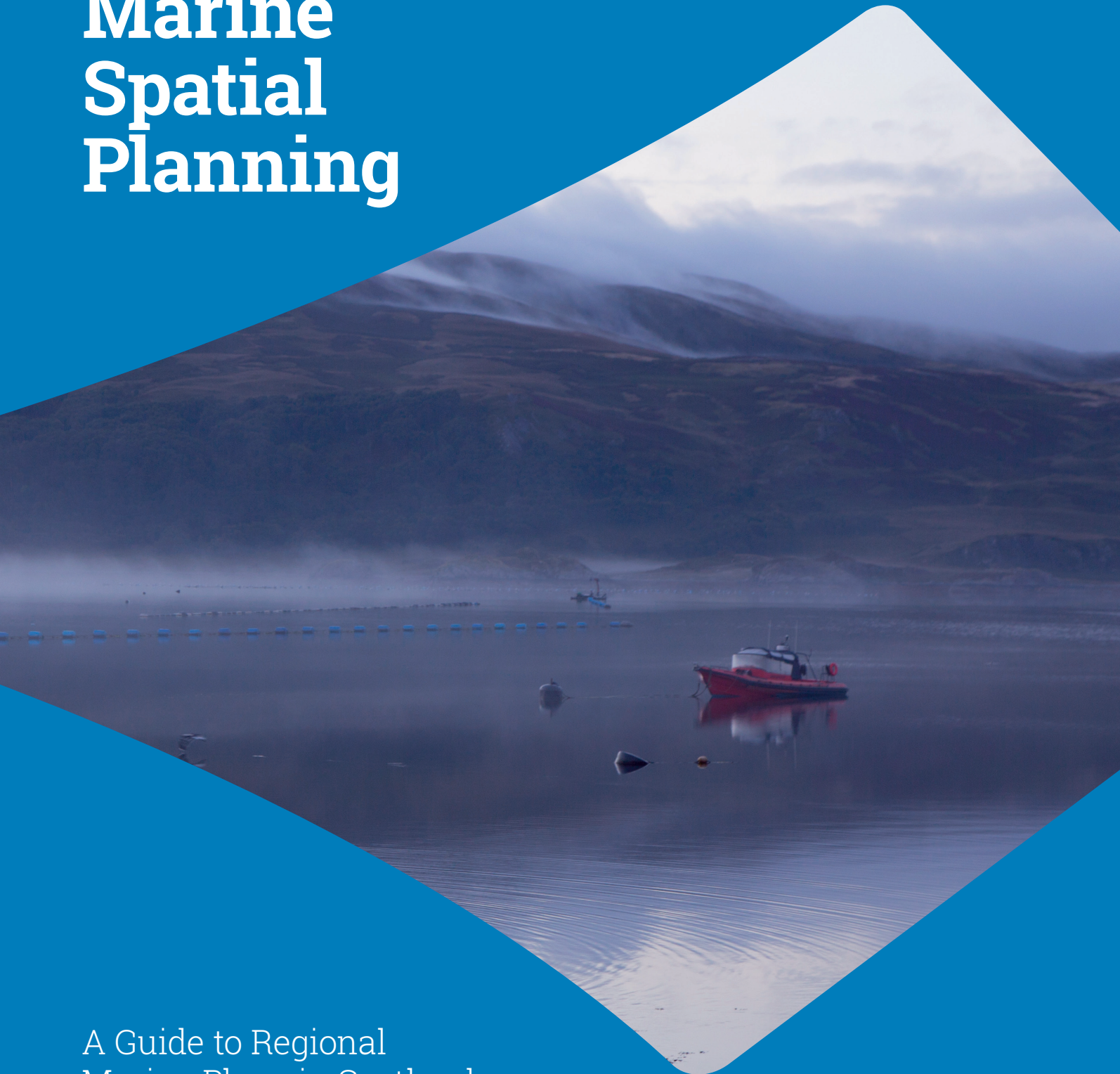




# Marine Spatial Planning



A Guide to Regional  
Marine Plans in Scotland

# Summary

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- EU, UK and Scottish legislation created the statutory requirement to establish Marine Spatial Planning, create a National Marine Plan, designate Marine Regions and to prepare and implement Regional Marine Plans (RMPs).
- RMPs will form part of the Scottish planning legislative framework and guidelines.
- RMPs will influence the activities and the developments that are permitted in a Marine Region out to 12 nautical miles in Scotland.
- RMPs will provide statutory guidance to Local Authority marine planners in the Marine Regions.
- RMPs will guide Local Authority Local Development Plans (LDP) and existing supplementary planning guidance documents (which operate out to 3 nautical miles for aquaculture only).
- Activities or developments not identified within a RMP may be disadvantaged or not consented if proposed in the future.
- Fishing and aquaculture activities and developments will be influenced by the RMP.

# Recommendations

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- The industry should seek resources to ensure, so far as is possible, that its present and future interests are represented and safeguarded throughout the preparation and approval of each Regional Marine Plan.
- Cultivate links with the local planning authority and monitor local press and other sources of information. Act upon any notification letters to ensure Regional Marine Planning Partnership (RMPP) developments are not overlooked.
- As a minimum, register as interest groups with the RMPP for the area, and monitor their website and other outputs.
- If appropriate, consideration should be given to forming collaborative partnerships between industry sectors so that interests can be represented within the joint resources available.
- Engage with the Coastal Partnership / Forum, if one exists, for your area to ensure that your interests are known as early as possible.
- Liaise with the Regional Inshore Fisheries Group as they will have knowledge and expertise gained through dealing with RMP elsewhere.



# Introduction

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**Marine spatial planning (MSP, see Appendix 1 for definitions) is becoming increasingly important in the sustainable development of Scotland's marine environment.**

It is here for the long-term and has implications for and impacts on aquaculture and inshore fisheries, as well as all other marine activities. Aquaculture is already familiar with the planning and approval process in Scotland, but the introduction of MSP will bring aspects of fisheries within the planning and approval process for the first time.

To aid the industry in understanding and engaging in the processes, this basic guide has been prepared.



# Legislation

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EU Directives provided the underpinning for the implementation of marine spatial planning. Principally:

- EU Habitats Directive (94/23 EEC)
- EU Wild Birds Directive (2009/147/EC)
- EU Marine Strategy Framework Directive (2008/56/EC)
- EU Marine Spatial Planning Directive (2014/89/EU)

The requirements were implemented in to UK law through the Marine and Coastal Access Act 2009 and, additionally, in Scotland through the Marine (Scotland) Act 2010.



# Marine Regions

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Utilising the provisions within the Marine (Scotland) Act 2010 and the resultant Scottish National Marine Plan (2015, reviewed 2018), 11 Marine Regions were created around Scotland under the Scottish Marine Regions Order 2015. (Table 1. Fig 1).

The National Marine Plan sets out strategic policies for the sustainable development of Scotland's marine resources out to 200 nautical miles. It is required to be compatible with the UK Marine Policy Statement and existing marine plans across the UK, in particular where there is cross-border interaction between England inshore and offshore marine plans and Northern Ireland Marine Plans.

Marine planning is to be implemented at a local level within Scottish Marine Regions. The Marine Regions operate from mean high water spring tides (MHWST) out to 12 nautical miles. With the exception of the island regions (Orkney, Shetland, Outer Hebrides), the Marine Region boundaries do not coincide with those of the mainland Regional Inshore Fisheries Groups (RIFG) (West Coast and North & East Coast) (Table 1. Fig 2). The RIFGs can make suggestions relating to fisheries management and can seek to influence policy within 6 nautical miles, however Marine Scotland has responsibility for the management of inshore fisheries within the 12 nautical mile territorial waters limit and it controls all fishing activities out to the UK-EEZ limit of 200 nautical miles.

When considering the interactions of the Marine Regions with Local Authority jurisdictions the situation becomes more complex. Some will involve only a single Local Authority, others have the capacity to encompass a number (Table 1. Fig 3). Local Authority jurisdiction usually ends on the foreshore (mean low water spring tides, MLWST), with the exception of the aquaculture element of a Local Development Plan (LDP), where the influence can extend to 3 nautical miles.

**Table 1. Scotland's Marine Regions, Local Authorities and Regional Inshore Fisheries Groups interactions**

<b>Marine Region</b>	<b>Local Authorities</b>	<b>Regional Inshore Fisheries Group</b>
Argyll	Argyll & Bute	West Coast
Clyde	Argyll & Bute Inverclyde North Ayrshire South Ayrshire West Dunbartonshire Renfrewshire	West Coast
Moray Firth	Highland Moray Aberdeenshire	North and East Coast
North Coast	Highland	North and East Coast
North East	Aberdeenshire Aberdeen City Angus	North and East Coast
Orkney Islands	Orkney	Orkney Management Group (Orkney Sustainable Fisheries)
Shetland Isles	Shetland	Shetland Shellfish Management Organisation
Forth & Tay	Angus Dundee Fife Clackmannanshire Stirling Falkirk West Lothian Edinburgh East Lothian Scottish Borders	North and East Coast
Solway	Dumfries & Galloway (Cumbria)	West Coast
West Highlands	Highland	West Coast
Outer Hebrides	Na h-Eileanan a Iar	Outer Hebrides



# Regional Marine Plans

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It is a statutory requirement that each Marine Region prepares an RMP. Once approved and adopted by the Minister, the RMP will provide statutory planning advice to the Local Authorities within the Region and will influence the approval of all marine related developments, including aquaculture and fisheries, out to 12 nautical miles. They will also guide the development of the Local Authority LDP as they undergo revision.

Activities not identified within the RMP or identified as potentially undesirable will encounter difficulties should they be brought forward for approval and they are likely to undergo considerable scrutiny. In addition, it is likely that there will be a 'presumption against' approving such developments unless an overwhelming case can be made for them proceeding.

It is important that an industry sector and its interests are explicitly identified within the RMP document otherwise it may be disadvantaged when proposing future developments or expansions. This is particularly relevant to aquaculture, where it may be mentioned within the context of wider marine activities in the region, but not incorporated specifically within the vision for activities that might be considered or developed within the marine region during the lifetime of the plan.

A RMP cannot contain anything that runs counter to the National Marine Plan (NMP). Fisheries and aquaculture are acknowledged as important established development activities within the Scottish NMP. However, an RMP is not obliged to include all activities identified within the NMP, only those considered relevant to its region.



# Marine Planning Partnerships

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## The Regional Marine Plan will be prepared by a RMPP.

It has been anticipated that where they are in place existing Marine Coastal Partnerships or Forums will form the basis for the RMPP. In Scotland, the Scottish Coastal Forum (SCF) and the Marine Strategy Forum (MSF) have provided focal-points for these bodies to meet and interchange ideas, although, at present, the future of SCF and MSF is uncertain. In other areas a new marine planning partnership (MPP) will be formed. Other stakeholders and interested parties will be invited to either take part formally in the preparation of the RMP or to contribute and comment upon the RMP as it is formulated.

The RMPP can take forward and build upon any existing pilot marine plans prepared under the Scottish Sustainable Marine Environment Initiative (SSMEI) that were published in 2016/17 or can commence afresh.

Where documentation or plans have previously been prepared by Local Authorities under Integrated Coastal Zone Management (ICZM) initiatives or within wider Regional Development Plans, they too can be incorporated.



# Current Position

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The Shetland and Clyde Marine Regions are piloting the RMP process. The draft Clyde RMP will be presented for public consultation in 2019 and Shetland's plan will not be far behind.

A pre-consultation draft of the Clyde plan was published for informal comment in March 2019 ([www.clydemarineplan.scot/wp-docs/Pre-consultation-draft-Clyde-Regional-Marine-Plan-15-March-2019.pdf](http://www.clydemarineplan.scot/wp-docs/Pre-consultation-draft-Clyde-Regional-Marine-Plan-15-March-2019.pdf)).

In the Clyde and Shetland Regions the RMPP incorporate multiple stakeholder members (Clyde list 23 groups; Shetland 14) with other organisations registered as 'interest groups' (Shetland 6). Partnership members comprise organisations who have expertise and experience in either commercial, environmental, community or recreational interests relevant to the RMP. In contrast, Interest groups comprise organisations who are not members of the partnership group but have expressed an interest in receiving regular updates on the development of the regional plan and who may be consulted on specific issues relevant to their expertise.

An MPP will be formed in Orkney in early 2019 and work will commence on the RMP for that region. In Orkney, it is likely that the RMPP will be led by the Orkney Islands Council (OIC), with other stakeholders participating as interest groups.

Other Marine Regions will be brought in to the process in future years.

It is anticipated that lessons learnt and templates prepared for the Clyde and Shetland RMPs, once completed, will be utilised in the other regions as they undertake the process.

It is the intention that there will be synergies and coherence between the RMPs of neighbouring Marine Regions (including those in England and Northern Ireland where appropriate).

# Planning Policy Information

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At a national level, overarching planning guidance documentation such as the Scottish Planning Policy, the National Planning Framework for Scotland (v3, but under review), and the Planning Circulars and Advice Notes are available from the central Scottish Government website (see National Planning Guidance links).

The National Marine Plan and associated documents pertaining to marine planning may also be accessed in this way from the Marine Scotland Planning web pages (see National Planning Guidance links).

The Clyde and Shetland RMPP both have websites setting out their RMP progress (see Regional Marine Planning Partnerships links).

Unfortunately, for area-specific information it is necessary to access the planning pages of each individual Local Authority website. These provide access to their LDPs and any Supplementary Guidance Notes that relate to a particular activity, e.g. aquaculture where it has importance. This is mainly on the west coast and the island groups. In addition, there may be local Regional Development Plans (RDP) or Integrated Coastal Zone Management Plans (ICZM) that have been prepared (e.g. Highland Council); these also need to be considered as they can influence the LDP and the RMP.

Other documentation, such as the Locational Guidelines (Marine Scotland) and Landscape Advice (SNH) also influence planning considerations for aquaculture. In addition, there are Working Arrangement agreements in place between some of the statutory bodies.

# Engagement

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For industry to engage with the Regional Marine Plan preparation process it is likely to require a great deal of time and effort.

With the exception of some of the larger (mainly salmonid) aquaculture companies, it is likely that industry will be resource limited when engaging with the marine planning process and the preparation of the Regional Marine Plans.

It will be necessary to establish links to and a dialogue with the local planners, the regional Coastal Partnerships / Forums (where they exist) and, eventually, the Regional Marine Planning Partnership when it is formed.

The local Fisheries Associations are likely to provide a linkage to the Regional Inshore Fisheries Group (RIFG), although their involvement in the RMP preparation will be important in providing the fine-scale detail that will be required. National bodies, such as the Scottish Fishermen's Federation (SFF) and the Scottish White Fish Producers Association (SWFPA), are also likely to be involved in the RMP process on behalf of the fishing sector. For other sectors, organisations such as the Association of Scottish Shellfish Growers (ASSG), are likely to be challenged in representing the interests of their members and the wider shellfish aquaculture sector. The unrepresented marine fin-fish cultivation sector is likely to be dependent upon the salmonid cultivation sector to ensure that their common interests are represented. Collaboration between sectors with common interests has proven to be successful in Shetland and might be emulated elsewhere.

As a minimum, industry sectors should register as 'interest groups' with the RMPP when they are formed so that their interests and concerns can be represented and considered. They will also receive notification of all developments and progress so that appropriate action can be taken.

Representation of sectors in areas where there is no existing activity, particularly in relation to aquaculture (shellfish and fin-fish), is likely to be problematic, but should be taken forward if at all possible. In that way future developments that may result from technological progress might be enabled, rather than having a more restrictive regime in place.

There is no single portal or source of information and guidance that enables quick and easy access to or notification of developments in marine planning and the RMP process.





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4-2 42  
4-0 40

# Connections

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## Regional Marine Planning Partnerships

**Clyde MPP:** [www.clydemarineplan.scot](http://www.clydemarineplan.scot)

**Shetland MPP:** [www.nafc.uhi.ac.uk/research/marine-spatial-planning/shetland-islands-marine-spatial-plan-simsp/#](http://www.nafc.uhi.ac.uk/research/marine-spatial-planning/shetland-islands-marine-spatial-plan-simsp/#)

**Orkney MPP:** [www.orkney.gov.uk/Service-Directory/D/orkney-islands-marine-planning-partnership.htm](http://www.orkney.gov.uk/Service-Directory/D/orkney-islands-marine-planning-partnership.htm)

## Scottish Coastal Partnerships / Forums

**Solway:** [www.solwayfirthpartnership.co.uk](http://www.solwayfirthpartnership.co.uk)

**Moray:** <https://morayfirth-partnership.org>

**Forth:** [www.forthestuariesforum.co.uk](http://www.forthestuariesforum.co.uk)

**Tay:** <https://tayestuary.org.uk>

**East Grampian:** <http://egcp.org.uk>

## National Planning Guidance

**Planning in Scotland:** [www.gov.scot/policies/planning-architecture](http://www.gov.scot/policies/planning-architecture)

**Marine Scotland Planning:** [www2.gov.scot/Topics/marine/seamanagement](http://www2.gov.scot/Topics/marine/seamanagement)

**SNH Landscape Advice:** [www.nature.scot/professional-advice/planning-and-development/industries-reliant-nature/marine-aquaculture](http://www.nature.scot/professional-advice/planning-and-development/industries-reliant-nature/marine-aquaculture)

## SSMEI Plans

[www2.gov.scot/Topics/marine/seamanagement/regional/activity](http://www2.gov.scot/Topics/marine/seamanagement/regional/activity)

- The Firth of Clyde
- Shetland Isles
- Sound of Mull
- Berwickshire Coast
- Pentland Firth and Orkney Waters

# Glossary

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<b>ASSG</b>	Association of Scottish Shellfish Growers
<b>EEZ</b>	Exclusive Economic Zone
<b>ICZM</b>	Integrated Coastal Zone Management
<b>LA</b>	Local Authority
<b>LDP</b>	Local Development Plan
<b>LG</b>	Locational Guidelines
<b>MHWST</b>	Mean High Water Spring Tides
<b>MLWST</b>	Mean Low Water Spring Tides
<b>MCF</b>	Marine Coastal Forum
<b>MCP</b>	Marine Coastal Partnership
<b>MPP</b>	Marine Planning Partnership
<b>MR</b>	Marine Region
<b>MSF</b>	Marine Strategy Forum
<b>MSP</b>	Marine Spatial Plan / Planning
<b>NMP</b>	National Marine Plan
<b>NPFS</b>	National Planning Framework for Scotland
<b>OIC</b>	Orkney Islands Council
<b>PAN</b>	Planning Advice Note
<b>PC</b>	Planning Circular
<b>RDP</b>	Regional Development Plan
<b>RIFG</b>	Regional Inshore Fisheries Group
<b>RMP</b>	Regional Marine Plan
<b>RMPP</b>	Regional Marine Planning Partnership
<b>SCF</b>	Scottish Coastal Forum
<b>SFF</b>	Scottish Fishermen's Federation
<b>SGN</b>	Supplementary Guidance Note
<b>SNH</b>	Scottish Natural Heritage
<b>SPP</b>	Scottish Planning Policy
<b>SSMEI</b>	Scottish Sustainable Marine Environment Initiative
<b>SWFPA</b>	Scottish White Fish Producers Association

# Appendix 1. The definition of Marine Spatial Planning

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**There are many definitions of Marine Spatial Planning (MSP) to be found; the most widely cited one is from the Intergovernmental Oceanographic Commission (IOC) of UNESCO:**

Marine spatial planning is a public process of analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve ecological, economic, and social objectives that usually have been specified through a political process. Characteristics of marine spatial planning include ecosystem-based, area-based, integrated, adaptive, strategic and participatory.

Marine spatial planning is not an end in itself, but a practical way to create and establish a more rational use of marine space and the interactions among its uses, to balance demands for development with the need to protect the environment, and to deliver social and economic outcomes in an open and planned way.

**For the non-specialist, the IOC definition may seem very scientific, however, within the many online narratives on marine spatial planning a more approachable definition is to be found:**

MSP is a process that brings together multiple users of the ocean – including energy, industry, government, conservation and recreation – to make informed and coordinated decisions about how to use marine resources sustainably. MSP generally uses maps to create a more comprehensive picture of a marine area – identifying where and how an ocean area is being used and what natural resources and habitat exist. It is similar to land-use planning, but for marine waters.

Through the planning and mapping process of a marine ecosystem, planners can consider the cumulative effect of maritime industries on our seas, seek to make industries more sustainable and proactively minimise conflicts between industries seeking to utilise the same sea area. The intended result of MSP is a more coordinated and sustainable approach to how our oceans are used – ensuring that marine resources and services are utilised, but within clear environmental limits to ensure marine ecosystems remain healthy and biodiversity is conserved.

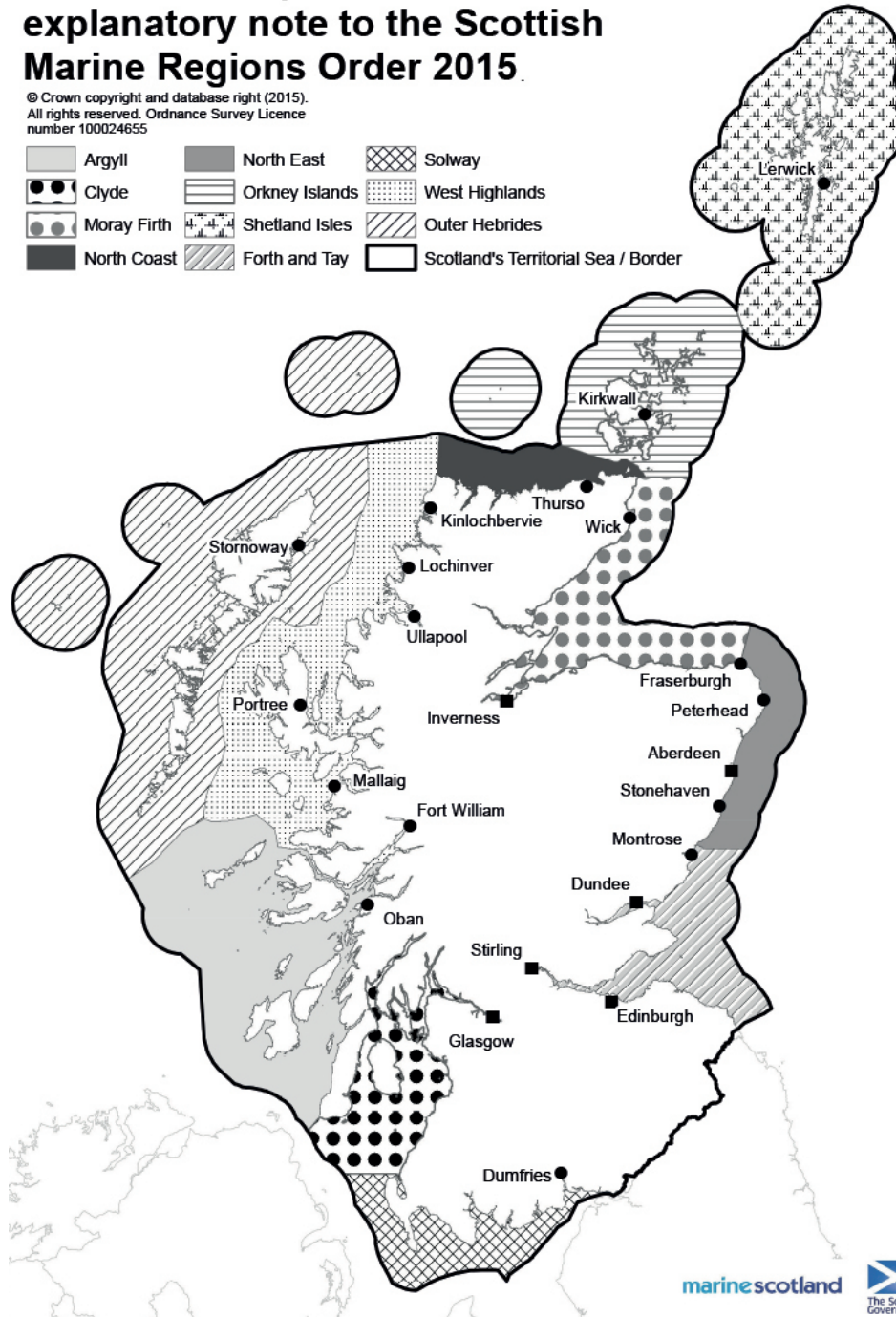


# Fig 1. Scotland's Marine Regions

## Illustrative map referred to in the explanatory note to the Scottish Marine Regions Order 2015.

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- |  |             |  |                |  |                                     |
|--|-------------|--|----------------|--|-------------------------------------|
|  | Argyll      |  | North East     |  | Solway                              |
|  | Clyde       |  | Orkney Islands |  | West Highlands                      |
|  | Moray Firth |  | Shetland Isles |  | Outer Hebrides                      |
|  | North Coast |  | Forth and Tay  |  | Scotland's Territorial Sea / Border |

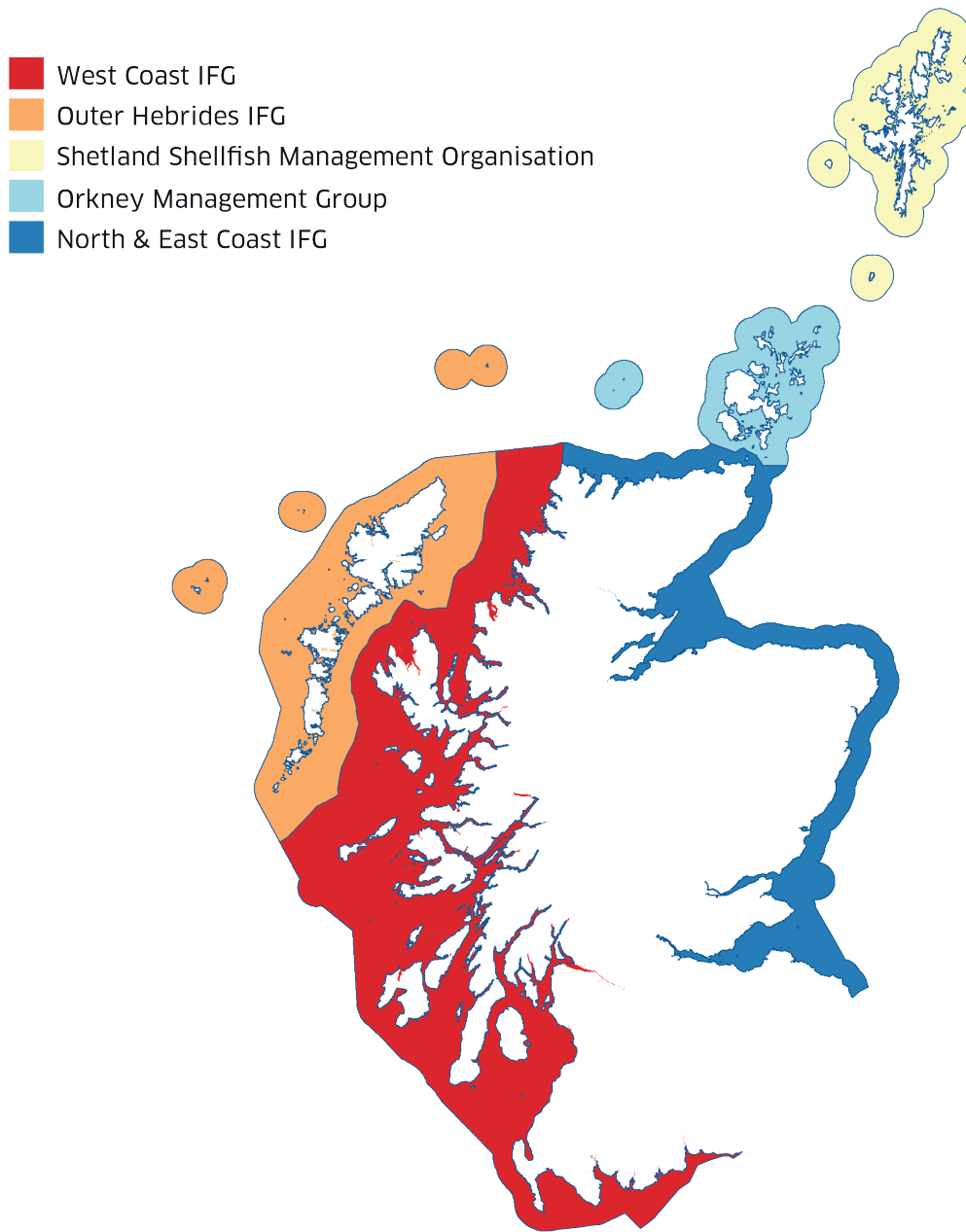


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# Fig 2. Scotland's Regional Inshore Fisheries Groups

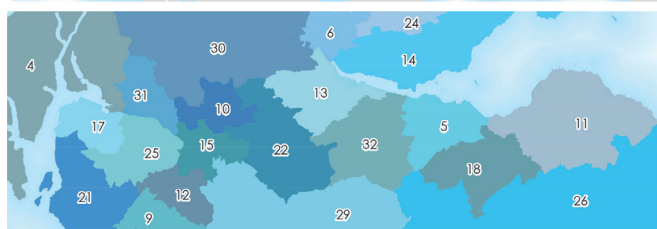
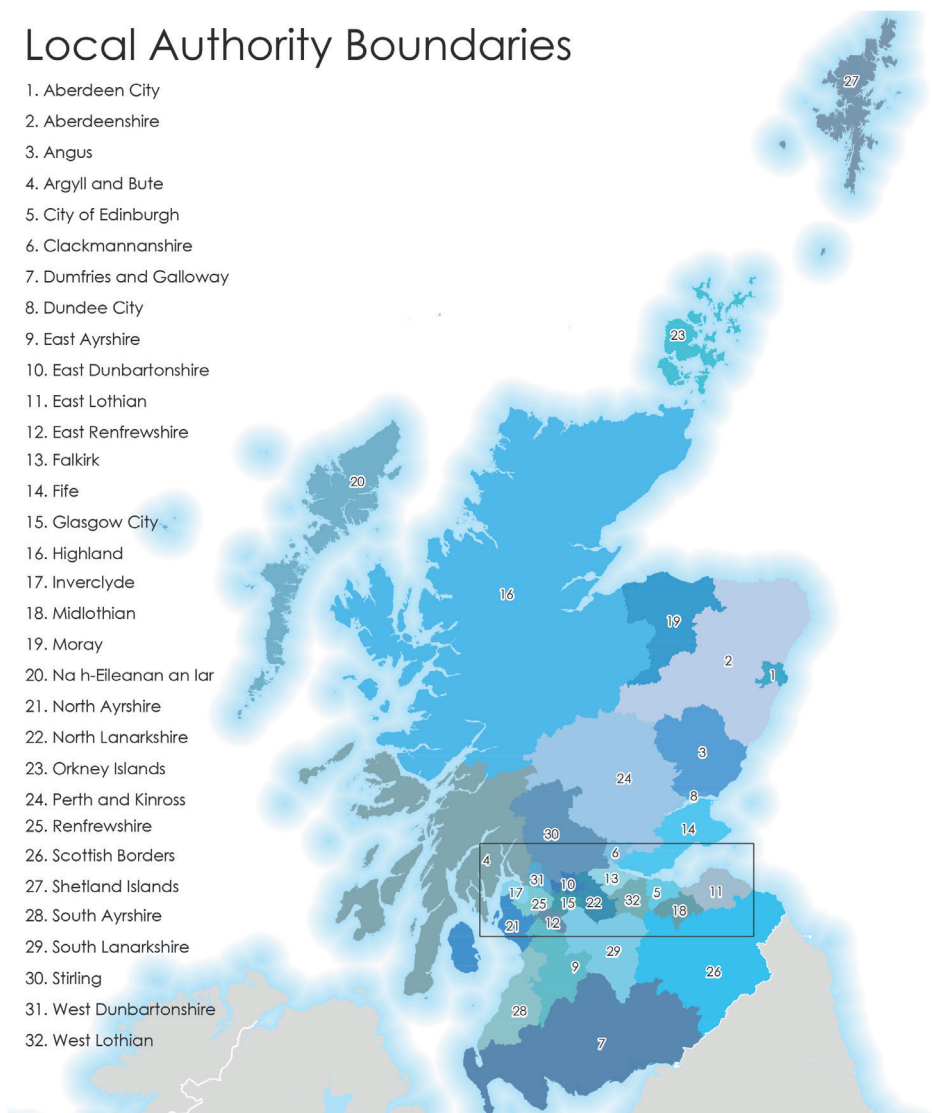
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# Fig 3. Local Authority Areas

## Local Authority Boundaries

1. Aberdeen City
2. Aberdeenshire
3. Angus
4. Argyll and Bute
5. City of Edinburgh
6. Clackmannanshire
7. Dumfries and Galloway
8. Dundee City
9. East Ayrshire
10. East Dunbartonshire
11. East Lothian
12. East Renfrewshire
13. Falkirk
14. Fife
15. Glasgow City
16. Highland
17. Inverclyde
18. Midlothian
19. Moray
20. Na h-Eileanan an Iar
21. North Ayrshire
22. North Lanarkshire
23. Orkney Islands
24. Perth and Kinross
25. Renfrewshire
26. Scottish Borders
27. Shetland Islands
28. South Ayrshire
29. South Lanarkshire
30. Stirling
31. West Dunbartonshire
32. West Lothian



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