



The National Marine Plan – an opportunity to enhance our marine environment

LINK members note that the current version of Scotland's first National Marine Plan has improved significantly since the consultation draft. We welcome the improved representation of the principle of Sustainable Development. We are also pleased to see additional General Policies, including marine litter and cumulative impacts, and improved referencing as to how fisheries management relates to the planning system. However, we still have significant concerns about the extent to which the Plan will help deliver environmental enhancement, tackle the major threat of climate change, and offer practical guidance for Regional marine planners.

Key recommendations:

1. Improved explanation of the linkages between enhanced ecological health, the flow of ecosystem services and the resultant social and economic benefits.
2. Recognition of the climate change impacts of the oil and gas sector and strengthened steer to tackle climate change
3. Revise framing of the aquaculture policies within unassessed Government targets for industry growth
4. Implementation of the Plan through well-supported and resourced Regional Marine Planning Partnerships

This briefing highlights some of the overarching issues and key recommendations LINK members regard as necessary to help improve the plan, make it more strategic and give better planning guidance.

1. MAINSTREAMING ENHANCEMENT WITHIN THE PLAN

The Marine (Scotland) Act 2010 includes the General Duty to "...further the achievement of Sustainable Development, including the protection and, where appropriate, enhancement of the health of the Scottish marine area." In our response¹ to the 2013 government consultation 'Planning Scotland's Seas', LINK members strongly recommended that a new General Policy that highlights the Plan's potential for environmental enhancement was included. This was overlooked, and the context of the plan remains set by economic and social policies. An environmental-focused General Policy should also provide more detail for regional marine planners regarding activities within the marine area that could deliver enhancement. Examples include managed coastal realignment projects (which have the potential to create new, biodiversity-rich habitats), marine harvesting regimes where there could be net environmental gain, and active seabed habitat restoration (e.g. re-establishment of native oyster beds). Similarly, it would be beneficial if the Plan provided more guidance for Regional Marine Planning around opportunities for different sectors to deliver enhancement.

2. ENSURING SUSTAINABLE DEVELOPMENT

We welcome the reduced reference of sustainable economic growth throughout the Plan, terminology term without an internationally recognised definition, and the improved definition and representation of Sustainable Development. LINK members think that the way in which the conceptual framework of sustainable development is communicated could still be improved, such as by means of a diagram – see **Appendix 1**.

We support the crucial ambition of the Plan to align with wider marine legislation and policy (as detailed further in the Planning Circular), as this will be essential to ensure a consistent approach to supporting Sustainable Development within the Scottish marine environment. However we note that some of the planning policies in the Scottish Planning Policy (SPP) are not consistent with some of the equivalent policies within the Plan, and we seek assurance that all appropriate considerations will be made to ensure alignment is definitive.

We also have concerns around the clarity and intention of Para 4.82 ('Using Sound Science') of the Plan which potentially alters the precautionary principle as properly applied. The Plan appropriately recognises that 'living within environmental limits' is a goal only made possible by sustainable economy, good governance and using sound science, but this policy suggests that where evidence is inconclusive the precautionary principle will be applied "within an overall risk-based approach" which balances environmental, social and economic costs. It is essential to consider social and economic implications, but the precautionary principle must be applied explicitly to remain *within* environmental limits, which in some cases cannot be 'balanced,' especially if inconclusive evidence means the environmental impacts of the development are not adequately understood.

¹ <http://www.scotlink.org/files/policy/ConsultationResponses/LINKrespNatMarPlanNov2013.pdf>

3. THE PLAN MUST TACKLE CLIMATE CHANGE

A further duty of the Marine (Scotland) Act 2010 is “.....to mitigate, and adapt to, climate change...”. LINK members welcome reference to carbon sinks as guidance for Regional Marine Planning Partnerships (4.20 - Regional Policy for GEN 5) and improved referencing to transition to a low carbon economy. However, we are highly concerned about the paradox between this and the objectives to ‘Maximise the recovery of reserves...’; for the ‘Continued technical development of enhanced oil recovery and exploration; and the associated seismic activity carried out according to the principles of the Best Available Technique ...’ in chapter 9 (Oil & Gas). Although climate change impacts are noted for every other sector in the Plan, there is no mention of the climate change impacts of the oil and gas sector through the continued exploitation and use of marine fossil fuel reserves. The objectives instead seem to support an aspiration for industrial growth targets. This is contradictory to the Scottish Government’s ambition for Scotland’s transition to a low carbon economy.

4. IMPACTS OF SECTORS

LINK members welcome general improvements and additional environmental policies in some of the sectoral planning chapters. However we remain concerned about how some of the sectoral objectives and policies are framed and we highlight a number of examples here:

- i) **Aquaculture** – we note that the Plan still includes reference to the industry’s targets for growth of the aquaculture industry by 2020 (Chapter 7, Objective 2). While we acknowledge the need to address gaps in global food security and relieve fishing pressure on wild stocks, we are deeply concerned that these targets do not appear to have been subjected to Strategic Environmental Assessment or Habitats Regulation Assessment. Finfish farms can have numerous negative environmental impacts at local, national and, through feed procurement, international level. There is still relatively little research on the cumulative impacts of fish and shellfish farms to identify the ecological carrying capacity of our sea area. The Plan cannot be expected to guide developments within the targets for growth when the impact of this growth on the marine environment is largely unknown.
- ii) **Fisheries** – while we support the continuation of sustainable fishing activities and fishing businesses, we emphasize the legal requirement to restrict fishing activities where necessary for environmental protection and enhancement and to ensure compliance with legislation. Displacement scenarios as described in the fisheries policy section (6.33-6.35) must be subject to Strategic Environment Assessment.
- iii) **Shipping, Ports, Harbours and Ferries** – while we support the policies for this chapter, and support the objectives to reduce the climate change impacts of the marine transport system, we are disappointed that the objectives make no mention of potential ecosystem impacts of infrastructure development. With objective 2 indicating an aspiration to grow ports and harbours and improve transport networks, the direct environmental impact of these developments should be a major consideration within this chapter of the Plan.
- iv) **Offshore Wind** – ‘Sustainable development’ of offshore wind developments in ‘the most suitable locations’ is a welcome tenet of the plan, but this must take into account impacts, through collision, intense noise or other forms of disturbance, on wildlife and visual impacts on valued land and seascapes, and ensure adequate management and mitigation.

5. REGIONAL MARINE PLANNING

Governance of the regulatory mechanisms and decision-making bodies required for delivering coordinated regional-level marine planning must be well-resourced. The emergent Marine Planning Partnerships - the mechanism by which regional marine planning is to be delivered –will require secure funding to ensure evidence-based, adaptive decision-making via stakeholder participation. This new, but important tier of governance will need significant investment if the marine planning in Scotland is to succeed.

Scottish Environment LINK is the forum for Scotland’s voluntary environment community, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. This briefing is supported by LINK’s marine taskforce.



Scottish Environment LINK’s Marine Taskforce collectively represents over **480,000 memberships** and comprises of eight organisations: Hebridean Whale & Dolphin Trust, Marine Conservation Society; National Trust for Scotland; RSPB Scotland; Scottish Ornithologists’ Club; Scottish Wildlife Trust; Whale & Dolphin Conservation; WWF Scotland.

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Appendix 1: A diagram to illustrate the conceptual framework of Sustainable Development

