sea sickness, cold and wet.
9. Gear failure.

As mitigation for the above the following need to be observed

Energy Act 2004 99 and 100 including 36B

UNCLOS Sect 60

MCA Guidance Notes MGN275

MGN371

MGN372

IALA Recommendation 0-139

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 7**

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 8

Please indicate which proposed policy you are commenting on:

#### C) Shipping, Navigation and Marine Safety

With a possible proliferation of wave and tidal generators, 66 in the Marwick Head proposal bringing about a high density of units in a small area, there is almost bound to be a risk of a vessel ending up amongst them in poor weather.

Spacing of the units should be such that there is always an escape route. Although units would generally be far enough apart for maintenance purposes this would only take place in good weather. In poor weather including fog these distances would need to be greater especially if the RNLI lifeboat is called out.

Normally when approaching land under poor conditions you use your depth sounder to indicate the approach of shallow water and match it to the chart. This is not possible where renewables are taken into account as except for the "Oyster" they are in relatively deep water, over 50m. Satellite navigation, if it has not been degraded, may be used if your paper/electronic charts are up to date but in many cases this may not be the case.

There is much to be discussed as regards the safety of the mariner especially in the case of approaching Orkney from Cape Wrath and the need to avoid the wave renewables. For example when a vessel is approaching Orkney from the west, and according to AIS there can be many courses being sailed, in foul weather how does the skipper or helmsman know when he is approaching an area covered by renewables.

On Radio Scotland this morning, 17th July, there was discussion concerning the reliability of satellite navigation and the need for back-up. I discussed this with the Captain of the MV Fram and he said that they use LORAN-C or the old fashioned plotting and dead reckoning. This is a ship that cruises the Arctic and Antarctic.

There is a great need to improve communications and disseminate relevant information to all users above and beyond Admiralty Notices.

You might have got the wrong International Regulation in Item 12.12 of the Consultation Paper. SOLAS, I think, is mainly concerned with the safety of ships in the manner of design, construction, fitting out, safety equipment etc. In the context of this case it should be UNCLOS Part V and may be specifically Article 60 concerning man made structures in the sea. The Spatial Plan does not have any control on the design, construction or operation of ships but it does have control on the installation of man made structures which will have affect on the safety on

ships.

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 9**

Please indicate which proposed policy you are commenting on:

#### **PROPOSED POLICY 20: AQUACULTURE**

Finfish farming as well as being a high money earner creates various ecological and social problems.

1. It is a high pollutant of the seabed and surrounding water. Cages are often sited in areas where there is very little water movement thus exacerbating the problem eg Swanbister Bay, Scapa Flow.
2. There is a high possibility that disease in the stock causes infections in wild fish.
3. The equipment for servicing the fish farms creates marine litter and diesel engine pollution of the atmosphere.
4. Cages are often sited in bays of natural beauty which would previously have been used as anchorages eg Pegal Bay and Lyrawa Bay in Scapa Flow.
5. Cages have also been sited in safe havens thus precluding them from their natural purpose eg Hunda Sound.

To overcome the above Closed Containment Systems such as from "Fishfrom" should be considered. These systems are contained onshore and have no connection with the open sea. Energy for running these systems would come from renewables. See Fishfrom.com as regards their Scottish establishment in Kintyre.

The gathering of seaweed for commercial purposes used to take place in Orkney. I note that in Feb 89 approval was given to Kelp Farms Ltd, 73 Meadow Lane Leeds, LS11 5DW for the cultivation of 7.75 hectares of kelp at Scat Wick, Flotta. I cannot remember this taking place.

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?](#)

Comments