

## **MARINE BULLETIN 3 – MARINE SPATIAL PLANNING**

*April 2008*

*Marine planning that is based on an ecosystem approach is an essential tool to deliver sustainability in Scotland's seas.*

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**Cabinet Secretary for Rural Affairs and the Environment**

### **Why do Scotland's seas need marine spatial planning?**

Pressure on our seas is growing with a range of marine sectors all vying for space. These uses can conflict with one another and where impacts from different sectors have a cumulative effect, may damage the environment.

In contrast to the well-developed terrestrial planning system, no overall framework exists for planning the use of the sea. Instead there is an *ad hoc* sectoral approach to consenting of marine activities, involving different pieces of legislation and all managed by different authorities.

Marine Spatial Planning is a system for deciding what activities should happen where and when in the sea. It should integrate various sectors and activities into one plan, reducing conflict and encouraging synergy, resulting in the core purpose of protection, restoration and enhancement of the marine environment. Marine Spatial Planning would therefore be of benefit to both economic and environmental interests, resulting in greater certainty and speed of decision-making in the planning process.

The Advisory Group on Marine and Coastal Strategy (AGMACS) made the following recommendations:

**5.3.1** There should be a system of Marine Spatial Planning;

**5.3.2** The planning system needs a statutory basis, though potentially with a variable control (e.g. the flexibility to incorporate a non-statutory framework of local stakeholder engagement and planning).

**5.3.3** The system should be based on 3 tiers: the top level should be UK level, ensuring connection to regional seas; the middle level should be "Scotland" in some sense; and the bottom level should be local. The options for the local and "Scotland" level tiers need further exploration.

### **Marine Legislation**

Defra have set out proposals for Marine Planning in UK waters in the Draft UK Marine Bill (April 2008). However, due to the complex mix of devolved and reserved legislative powers in Scotland's waters, Westminster's jurisdiction over many marine activities does not cover the waters within 12nm of Scotland's coast. The Scottish Government also plans new marine legislation and has established the Sustainable Seas Task Force, with a view to developing a full set of proposals for consultation in June 2008.

Scottish Environment LINK will continue to campaign for a Scottish Marine Bill to establish a statutory system of Marine Spatial Planning, to coordinate all human activities in our seas and coordinate fully with Marine Spatial Plans throughout UK waters.

### **LINK's vision for Marine Spatial Planning in Scotland**

Marine Spatial Planning should be based on a three-tier structure as recommended by AGMACS.

**The top tier** would involve regional seas planning for all UK waters. This would involve a system of **joint authority over marine planning**, due to the mix of devolved and reserved responsibilities both within and beyond 12nm. For example, out to 200nm fishing is devolved whereas oil and gas is reserved. Such a structure would also ensure coordination across all 'borders' such as the Solway Firth, Irish Sea and northern North Sea. Such man-made borders will always be in place, in some form, but are not recognised by wildlife, fish, natural resources or the way in which user groups/industries plan activities.

**The middle tier** would be Scotland, in which the Scottish Government draws out devolved issues for more detailed planning from a Scottish perspective. The UK government would be responsible for reserved matters at this tier and therefore **there should be good coordination between the two administrations**.

**The bottom tier** would consist of local planning areas, consistent with upper tiers but with a focus on the inshore area. This tier is the most important since inshore waters are the busiest, providing most scope for conflict between users. Effective planning at this level would ensure synergy and avoid cumulative impacts arising from multiple uses. Stakeholder engagement in the process would be achieved via local stakeholder partnerships.

**An additional, more detailed report on Marine Spatial Planning is also available on our website.**

**Scottish Environment LINK is the umbrella body for Scotland's voluntary environmental organisations, representing around 500,000 members.** Scottish Environment LINK's Marine Task Force and its campaign for a Scottish Marine Bill is supported by:

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

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Tel: 01350 728200, email: [alan@scotlink.org](mailto:alan@scotlink.org) or visit our website: [www.savescottishseas.org](http://www.savescottishseas.org)**

### **The truth about Marine Spatial Planning**

- It is the only way to examine the cumulative impacts that the many different maritime industry sectors have on our seas and coasts, by presenting an overview of all human activities and developments in an area.
- It does not replace the need for Marine Protected Areas, but will be part of the framework to ensure that nationally important sites and their conservation objectives are protected from human developments and activities.
- One size does not fit all – a strategic marine planning policy statement, plus a hierarchy of national, regional and local plans will deliver a fit for purpose system.
- By reducing conflict and red tape, it is good for industry and wildlife. Marine wildlife and habitats will be protected and monitored and marine industries will benefit from clear guidance on where they can develop sustainably.

Marine Spatial Planning is crucial in order to deliver the Scottish Government's vision of 'clean, healthy, safe, productive and biologically diverse marine environments, managed to meet the long term needs of nature and people'.