

Response to draft Planning Circular on Planning Scotland's Seas

by the Scottish Environment LINK Marine Taskforce

Date: 13 November 2013



Introduction

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

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organizations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for this community in communications with decision-makers in Government and its agencies, Parliaments, the civic sector, the media and with the public.

Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through Taskforces – groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits.

LINK Marine Taskforce comprises a number of LINK members committed to working on marine issues. The LINK Marine taskforce vision is of **healthy, well-managed seas, where wildlife is flourishing, ecosystems are protected, connected and thriving, and coastal communities are sustained.**

LINK members welcome the opportunity to comment on the draft Planning Circular.

This response was compiled on behalf of LINK Marine Taskforce and is supported by:

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

Whale and Dolphin Conservation
WWF Scotland
Scottish Wildlife Trust
Scottish Ornithologists' Club

For more information contact:

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Draft Planning Circular

The relationship between the statutory land use planning system and marine planning and licensing.

Q1. Is the Draft Circular on the relationship between the land use and marine planning systems helpful?

Q2. Does the Draft National Marine Plan appropriately set out the requirement for integration between marine planning and land use planning systems?

Q3. Do you agree with the suggestions for good practice in paragraphs 30-39, and do you have any other suggestions?

Answer to Questions 1, 2 & 3:

The Draft Circular is a useful document, bringing together the necessary information required to better understand and guide marine and terrestrial planners. However, the Circular does not go far enough in providing a steer to marine and terrestrial planners. It is not adequate and will not help these two systems to achieve the sustainable management of the marine environment. Further, more detailed guidance that gives explicit examples of best practice and methodologies/ approaches to planning and decision making must be given.

At present the suggestions are vague, unspecific and in some regards unlikely to be achievable (i.e. syncing the timing of terrestrial and marine plans). The links between the strategic policy and objectives of the National Marine Plan and the National Planning Framework/ Scottish Planning Policy must be a fundamental element of the guidance within this planning circular to help ensure consistency across the planning regimes and also consistency in decision-making.

With regard to our comments on the draft National Marine Plan the marine planning system as currently drafted, with the draft Circular, is left without a clear steer as to government's priorities. As such there is a risk that there will be little change from the status-quo as Regional Marine Planners will not be provided with the necessary overarching policy framework that will help them achieve sustainable management of the marine environment.

Notes:

- Paragraphs 6&7 of the Circular refers to the duty under Section 4 of the Marine Act but fails to reference the duty to further the achievement of sustainable development. This duty must be included in the final Circular.
- Paragraph 39 encourages a strategic approach to gathering evidence. We would expect a greater level of coordination of environmental and other baseline information to be provided at the national scale, which would then inform regional marine and terrestrial planning. In the marine and coastal environment a national overview becomes more important given the presence of mobile species and other transient activities that transcend regional boundaries.

LINK Consultation Response 13 November 2013

- The document would benefit with the inclusion of a schematic and/or further description of the relationship between terrestrial and marine planning systems. This would include the National Marine Plan, Scottish Planning Policy, National Planning Framework and their respective hierarchies, the areas where they interact and overall framework for integration (see example in following document page 26 <http://archive.defra.gov.uk/environment/marine/documents/protected/iczm/iczm-strategy-england.pdf>).
- The Scottish Marine Regions must be included in the Planning Circular.
- Relationship and integration of objectives within the Water Framework Directive and River Basin Management Planning must be included in the final Circular.

RESPONDENT INFORMATION FORM

1. Name/Organisation

Organisation Name

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3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes No

CONSULTATION QUESTIONS

Please identify the main area of interest you identify with :

- | | |
|--------------------------------------|-------------------------------------|
| Local Authority / Planning Authority | <input checked="" type="checkbox"/> |
| Nature Conservation | <input checked="" type="checkbox"/> |
| Fisheries | <input checked="" type="checkbox"/> |
| Industry/Transport | <input checked="" type="checkbox"/> |
| Energy | <input checked="" type="checkbox"/> |
| Aquaculture | <input checked="" type="checkbox"/> |
| Recreation/tourism | <input checked="" type="checkbox"/> |
| Academic/scientific | <input checked="" type="checkbox"/> |
| Community group | <input type="checkbox"/> |
| Public sector/Regulatory body | <input type="checkbox"/> |
| Local Coastal Partnership | <input type="checkbox"/> |

Other (Please state)

Comments