



25 October 2013

Richard Lochhead MSP  
Cabinet Secretary for Rural Affairs and the Environment  
St. Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Dear Richard

### **Planning Scotland's Seas**

Thank you for the opportunity to comment on the various consultation documents issued by Marine Scotland during the summer. COSLA members have asked me to respond although individual responses may also be prepared by our member authorities.

Firstly COSLA wishes to commend the suite of consultation papers in articulating the link between the national marine plan, the designation of marine protected areas, offshore renewable energy and priority marine features with terrestrial planning. Local authorities are well aware of the need to ensure that actions taken in our seas make a positive contribution both to marine biodiversity and to community well-being.

There is a clear need for the plan to explicitly refer to the retention and provision of jobs, the maintenance of sustainable energy supplies and the need to meet climate change targets at a national level. However it must also at the same time provide scope for more local impacts in relation to a range of social, economic or environmental opportunities such as tourism, fisheries, aquaculture etc.

We welcome the publication of a framework on national marine planning and look forward to local authorities being involved in due course in the development of the regional marine planning partnerships which will be tasked with preparing regional marine plans. Such work will of course require resources to ensure effective engagement and delivery of what is stated in the consultative planning circular to be 'spatially detailed' plans given the 'increased level and complexity of marine activity that often occurs in coastal zones. The national and regional plans will also need to ensure alignment with other plans and policy objectives.

Regarding the national marine plan, there will also be a need to ensure that this is consistent with other national planning frameworks and objectives such as NPF3 as it develops. We

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Marine plan draft response.doc

hope that the development of the next stage of NPF3 aligns with the marine planning processes.

There is a clear need for alignment with other planning perspectives in relation to provision of onshore infrastructure, to ensure maximum benefit from the offshore renewables sector and to safeguard Scotland's energy needs.

Any infrastructure requirements as a result of the national marine plan will have a direct link with the terrestrial planning system as outlined in the consultative draft circular. In addition to the formal consultation processes outlined it will also require detailed local engagement with local transport, planning authorities and communities, particularly where there may be concerns relating to the impact on the local economy or on the local environment. This will of course have resource implications for planning authorities which may require further discussion with COSLA. For example the circular specifically states that '*It is likely that local authorities will have a key role in the great majority of marine and terrestrial plans, and having one or more officials who are closely involved in both processes will be desirable*'. It is important that planning authorities are adequately resourced given the potentially significant increased workload the suite of proposed new marine planning arrangements and associated measures will introduce.

I note also that the circular highlights the efficiency of alignment of terrestrial planning (development planning) processes with marine planning processes and suggests that this would assist community engagement. Given the cyclical nature of terrestrial planning and the Government's own requirement that LDPs be refreshed by authorities every five years or potentially face penalties the marine plans may need to fit within the terrestrial regime timeframes. It should also be acknowledged that this may also add to the time taken for planning authorities to deliver on their LDP arrangements.

In addition to alignment with the emerging NPF3, there is also a need to ensure deliverability of marine plans. The investment strategies of a range of national bodies such as Scottish Water and the investment plans of the National Grid will need to dovetail with this work. Effective coordination with a host of other EU, UK national, regional and local bodies will also be required to ensure outcomes are not inconsistent nor counter-productive. The scale of this work is significant and must not be rushed. Effective project planning and co-ordination will be required over a long time horizon to ensure that matters progress in the same direction.

Regarding the proposal to create 33 Marine Protected Areas (MPAs), COSLA will not comment on the proposed areas which have been selected according to a robust criteria. However we would wish to highlight that already there has been a degree of confusion as to whether designation as an MPA will mean that the area becomes a de facto 'no take zone' for other developments or a fishery closed area. Clarity on this matter is required for councils and the communities we represent. Each MPA will need to be treated on its own merits and appropriate enforcement regimes will need to be set up.

Renewable energy perspectives are invariably driven by climate change imperatives as well as the Government's own renewable energy targets. Such drivers are an appropriate context for this work although the economic impacts on other sectors and the environmental and social impacts when offshore becomes onshore rightly is an issue for local authorities. The leaflet highlighting the inter-dependency of land use and marine planning is welcome and highlights both the need for coherence and integration and also the role of planning authorities.

We would welcome a plan-led approach to offshore renewable energy as opposed to the current piecemeal approach for licensing. This may be an issue to pursue at the planned InterMinisterial with the Crown Estate in November.

Local government's experience of terrestrial planning has highlighted that community benefit is important. Marine Scotland may wish to explore further with a range of stakeholders including COSLA and professional officer groups such as Heads of Planning Scotland on how best to achieve this.

Yours sincerely



**Cllr Stephen Hagan**

**COSLA Spokesperson**  
**Development, Economy & Sustainability**