

Consultation on Extension of Permitted Development Rights and Changes of Use to Finfish and Shellfish Developments

Scottish Environment LINK is the forum for Scotland's voluntary environment organisations, with over 30 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

LINK's Marine Taskforce welcomes the opportunity to comment on this consultation. We recognise that aquaculture is a nationally important industry for Scotland. However, we have previously highlighted significant concerns around the sustainability of the sector. We are comfortable with the expansion of the industry, provided that it is in line with the five principles of sustainable development as set out in the Sustainable Development Strategy and Scottish Planning Policy.

Question 1: Do you support fish farmers being granted a PDR to replace or change their cage type and sizes as described and what increase in biomass should be allowed? If not, why not?

No.

We do not object to changes in the size and shape of cages being allowed under PDR, provided the thresholds stated in the consultation are enforced, and the changes can be accommodated within the footprint of the existing planning boundary. Accommodating the changes within the footprint of the existing planning boundary should be taken to mean no alteration of the terms and conditions of the original licence in regard to allowable biomass and thus no change in benthic impact.

However, **we do not believe an increase in biomass should be permitted under PDR.** While we acknowledge consent for increase would still have to be sought from SEPA, we note the Water Environment (Controlled Activities) (Scotland) Regulations 2005 are limited to consideration of 'discharges' such as fish waste and chemotherapeutants. The CAR licence does not consider potential sea lice impacts. We strongly believe the implications of sea lice on both farmed and wild fish must be considered in any application to increase biomass.

We are also very concerned that it is proposed to allow this PDR to be exercised on more than one occasion. There is a risk this could be used to enable a substantial increase in production, without proper public accountability or consideration of wider planning and environmental impacts, including cumulative and in-combination impacts. We do not believe this is appropriate. We question how such an approach can be compatible with the new system of marine planning introduced by the Marine (Scotland) Act.

Further, we query the statement that 90m and 100m cages assist in fish welfare and result in net environmental benefits. We have concerns that if damage is caused to

larger cages containing an increased biomass (per cage) the scale of escapes may significantly increase. If this statement in relation to environmental benefits is included it requires further explanation and a sound reference.

Question 2: Do you agree that a PDR should be available to allow farmers to add extra cages with no increase in biomass? If not, why not?

Yes, again provided the changes remain within the existing planning boundary and SEPA consent is required.

Question 3: Do you support fish farmers being granted a PDR to change their feed barges as described and to move it elsewhere within the consented area? If not, why not?

Yes

Question 4: Do you agree that fish farmers should be able to change the size, colour, design and location of a feed barge subject to prior notification? If not, why not?

Yes

Question 5: Do you support fish farmers being granted a PDR to change their top netting and top netting support structures as described? If not, why not?

Fish farmers should use small mesh top netting to prevent entrapment of birds. We would object to small mesh nets being replaced by top netting with larger mesh for any reason, including cost. We therefore support this proposal only on the condition that replacement is strictly 'like for like' as proposed in the consultation.

Question 6: Do you agree that farmers should be able to change the size, colour and design of top nets and their support structure subject to prior notification to the planning authority? If not, why not?

As above, we support this proposal only on the condition that altered top nets are of small enough mesh size to prevent entrapment of birds and are designed for the purpose of excluding birds (in accordance with 5.2.9.5. of the Code of Good Practice of Scottish Finfish Aquaculture) to enable farmers to adapt nets in accordance with best available knowledge on exclusion of birds without harm.

Question 7: Do you support fish farmers being granted a PDR to install a temporary harvesting cage? If not, why not?

We would be concerned that this PDR would encourage a lack of forward planning on the part of some fish farmers and agree that over-production risks should be factored

into the original planning application. Factoring such risks into original planning applications should be strongly encouraged and use of this PDR should be strongly discouraged. We believe, as with Class 21G of the draft order, this PDR should be single use following which full planning approval should be sought from the planning authority for continued use of the extra harvesting pen. Again, we seek further clarification as to how the time limits and PDR conditions will be enforced.

Question 8: Do you support fish farmers being granted a PDR to install a temporary production cage? If not, why not?

As stated above, we believe risks associated with overproduction should be factored into the original planning application, and we are concerned that this PDR may encourage overstocking and bad practice. We seek clarification as to how the conditions attached to the PDR will be monitored and enforced.

Question 9: Do you support fish farmers being granted a PDR to install other temporary ancillary equipment? If not, why not?

Yes

Question 10: Do you support fish farmers being granted a PDR to switch production between species? If not, why not?

We support and encourage granting a PDR to switch production between certain species provided the biomass remains the same or is lower. However, we do not support a switch from halibut or cod to salmon without an assessment of the sea lice impact; this could be done through the Area Management Agreements.

The use of wrasse as a cleaner fish is also encouraged. Any changes to farms to accommodate this must remain within the carrying capacity of the local environment. We believe more research on the impacts of wrasse as a cleaner fish must be carried out in order to reduce adverse unforeseen consequences and that wrasse must be from a sustainably farmed source.

Further, we seek clarification on what standards exist for wrasse farming, and the fate of cleaner wrasse at the end of the salmonid production cycle.

Question 11: Do you support a change of use from finfish farming to shellfish farming and back to finfish farming? If not, why not?

Conservation issues surrounding finfish and shellfish farming can be very different. For example, a change from finfish production to shellfish production in an area where there is a concentration of Eider ducks may result in predation/predator exclusion issues where these had not existed previously. Therefore we object to this proposal in the absence of greater clarity on how resulting conservation concerns could be addressed. Any change should not apply to existing shellfish farms that have not previously been consented for salmon farming. We seek clarification that appropriate notifications would be in place to ensure the change of use coincided with

management plans, such as Area Management Agreements, within the production area.

Question 12: Do you support a PDR to install, or change the size and number of, long lines on a farm? If not, why not?

Yes, provided this PDR is subject to prior notification procedure.

Scottish Environment LINK's Marine Task Force is supported by:

Hebridean Whale and Dolphin Trust
Marine Conservation Society
National Trust for Scotland
RSPB Scotland

Scottish Wildlife Trust
WWF Scotland
Whale and Dolphin Conservation Society

For further information, pictures and interviews please contact:

Lindsay Roberts
LINK Marine Policy and Advocacy
Officer
Tel: 0131 3174144
email: lindsay@scotlink.org

Sarah Archer
LINK Marine Policy and Advocacy
Officer
Tel: 01350 728247
email: sarah@scotlink.org

Scottish Environment LINK is a Scottish Company limited by guarantee without a share capital under Company No. SC250899 and a Scottish Charity No. SC000296

