

Scottish Marine Regions ~

A report to Marine Scotland on the views of an external stakeholders' workshop

**Scottish Coastal Forum
October 2009**



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EXECUTIVE SUMMARY

Scotland's first Marine Bill will provide fit-for-purpose legislation to deliver planning, development, management and stewardship of Scotland's coastal and marine resources. The Bill is intended to allow sustainable economic growth within environmental limits. It will set the framework for a National Marine Plan to address national priorities within social, economic and environmental parameters and allow for Regional Marine Plans to create a more localised sense of ownership of marine planning. To achieve this, a number of Scottish Marine Regions are proposed.

The Scottish Coastal Forum was asked by the Scottish Government to carry out a short project to gauge stakeholders' thoughts on how Scottish Marine Regions (SMRs) might be defined. A workshop was held in Edinburgh on 13 March 2009 to generate views from an audience of largely non-Government participants that could be fed into the internal consideration of options for consultation.

Before the event, delegates were asked to identify the top 5 criteria that should be considered in the definition process and over 130 separate criteria were listed. Pre-event analysis broke down these criteria into seven named categories:

Criteria	Percentage of response
Physical characteristics/ecosystems	19%
Utilisation of existing models & units	14%
Planning for specifically <i>marine</i> areas & features	13%
Appropriate scale	10%
Secondary legislation issues	7%
Data availability	2%
<i>Other suggestions</i>	35%

At the workshop, delegates discussed these criteria further and prioritised them. GIS was provided so they could visualise existing administrative divisions for terrestrial, marine, social, economic and environmental considerations. This allowed the opportunity to consider whether a combination of existing boundaries might offer a 'ready made' division of the Scottish coastline for marine planning.

The conclusions drawn from the workshop can be summarised as:

- Stakeholders are keen to know how local marine planning is to be delivered
- One model will not fit all cases – different options are required, and accepted as being required, for different areas
- Initial assessment of notified criteria concluded that physical characteristics / ecosystem drivers were most important for defining SMRs
- However, when **all** contributions were analysed, a greater number of responses suggested using existing administrative units, e.g. Inshore Fisheries Groups, as the basis for Scottish Marine Regions¹.

¹ It should be recognised that those existing groups *as they are currently constituted* would not be best placed to deliver marine planning but the areas they cover may be useful in setting out SMRs

- The major mainland Firths² should be the focal point/basis for some Scottish Marine Regions and, if at all possible, should not be divided but should be treated as a cohesive unit
- Shetland should be a Scottish Marine Region
- It was less clear whether the Western Isles and Orkney should also be SMRs in their own right, taking advantage of the position of their local authorities, or whether they should be part of SMRs focused on the Minch and Pentland Firth respectively: this is not a straight choice between physical characteristics and administrative arrangements but has some strongly emotive issues attached
- *On the day*, when asked to rank the key criteria in order of importance, physical characteristics/ecosystem drivers came out on top, narrowly beating existing models and administrative units; all other potential criteria received considerably less support
- Recognised that Scottish Marine Regions should be of a size that is efficient for administration purposes but also offers local communities a sense of affinity and ownership of issues
- Number of SMRs to be somewhere between 5 and 10, with 12 as the absolute maximum; recognition that there would be a trade-off between the drivers of efficiency and affinity
- There was a significant level of support for SMR boundaries that might use a combination of the boundaries for Inshore Fisheries Groups and SEPA's River Basin Catchment Management Plans' Area Advisory Groups as their base; it was felt that these existing divisions give a 'good fit' for areas that encompass a terrestrial element along with a coastal and offshore focus, although the boundaries between the different elements was not agreed
- There was no strong push for SMRs to go out to 12nm, or even beyond 6nm: soft landward boundaries required to allow coastal communities to participate and encourage development of ICZM with terrestrial interests.

In summary, this workshop event, and the preparation asked of participants, was successful in gathering a wide range of opinions in a short period of time. It was a useful starting point for work to consider Scottish Marine Regions but it should be supplemented with longer term, more sustained dialogue with key interests on an individual basis or in small groups, perhaps with a common geographic/area focus.

A further paper on potential recommendations and options for Scottish Marine Regions is being prepared. The SCF and the Scottish Government are working together to use the points raised in this workshop as base material for developing suggestions on how Scottish Marine Regions might be defined.

² Solway, Clyde, Moray, Tay and Forth

1. PURPOSE & REMIT

1.1 SCOTTISH MARINE BILL

The Scottish Government is developing Scotland's first Marine Bill, which will provide new, fit-for-purpose legislation to enhance the development, management and stewardship of Scotland's coastal and marine resources.

The Bill will deliver new marine planning, licensing, conservation and enforcement functions as well as updating existing legislation where appropriate. A new management organisation, Marine Scotland, came into being on 1 April 2009 to provide a single point of Government contact for stakeholders across a disparate range of activities and operations.

1.2 MARINE PLANNING

Core to the Marine Bill is the provision to introduce a statutory system of marine planning to deal with the potentially competing demands on offshore space and resources from existing and prospective uses. The Scottish Government's intention is that marine planning shall deliver a strategic approach to development that allows for sustainable economic growth within environmental limits and taking into account our international obligations and other priorities.

Scottish Ministers, via Marine Scotland, will produce the first National Marine Plan in due course, which will set out the strategic objectives for the Scottish marine area. The Plan will identify national priorities within certain social, economic and natural parameters.

1.3 SCOTTISH MARINE REGIONS

To allow for a more localised expression of interest in, and ownership of, marine planning and management issues, Scottish Marine Regions are to be defined. This division of the coast will provide the mechanism by which Regional Marine Plans can be delivered. Regional Marine Plans will take national priorities into account in their development but will be focussed on the needs and requirements of a particular area of coastline and its associated water bodies.

1.4 INTEGRATED COASTAL ZONE MANAGEMENT

Integrated Coastal Zone Management should be delivered by the new system of marine planning. Regional Marine Plans will have to take account of terrestrial plans covering the hinterland behind their coastline, as well as the policies contained in other Regional Marine Plans with which they may share a common aquatic boundary. This should allow integration of planning for development, protection and management across the land/sea interface, along linear coastlines and between adjacent areas of sea.

1.5 SCOTTISH MARINE REGIONS PROJECT

The Scottish Coastal Forum, as a long-standing national stakeholder body, was asked by the Scottish Government to carry out a short project to gauge external stakeholders' thoughts on how Scottish Marine Regions (SMRs) might be defined.

The outcome of this project will be fed into the Government's work to consider SMRs, which will be established in due course by Marine Scotland under secondary legislation. The project ran from February to April 2009 and builds on the work that the SCF and its members have previously contributed to the debate on coastal and marine management in Scotland through the Sustainable Seas Task Force (2008–onwards) and the Advisory Group on Marine & Coastal Strategy (2005-07).

A key element of the Scottish Marine Regions Project was a workshop for external stakeholders, held in Edinburgh on 13 March 2009. It was designed to allow non-Government interests an opportunity to consider the criteria by which SMRs might, eventually, be defined and for their ideas to be recognised by the Scottish Government as a preliminary aspect to future consideration of the issue.

This report details the outputs of the Scottish Marine Regions workshop and forms the base material for a more considered assessment of potential options for SMRs, which will be presented to the Scottish Government in due course.

2. PROJECT METHODOLOGY

2.1 BACKGROUND

In the last few years, a significant amount of consideration has been given to options for improving the management of Scottish marine and coastal resources. From 2005 onwards, firstly the Advisory Group on Marine & Coastal Strategy (AGMACS) and, subsequently, the Sustainable Seas Task Force (SSTF) have considered issues relating to streamlining the licensing and consenting procedures for development in the offshore zone, protection for marine areas, measures to manage seals and mechanisms to resolve disputes and implement Integrated Coastal Zone Management. This work culminated in the publication of proposals that might be contained within a Scottish Marine Bill, 'Sustainable Seas for All', which were put out for public consultation during summer 2008.

A system of marine planning that reflected Scotland's interests and responsibilities at the supranational, national and regional level was suggested in the consultation document. The concept of Scottish Marine Regions was proposed, whereby Scottish waters would be divided into a number of units that would facilitate localised planning, dispute resolution and ICZM. The principle of this approach was broadly supported by those who responded to the consultation exercise but it was felt that more work would be required in order to flesh out the framework proposal.

In discussion with the Scottish Government, it was agreed that the Scottish Coastal Forum should carry out an exercise with external stakeholders to assess their views on the criteria by which Scottish Marine Regions might be designated. This discrete project should build on the work previously carried out by AGMACS and the SSTF but should acknowledge that the focus of discussion had shifted away from mechanisms more suited to voluntary ICZM to means by which statutory marine planning might now be delivered. It should generate information, which could be analysed to give an idea of participants' views and should underpin a set of possible options for how Scottish Marine Regions may be defined.

It was agreed that the Scottish Coastal Forum should organise and execute a one-day workshop during March to bring together representatives of the major organisations with an interest in coastal and marine resource utilisation and management. The delegates would be asked to contribute to the debate on potential criteria for defining SMRs with the results informing an SCF report to Government.

2.2 PROJECT INITIATION

The Scottish Coastal Forum's Steering Group met with representatives of the Marine Strategy Division in January 2009 to establish the context and remit for the project along with resource requirements.

It was agreed that the SCF Officer would spend a dedicated period of two days per week for 12 weeks (beginning of February until the end of April) in order to successfully execute the project.

The project's timescale was expected to co-incide with the presentation of the Scottish Marine Bill to the Scottish Parliament and to overlap slightly with the creation of Marine Scotland on 1 April 2009.

2.3 WORKSHOP PREPARATION

It was agreed that consultation with a wide range of external stakeholders would be essential in order to receive a balanced range of viewpoints.

Given the diverse nature of the Scottish coastline and the uses already made of its marine resources, the Scottish Government was already aware that no single size of model for Marine Regions would fit all situations. However, the Scottish Government was keen to establish whether external stakeholders felt there should be any common values or objectives that could be established and could underpin delivery mechanisms in different geographic areas. Hence, it was important to debate the many different potential issues that could feed into a strategy for defining Regions. These were acknowledged to include, but were not limited to:

- socio-economic information and viewpoints from marine industries
- natural features or ecosystems that offered themselves as discrete units,
- adapting existing administrative areas for the purposes of marine planning and management.

The Scottish Marine Regions workshop was planned for Friday 13 March 2009. Following further discussion between the SCF Officer and the Scottish Government, the day's programme was agreed. A background information paper was also drafted, with input from the SCF Steering Group and the Scottish Government, to set the scene for potential delegates and give them an understanding about the purpose of the event. The agenda and background paper are included at Appendix I.

Delegates were asked to return their booking form with a note of their 'Top 5' criteria for defining Scottish Marine Regions. This information was requested by 10 March to allow the SCF Officer an opportunity to undertake an initial assessment of the criteria, which would be discussed in detail by delegates at the workshop.

2.4 WORKSHOP SUMMARY

On the day, of the 68 delegates who had booked a place, 64 attended and participated. The delegate list is included at Appendix II

The workshop event was divided into three sessions, each with a distinct focus:

- **Session 1** provided an update on the Scottish Marine Bill's progress, an explanation of day's aims and an introduction to the range of criteria that delegates thought should be considered when defining Scottish Marine Regions
- **Session 2** offered delegates the opportunity to discuss and justify the pre-notified criteria in small facilitated groups, adding any that they felt were missing and prioritising agreed criteria in importance of consideration. The groups were also

given an electronic graphics package loaded onto laptop computers that allowed them to view the basic Scottish coastline and layer different existing Scottish administrative boundaries for both terrestrial and marine matters on top. This package was designed to allow a 'mix and match' approach to see if any combinations provided a 'best fit' option for possible SMRs.

- **Session 3** allowed the feedback from the individual groups' discussions to be shared with the rest of the meeting and points raised to be clarified by Scottish Government representatives. Some initial conclusions were tentatively developed.

2.4 POST-WORKSHOP ASSESSMENT OF CRITERIA

The feedback reports from the individual workshop groups were retrieved and subjected to a more detailed assessment and interpretation of the points made on the day. The output was drawn together for consideration by the SCF Steering Group and Scottish Government representatives at an interim project meeting on Friday 27 March. Following this meeting, it was agreed that the report on the workshop should be submitted to the Scottish Government and a subsequent report setting out options for the definition of Scottish Marine Regions be drafted in conjunction with Marine Scotland.

3. INITIAL ASSESSMENT OF RESPONSES

3.1 PRE-EVENT CONSIDERATION OF ISSUES

Those booking their places at the workshop event were asked to list the 'Top 5' criteria that they thought should be considered in the process for defining Scottish Marine Regions.

The objective of this exercise was three-fold: ~

- 1) To get delegates to do some 'homework' in advance of the meeting so that they already had a familiarity with the concept of SMRs and were thinking about the sorts of issues that should be considered when deciding where the most appropriate divisions might lie;
- 2) To see if there were any clearly observable trends that could be used as an indication of how external stakeholders, who already deal with multiple existing administrative divisions and natural processes in relation to the marine environment, would prefer a new arrangement to be set up;
- 3) To establish whether external stakeholders were capable of considering what the *best* division might be, rather than the division that best suited their own interests.

The Background Paper, issued with the invitation to attend the event, listed a number of ways in which the Scottish coastline was already divided for purposes ranging from renewable energy generation to Search and Rescue operations. The existing boundaries reflect three main considerations:

- Offshore issues – dealing with the big picture in the wider sea area where there are fewer numbers of activities taking place; those activities generally being subject to supranational drivers and international legislation;
- Natural features – geographic features such as island archipelagos or firths; some areas identified for management due to their value as sites of natural heritage importance, either at a national or international level; others utilised as convenient areas that bring together human-scale activities and administrative arrangements;
- Terrestrial considerations – land-focused administrative arrangements for managing human-scale socio-economic activities.

The three elements interact but there is no mechanism which provides management arrangements for considering the full range of uses, from an inland boundary to the offshore marine zone. Equally, there is nothing that addresses the specific issues to be found in the area with most competition for space and over which there is a perceptible sense of local ownership, the coastal strip.

3.2 PRE-NOTIFIED CRITERIA

Over half the delegates (56%) identified at least one SMR criteria in advance of the workshop, although several notified fewer than the requested five.

The criteria were subjected to an initial assessment as they were received, which gave a running idea of topics that had been flagged up. One week before the workshop, those criteria that had been received were assessed by the SCF Officer. It quickly became obvious that four main groupings emerged relating to specific subjects:

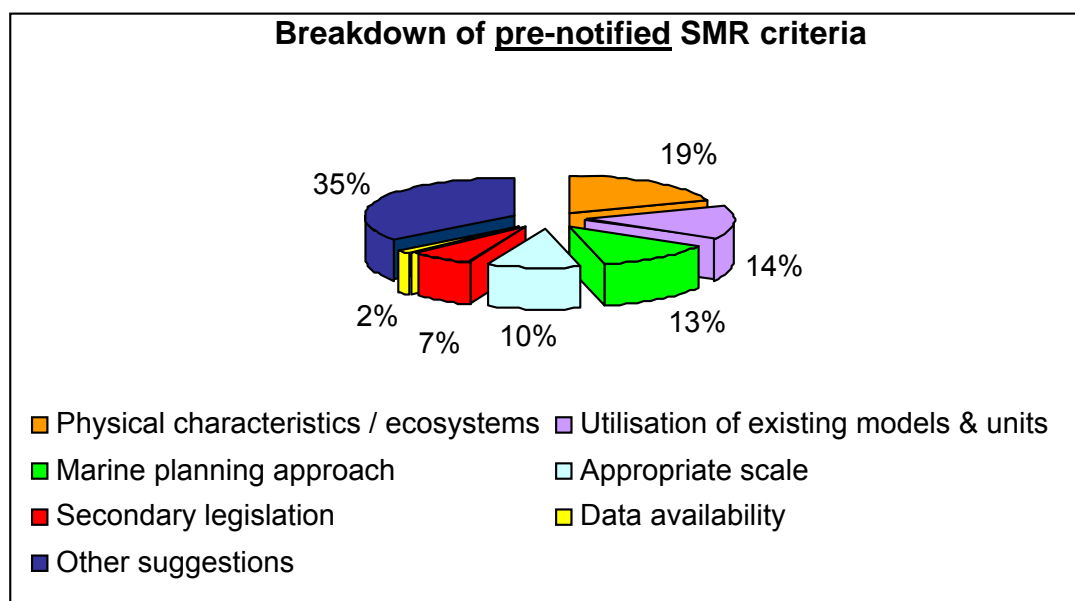
- Physical characteristics, natural environment & ecosystem considerations
- Appropriate scale and extent of Regions
- Planning for specifically marine purposes
- Mention of existing models / administrative units to utilise

A fifth group was initially termed 'Everything else' and was revisited later in the assessment process.

Criteria continued to be notified in the last few days but only those received before the deadline date, 10 March, were allocated to one of the sift groups as they came in. Those received after the deadline were not incorporated into the preliminary results presented at the workshop but were filed for future evaluation. As part of the final appraisal of pre-notified criteria, the 'Everything else' group was reassessed and it became clear that a further two categories emerged from the suggestions received:

- Data issues
- Secondary legislation considerations

Over 130 separate criteria were received before the event deadline. The majority fell into six clear groupings although a considerable number of criteria remained in the category of 'Other suggestions'.



3.3 CONCLUSIONS FROM PRE-NOTIFIED CRITERIA APPROACH

This was a useful tool to encourage delegates to think about the criteria they would wish to see considered and to gather some information for discussion on the day.

However, most submissions demonstrated a tendency to replicate arguments that had been previously made by organisations and sectoral interests in fora such as the Sustainable Seas Task Force and AGMACS. Very few appeared to go back to first principles and consider how Scottish Marine Regions should be defined, *independently* of any other matters. Those that did, from the initial assessment of criteria, generally put natural characteristics/ecosystems at the top of the lists for SMR definition, suggesting that Marine Regions should reflect geographic features such as islands and firths above socio-economic factors. Further consideration of the identified criteria was carried out during the workshop event and the results are noted in Section 4.

Given the parameters of the project, the use of an explanatory briefing paper and a request to notify a small number of important considerations was justified and produced results that created an interesting platform for the workshop event. A project with a longer time period may have chosen to make use of different techniques, e.g. one-to-one interviews or smaller focus groups to consider specific points in discussion.

4. SCOTTISH MARINE REGIONS WORKSHOP

4.1 WORKSHOP INTRODUCTION – SESSION 1

Capt. Jim Simpson, Chair of the Scottish Coastal Forum, welcomed delegates to the event and explained the day's proceedings.

Linda Rosborough, Head of the Marine Strategy Division of the Scottish Government, provided delegates with an update on the latest developments with the Scottish Marine Bill. Her slides are reproduced in Appendix III.

Rhona Fairgrieve, SCF Officer, set the scene for the discussions on Scottish Marine Region criteria by outlining a representative sample of the different categories established by the assessment of the pre-notified criteria. She provided the breakdown of pre-notified criteria as they had been provisionally analysed:

Criteria	Percentage
Physical characteristics/ecosystems	19%
Utilisation of existing models & units	14%
Marine planning approach	13%
Appropriate scale	10%
Secondary legislation issues	7%
Data availability	2%
Other suggestions	35%

4.2 WORKSHOP DISCUSSION – SESSION 2

During the project initiation stages, the Scottish Government was keen that five particular aspects relating to SMRs be considered:

- The need for planning activities and/or conflict resolution
- Core elements that should underpin any/all potential SMR models
- Coherence and character and coastal and marine zones
- Simplicity and cost-effectiveness
- Boundaries – offshore and landward

The second session of the workshop was, therefore, designed to offer stakeholders the opportunity to consider these issues in their facilitated discussions, along with four specific questions:

- Does the initial assessment (*of pre-notified criteria*) seem to reflect the issues that your group feels are important?
- Can you identify and agree on 3 key criteria for defining Scottish Marine Regions?
- How would your group prioritise them?
- Can you think of some options that might suit certain areas, given their own particular circumstances?

4.3 COMMON POSITIONS & EMERGING PRINCIPLES

The feedback from the groups of delegates was given in Session 3 and is captured in Appendix VI. Consideration of this information has led to the following conclusions:

Question 1: Does the initial assessment (*of pre-notified criteria*) seem to reflect the issues that your group feels are important?

Although it was clear that some delegates considered that physical characteristics and the ecosystem approach were the most important elements when defining potential Marine Regions, there was not universal support for this suggestion. Indeed, even when it did receive support, substantial caveats were invoked and alternative criteria were also suggested. There was no clear steer at this stage from the groups that either biological and/or geographical elements or social and/or economic ones should take precedence in the process.

What did emerge, however, was that delegates were:

- unclear about what an 'ecosystem approach' would actually entail in practice
- undecided about where boundaries should lie but cognisant of cross-boundary issues between SMRs, but
- content that Scottish Marine Regions should reflect local characteristics (social, economic and biogeographical) in their delineation and scale.

Question 2: Can you identify and agree on 3 key criteria for defining Scottish Marine Regions?

Most of the groups were able to identify key criteria for defining SMRs and some offered more than the requested three. The utilisation of existing models or administrative units emerged as the factor with most support at this stage, followed by 'other' criteria and physical characteristics/ecosystem drivers.

Question 3: How would your group prioritise them?

Interestingly, when asked to rank their key criteria, physical characteristics/ecosystem drivers came top, narrowly beating existing models and administrative units into second place. This suggests that the audience sees a physical basis for a Region as being more important than an administrative one. It was specifically mentioned on several occasions that the basis of some Regions should be the Scottish Firths, including the Pentland Firth and the Minch. In other words, if the objective is marine *planning*, as opposed to marine management, a Scottish Marine Region should reflect and encompass a recognised body of water even when this would require different administrative organisations, which normally work independently of each other, to work together.

However, it should be noted that there was not always a direct correlation between the answers given for Question 2 and those suggested for Question 3. Some of the

feedback from the tables suggested that some groups had taken both questions together and had not differentiated between a general consideration of criteria, identification of the three they considered most important and the subsequent prioritisation of those three. At least one of the groups mentioned that they had found it very difficult to rank the criteria.

Question 4: Can you think of some options that might suit certain areas, given their own particular circumstances?

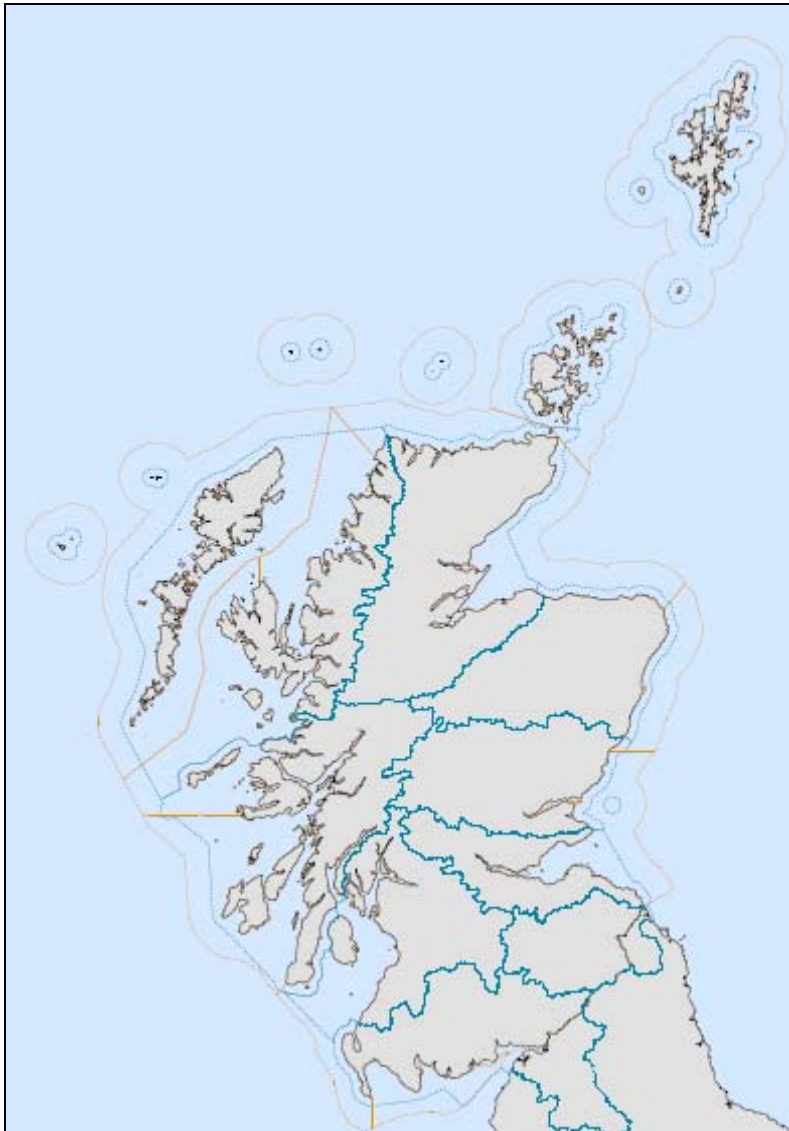
The GIS data layers offered delegates the opportunity to mix and match various existing divisions of Scotland's territorial and marine resources. Although the data layers were not comprehensive, missing out the Regional Seas and other supra-national boundaries, it was relatively easy to see where common boundaries existed or where they might, given a bit of readjustment.

The GIS tool was intended to help delegates come up with possible solutions to Question 4, suggesting options for particular areas. The feedback suggested that it had indeed assisted with this aspect, although it was also acknowledged that the prime value was in seeing where the various divisions were in the first place so their relationships to multiple other divisions could be ascertained. This information had never before been made available to such an audience in such a way. It was much appreciated. The opportunity to see how different units – often created for quite different requirements and reasons – fitted together had clearly fired the delegates' collective imagination.

Many of the tables suggested using the Inshore Fisheries Groups as a reasonable starting place for SMRs as they combined physical and habitat-based considerations with socio-economic ones. However, it was recognised that IFGs were selected to perform a different function and lack a significant terrestrial hinterland; additionally, they do not tend to fit well with local authority boundaries on the mainland. An alternative suggestion was to consider linking the IFGs with SEPA's RBMP Area Advisory Groups. SEPA even extended the offer, during open discussion, that they may reconsider AAG boundaries to effect better links with Inshore Fisheries Groups.

In general, if *existing administrative units* were to be used as the basis for SMRs, an amalgamation of the Inshore Fisheries Groups and SEPA's Area Advisory Groups was felt to give the best potential division. Together they were deemed to represent a credible possibility from which to develop options for Scottish Marine Regions. Both had the mainland Firths as core elements, although both the Minch and the Pentland Firth were divided by their boundaries and AAG boundaries cut across some Firths, e.g. the Moray Firth and the Clyde. Both units had a clear link to physical and ecosystem drivers although they had different boundaries, laterally along the coast and offshore. The AAGs have a terrestrial element but only extend to 3nm offshore, while the IFGs recognise fishing habitats and communities on land but extend out to 6nm.

Whichever boundaries are eventually chosen for SMRs, it will be useful to review how they fit with the wider boundaries that Scotland is required to acknowledge when reporting at the OSPAR and EU levels.



Data layers showing boundaries of SEPA's **Area Advisory Groups** (out to 3nm) and the **Inshore Fisheries Groups** (out to 6nm)

Created by SEGIS for the SCF

Following on from the feedback on specific questions, a more general discussion took place with David Mallon, from the Scottish Government, fielding questions from the floor.

There was some discussion about whether SMRs were intended to be planning units or units for managing marine and coastal resources. A suggestion was made that units should be as localised as possible, perhaps having a number of smaller Plans dealing with particular areas within a larger Marine Region. David Mallon answered that the Scottish Marine Regions would be expected to create a single Marine Plan for its entire area, taking all localised issues into consideration. There had not been a presumption that there would be smaller plans created to address local level issues. However, it was possible that further thought needed to be given to a system for allowing more intensive planning to be done where it was needed.

Support for Marine Plans from local communities was also mentioned. Although it might be desirable to focus on Firths as the basis for SMRs, it was recognised that

some water bodies are too big to have an effective local community element. The now defunct Minch Project was cited as an example of an initiative that found it exceptionally difficult to bring together communities on either side of a considerable water body. Experience had shown, in that case, that it might be better to plan for the local authority areas on either side of the Minch rather than the Minch itself.

Social inclusion issues and the social and economic realities of expecting stakeholder involvement from disparate and peripheral communities were also mentioned in this context. There is clearly a balance to be struck between getting SMRs at the right physical and geographic scale but not making them so big that stakeholders are lost within their boundaries. Several contributors mentioned the importance of stakeholders feeling a sense of 'ownership' over both their area and the issues that would be addressed. It was termed the 'Goldilocks' syndrome – SMRs should be neither too big nor too small, but just right.

5. CONCLUSION

The conclusions drawn from the workshop can be summarised as:

- Stakeholders are keen to know how local marine planning is to be delivered
- One model will not fit all cases – different options are required, and accepted as being required, for different areas
- The major mainland Firths³ should be the focal point/basis for some Scottish Marine Regions and, if at all possible, should not be divided but should be treated as a cohesive unit
- Shetland should be a Scottish Marine Region
- Less clarity on whether the Western Isles and Orkney should also be SMRs in their own right, taking advantage of the position of their local authorities, or whether they should be part of SMRs based around the Minch and Pentland Firth respectively; from the arguments on both sides, it was clear that this is not a straight choice between physical characteristics and administrative arrangements
- From the pre-notified criteria, physical characteristics/ecosystem drivers were mentioned most often as being the key elements to be considered when defining SMRs
- When responses that missed the deadline for inclusion in the pre-event assessment were added and all contributions were analysed, a greater number of responses suggested using existing administrative units, e.g. Inshore Fisheries Groups, as the basis for Scottish Marine Regions⁴.
- *On the day*, when asked to rank the key criteria in order of importance, physical characteristics/ecosystem drivers came out on top, narrowly beating existing models and administrative units; all other potential criteria received considerably less support
- Recognised that Scottish Marine Regions should be of a size that is efficient for administration purposes but also offers local communities a sense of affinity and ownership of issues
- Number of SMRs to be somewhere between 5 and 10, with 12 as the absolute maximum; recognition that there would be a trade-off between the drivers of efficiency and affinity
- There was a significant level of support for SMR boundaries that might use a combination of the boundaries for Inshore Fisheries Groups and SEPA's River Basin Catchment Management Plans' Area Advisory Groups as their base; it was felt that these existing divisions give a 'good fit' for areas that encompass a terrestrial element along with a coastal and offshore focus, although the boundaries between the different elements was not agreed

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⁴ It should be recognised that those existing groups *as they are currently constituted* would not be best placed to deliver marine planning but the areas they cover may be useful in setting out SMRs

- No strong push for SMRs to go out to 12nm, or even beyond 6nm: soft landward boundaries required to allow coastal communities to participate and encourage development of ICZM with terrestrial interests.

In summary, this workshop event, and the preparation asked of participants, was successful in gathering a wide range of opinions in a short period of time. It was a useful starting point for work to consider Scottish Marine Regions but it should be supplemented with longer term, more sustained dialogue with key interests on an individual basis or in small groups, perhaps with a common geographic/area focus. This should aid in developing a better understanding of what might be most appropriate when considering how to plan at the regional level around Scotland's coasts.

A further paper on potential recommendations and options for Scottish Marine Regions is being prepared. The SCF and the Scottish Government are working together to use the points raised in this workshop as base material for developing suggestions on how Scottish Marine Regions might be defined. A number of possible options are being considered, ranging from those that are based purely on physical characteristics to those that take administrative arrangements as their priority.

In due course, Scottish Ministers will consult widely on the potential SMRs. Once the boundaries have been agreed they will be confirmed by secondary legislation, which allows for their revision through amendments if this is considered necessary to respond to changing circumstances.

It is clear that Scottish terrestrial, coastal and marine interests are extremely keen to know what the Scottish Marine Bill's proposals are going to mean for them in practice. The linkages between existing terrestrial development control mechanisms and new tools for delivering planning and management beyond the MLWS mark will be complex to forge, requiring a considerable amount of input and understanding from all involved. As the Scottish Government acknowledges, "Scottish Marine Regions will be essential to the delivery of greater local involvement and accountability in the management of the regional sea."⁵ Stakeholders are keen to participate in their creation process and are looking forward to further developments on Scottish Marine Regions in due course.

⁵ Marine (Scotland) Bill – Policy Memorandum; para 22

APPENDICES

APPENDIX I Background briefing paper, Workshop Agenda & Booking Form

APPENDIX II Delegate list

APPENDIX III Linda Rosborough's Scottish Marine Bill Update presentation

APPENDIX IV Rhona Fairgrieve's 'Towards Scottish Marine Regions' presentation

APPENDIX V Full list of notified criteria

APPENDIX VI Feedback from workshop discussion session

APPENDIX I: BACKGROUND BRIEFING PAPER, WORKSHOP AGENDA & BOOKING FORM



Scottish Marine Regions Workshop



Introduction

The Scottish Coastal Forum has been asked by the Scottish Government to undertake a short project to consider the criteria by which Scottish Marine Regions (SMRs) might be defined. As a first step, we are running a Stakeholders' Workshop in Edinburgh on 13 March. This paper sets the context for the event.

'Sustainable Seas for All' identified SMRs as "the means by which marine planning and management takes place at the sub-Scotland level". In due course, it will be for Marine Scotland, to identify SMRs. As a first step and in line with other workstreams supporting the development of the Scottish Marine Bill during 2009, this project will offer the Scottish Government some independent, initial thoughts from external stakeholders on what they consider may be appropriate for this new management and planning regime.

The Scottish Coastal Forum will take on the role of 'honest broker' for these discussions, delivering a neutral assessment of stakeholders' conclusions and the criteria by which SMRs *might* be designated in a post-workshop report. The outcomes of this project will be: ~

- identification and prioritisation of criteria
- options on using key criteria (and combinations of criteria)
- recommendations for additional work that may be subsequently required to deal with any outstanding issues.

It will be for the Scottish Government to absorb and act on this information.

Previous work

Many sub-divisions of Scotland's coastline and Territorial Waters already exist, each created for various administrative or operational purposes ranging from nature conservation monitoring to Search and Rescue activities. Much work has previously been done in establishing the most appropriate breakdown according to the circumstances required. There is a huge library of experience on which to draw, not least SEPA's development of River Basin Management Plans & Area Advisory Groups, SNH's report on the possible criteria for Coastal & Marine National Parks and the SCF's own consideration of ICZM delivery mechanisms and conflict resolution. Common themes emerge from each process and three key criteria recur for consideration in any spatial division of coastal and marine resources: ~

- **Character:** physical and/or social and economic characteristics are identified with the presumption that natural functional units and ecosystems, e.g. islands, firths or sea-lochs should not be subdivided
- **Boundaries:** the inland and seaward limits need to be considered along with relationships to areas functioning under terrestrially-focussed legislation, such as Town & Country Planning Acts, or to adjacent coastal areas
- **Scale:** a sufficient number of units to represent broad character areas but not so many that the differences are too detailed or over-complex

Other criteria are also important, such as data availability, monitoring & reporting requirements and existing management units. The first two elements are important considerations but are not, perhaps, as vital on this occasion as they have been on others. Existing management units are likely to be a significant consideration but must be incorporated within a wider context: although SMRs will primarily deal with marine (rather than terrestrial) issue, they will have to consider issues that cross the land/sea interface.

Existing divisions

A plethora of divisions has been created over the years to reflect different drivers in emerging coastal and marine policy and uses. These encompass biological, physical, geographic, political, operational and administrative functions. Some are more comprehensive in their coverage than others. They include, but are not limited to: ~

- OSPAR Regions - primarily, the Greater North Sea (Region II) and the Celtic Seas (Region III), although the Wider Atlantic (Region V) also includes part of Scottish Offshore Waters and the boundaries extend into areas beyond national jurisdictions. OSPAR Regions are also the units specified in the EU Maritime Strategy Framework Directive
- UK Regional Seas - originally developed by JNCC for the Review of Marine Nature Conservation and now the units used for monitoring and reporting conservation status and other indicators to the UK government as part of the 'Charting Progress' workstreams. The Regional Seas cover UK waters out to the limits of UK jurisdiction and are biogeographically determined using, primarily, the factors of temperature, depth and currents
- UKMMAS sea areas proposed for 'Charting Progress 2' - division of the above 4 Regional Seas into 13 units
- Maritime & Coastguard Agency - 5 operational units divided into 20 sub-units
- Planning authority boundaries - 23 units with coastal/estuarine territory and planning powers for aquaculture out to 12 nautical miles⁶
- Strategic Development Plan areas - 4 areas brigading some local authorities into 'City Regions', introduced from February 2009; primarily a terrestrial planning designation with a normal seaward limit of MLWS but encompassing local authorities' powers to plan for aquaculture out to 12 nm⁷
- SEPA River Basin Management Plan Area Advisory Group boundaries - 10 units with a 3nm limit to implement the requirements of the WFD
- Inshore Fisheries Groups - Ultimately, 12 units going out to 6nm
- Local Coastal Partnerships - 7 areas set up to develop an integrated approach to coastal management in 5 Firths, an area of open coastline and an archipelago
- SSMEI Pilot areas - 4 units testing different approaches to the sustainable development of coastal and marine resources
- SCF's ICZM Regional Policy Areas - 11 units, suggested as part of the AGMACS process to facilitate the delivery of ICZM and conflict resolution
- Site allocations for Round 3 windfarms, inshore windfarms, wave and tidal devices, oil and gas allocations, nature conservation designations, etc.

⁶ 22 coastal Local Authorities and the Loch Lomond & the Trossachs National Park; aquaculture powers currently only implemented out to 3 nm

⁷ The SDPAs are for: Glasgow & the Clyde Valley; Aberdeen City & Shire; Dundee, Perth, Angus & North Fife; Edinburgh & South East Scotland. N.B. – there is no direct read-across between the local authorities involved in some of the SDPAs and Local Coastal Partnerships, where they exist, for those areas, e.g. Clyde.

Underlying issues

This list is neither exhaustive nor mutually exclusive in its scope but it highlights that whichever criteria are finally used to inform the selection of Scottish Marine Regions, a number of 'issues at the edge' will still need to be accounted for. For example, although there is a significant degree of overlap between the divisions noted none of the boundaries fits *exactly* with any of the others⁸. The position is further complicated by some of the drivers having land-based or water-focussed perspectives with fundamentally different priorities.

In 'Sustainable Seas for All' the Scottish Government recognised that "...if we want to successfully deliver sustainable management of the marine area, we need integration with activities taking place in the near shore zone and on land", thus laying down the challenge of effectively implementing an integrated approach to coastal and marine spatial planning and management. Previous consideration of the issues has still not resolved all the outstanding questions. In one day, we are unlikely to do so either but perhaps we can further develop the thinking.

What needs to be considered?

Scottish Marine Regions are intended to take a marine-focused approach to creating Regional Marine Plans that will dovetail with the forthcoming National Marine Plan and will underpin local sustainable economic development. SMRs will be primarily expected to deliver ICZM (including, possibly conflict resolution) and comment on licensing applications. The focus at this stage, therefore, needs to be on the divisions that will provide the best areas for marine and coastal resource planning. It may not always be possible to expect an existing management mechanism to deliver all that is anticipated for this approach, especially if a potential SMR is expected to cover a multiplicity of different jurisdictions.

If form is to follow function, establishing SMRs will involve considering a substantial number of parameters, for example: ~

- What is the need for planning activity and/or conflict resolution in coastal and marine areas, depending on existing and proposed uses made of the resources?
- If different models are required around the country, are there any tenets which should be replicated as core and fundamental approaches in all areas?
- Ecosystem and natural process drivers - should these be considered at the macro or micro level?⁹
- Coherence of the coastal and marine zones - 'Character' relates to ecosystem boundaries such as firths, island groups and sediment cells but how do these relate to each other?
- How can we differentiate between administrative boundaries and natural characteristics? Where should be the seaward and landward limits?
- Is there an opportunity for achieving simplicity in the public sector landscape?
- Can cost effectiveness be achieved in delivery mechanisms?
- What lessons can be learnt from existing models about the importance of scale and boundaries in defining appropriate planning units, encouraging stakeholder engagement, data issues, etc.?

⁸ For example, the east coast from Dunnet Head to the English border is divided, variously, into 17 local authority areas, three Local Coastal Partnerships, two Inshore Fisheries Groups and the Berwickshire SSMEI. In only one case are the boundaries between different entities coterminous.

⁹ If it is felt that it is better NOT to split natural units, how does this affect the Pentland Firth and the Minch?

- Can existing stakeholder groups be rationalised to reduce overlap, where that exists, and make more efficient use of time and resources?
- Can we accommodate current management structures designed to fulfil existing requirements, including nature conservation designations and management regimes, into Regional arrangements?
- What might be the relationship with River Basin Management Planning areas designed to deliver Water Framework Directive requirements?
- How would proposed boundaries fit within the OSPAR marine regions specified for reporting and management in the EU Marine Strategy Framework Directive?
- Economic considerations - How can we accommodate the requirements/desires of marine-related businesses and industries in making best use of natural resources, e.g. deep water areas for priority developments recognised in the National Planning Framework or long-term development of renewable energy generation in offshore zone? (eg. offshore wind licensing areas)
- Social considerations - Would consideration of social access to coastal resources and democratic accountability within management arrangements influence the methods by which SMRs might be established?

Q. Apart from what has been listed, are there any other issues that need to be considered for Scottish Marine Regions?

Pre- workshop homework

The SMR workshop is your opportunity to feed your thoughts and comments into the initial stages of the process to create Scottish Marine Regions. The Scottish Government is committed to carrying out further public consultation later on but they are keen to hear what stakeholders have to say about the potential criteria by which SMRs could be established at this early stage in the process.

In order to get the most out of the day, we want you to pre-submit a list of **your Top 5 Criteria** for feeding into the SMR process. You could echo what has been noted earlier in this paper, list broad topics such as 'ecosystem approach' or 'focus on Firths' or you could introduce more specific considerations like 'simplicity in the public sector landscape'. Whatever you come up with, you should be prepared to discuss and defend them in open forum. We want to tease out not only the range of topics that should be considered but the strength of feeling that runs along with them. This is intended to be an interactive session!

Help us on the day by doing your homework!

When you submit your booking form, we will ask you for your Top 5 SMR criteria. This will enable us to do some preparatory work and ensure we have GIS data layers that can be overlaid to see where common boundaries might lie and to provide an idea of 'best fit' lines if/where they exist.

Places at the workshop are determined by the optimum number for a good discussion. There will be an opportunity to have a much greater public consultation in due course but, for the moment, we will have around 70 people on the day. If you can discuss possible criteria with other colleagues before the event, and feed back the results of these discussions with your booking form, then this will be a great start to this process.

For further details please contact Rhona Fairgrieve, SCF Officer, on 0131 244 1540 or on rhona.fairgrieve@scotland.gsi.gov.uk

Scottish Marine Regions Workshop 13 March, 2009
 Quincentenary Hall
 Surgeons' Hall Complex, Nicolson Street, Edinburgh

10:30	Coffee & registration
11:00	Welcome
	Session 1 - Introductory Presentations
11:05	<u>Update on Scottish Marine Bill</u> <ul style="list-style-type: none"> ▪ Legislative progress ▪ Marine Scotland ▪ Relationships with SMB workstreams
11.45	<u>Preliminary assessment of criteria</u> <ul style="list-style-type: none"> ▪ Summary of criteria identified by delegates in advance ▪ Collection of any additional points ▪ Consensus on criteria
12:30	<i>Sandwich lunch</i>
	Session 2 - Facilitated discussion
13:15	<ul style="list-style-type: none"> ▪ Discussions in groups at tables to agree/disagree/amend list of criteria ▪ Prioritisation of criteria, with justifications ▪ Feedback, including groups' own suggestions for 'best fit' options for SMRs
14:30	<i>Dessert course</i>
	Session 3 - Interactive maps & conclusion
15:00	<ul style="list-style-type: none"> ▪ Taking the feedback from the previous session, use GIS to postulate different 'best fit' lines on the Scottish coastline and see which get greatest support from the audience, taking note of pro and anti comments. ▪ Consideration of main points of the day ▪ Summary and agreement of comments to be reported to the Scottish Government; identification of any outstanding issues requiring further consideration

Booking form

To register for this event please complete this booking form and send it by *Tuesday 10 March* to: scfmailbox@scotland.gsi.gov.uk.

Attendance is free but advance booking is essential and spaces are capped to allow a good opportunity for discussion

Name: _____

Position: _____

Organisation: _____

Address: _____

Email: _____ Telephone: _____

Dietary requirements: _____

Do your homework on Scottish Marine Regions

This meeting is designed to be an interactive workshop and we need to know your Top 5 Scottish Marine Region Criteria by *Tuesday 10 March*. Please list them here and return them to scfmailbox@scotland.gsi.gov.uk.

1. _____

2. _____

3. _____

4. _____

5. _____

If you can think of more, please bring them with you and feed them into the discussion

Quincentenary Hall is part of Surgeons' Hall, Nicolson Street, Edinburgh, EH8 9DW



By rail: Edinburgh Waverley Station is 10 minutes by foot or 5 minutes by taxi. Train times are available from [National Rail Enquiries](#).



By road: Nicolson Street is on the South Side of the City Centre.



Parking: Limited 'Pay & display' parking is available on Nicolson Street and in the surrounding area

APPENDIX II: DELEGATE LIST


Anne Marie Gauld	Aberdeen City Council
Patrick Jordan	Aberdeen Harbour (for British Ports Association)
Mark Steward	Argyll & Bute Council
Walter Speirs	Association of Scottish Shellfish Growers
Will Brewis	Briggs Environmental Services Ltd.
Dawn MacInnes	Briggs Environmental Services Ltd.
Dave Long	British Geological Society
Mark Smith	British Waterways
David Muir	CoastHebrides
Ian Robertson	Defence Estates
Ian Hay	East Grampian Coastal Partnership
Emily Hastings	East Grampian Coastal Partnership
Isabel Glasgow	Firth of Clyde Forum (Chair)
Claire Pescod	Firth of Clyde Forum
Chris Cutts	Forth Estuary Forum
Ruth Briggs	Forth Estuary Forum (Chair)
Derek McGlashan	Forth Ports
Ian Davies	Fisheries Research Service
Jim McKie	Fisheries Research Service
Ethel May Abel	Glasgow City Council
Michelle Carroll	Glasgow Clyde Valley Structure Plan
Hamish Mair	Heriot Watt University
Colin Wishart	Highland Council
Kathryn Logan	Moray Firth Partnership
Gordon Mackie	Moray Firth Partnership (Director)
Robert Forrest	North Ayrshire Council
Stephen Driver	Northern Lighthouse Board
Alex Simpson	Orkney Islands Council (Harbours)
Roddy MacKay	Orkney Islands Council (Planning)
Graham U'ren	Royal Town Planning Institute in Scotland
Laurence Mee	Scottish Association of Marine Science
Mike Balmforth	Scottish Boating Alliance
Michael Cook	Scottish Borders Council (Cllr)
Sam Smith	Scottish Borders Council
Rhona Fairgrieve	Scottish Coastal Forum
Jim Simpson	Scottish Coastal Forum (Chair)
Alan Wells	Scottish Environment Link
Richard Luxmoore	Scottish Environment Link
Paul Du Vivier	Scottish Fisheries Protection Agency
Jane Sandell	Scottish Fishermen's Federation
Paul Shave	Scottish Government - Aquaculture
Steve Dowell	Scottish Government - Planning
Bill Ellis	Scottish Government – Inshore Fisheries Groups
Val Ferguson	Scottish Government – Ports


Fiona Harrison	Scottish Government – Marine Transition Unit
Damon Hewlett	Scottish Government – Marine Strategy
David Mallon	Scottish Government – Marine Strategy
David Palmer	Scottish Government – Marine Strategy
Linda Rosborough	Scottish Government – Marine Strategy
Veronica Smith	Scottish Government – Marine Strategy
Sally Thomas	Scottish Government – Landscapes & Habitats
Cathy Tilbrook	Scottish Natural Heritage
Damian Aubrey	Scottish Renewables
Phil Thomas	Scottish Salmon Producers' Association
Barbara Barbarito	Scottish Water
Doreen Bell	Scottish Water
Phil Leeks	Scottish Environmental Protection Agency
Sandy Downie	Scottish Environmental Protection Agency
Iain MacDiarmid	Shetland Islands Council
Pam Taylor	Solway Firth Partnership
Gordon Mann	Solway Firth Partnership
John Donnelly	SSMEI Clyde Pilot
Sarah Cunningham	SSMEI Mull Pilot
Robert Hunter	Stirling Council
Alex Adrian	The Crown Estate
Alistair Gemmell	West Dunbartonshire Council

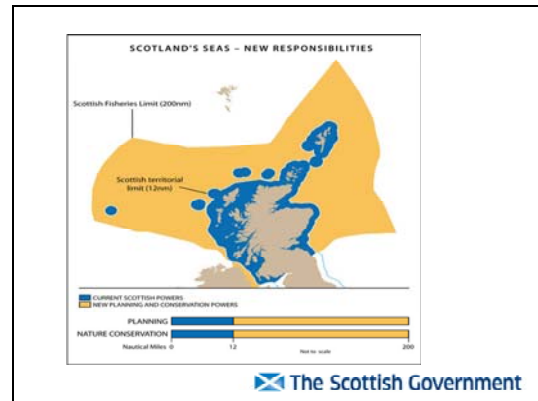
APPENDIX III: LINDA ROSBOROUGH'S SCOTTISH MARINE BILL UPDATE PRESENTATION

Sustainable Seas for All

14 July 2008








Sustainable Seas for All - Key Elements

- New planning framework to contribute to sustainable economic growth in marine environment
- Reduced regulatory burden by streamlining licensing for marine development
- Enhanced powers for nature conservation
- New administrative arrangements to focus on marine issues
- Core role for marine science




Links with UK Marine Bill

- UK Marine Policy Statement
- Executive devolution of marine conservation and planning
- Scottish Marine plans binding on UK Departments following agreement
- Constitutional differences respected



Planning

- Three tier planning system
 - local/regional, Scotland-level and wider co-ordination
- National marine plan and objectives
- Co-ordination with other countries in UK and international partners
- Regional plans



Marine planning regions

(1) The UK marine area comprises the following marine planning regions—


- (a) the English inshore region;
- (b) the English offshore region;
- (c) the Scottish inshore region;
- (d) the Scottish offshore region;
- (e) the Welsh inshore region;
- (f) the Welsh offshore region;
- (g) the Northern Ireland inshore region;
- (h) the Northern Ireland offshore region.

(2) The definitions of those regions can be found in section 312.

48 Marine plan authorities


(1) There is to be a marine plan authority for each marine planning region other than—

- (a) the Scottish inshore region;
- (b) the Northern Ireland inshore region.




Work streams

- Marine Policy Statement
- Marine Strategy Framework Directive
- Marine Scotland
- Marine nature conservation
- Marine objectives, including ecosystem objectives
- Scottish Marine regions
- Marine planning pilots

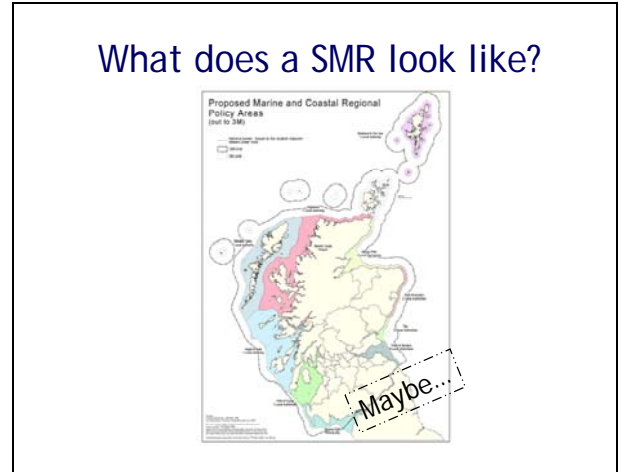


Marine Scotland

- From 1 April Marine Scotland delivery-oriented Directorate
- FRS, SFPA and core Scottish government
- Policy, research, delivery
- Integrated
- Champion of the seas
- Implementing UK and Scottish Marine Bills

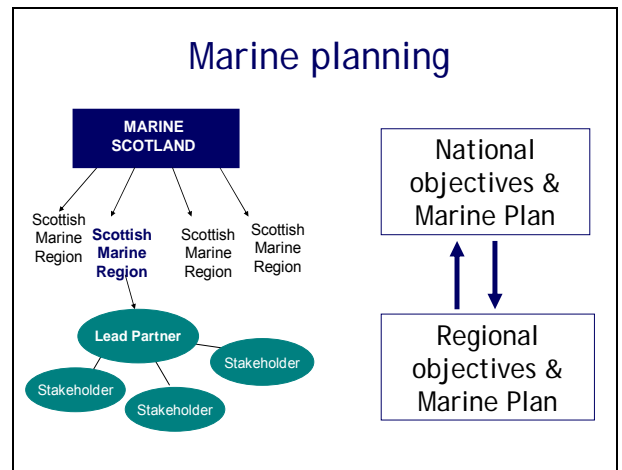


APPENDIX IV: RHONA FAIRGRIEVE'S 'TOWARDS SCOTTISH MARINE REGIONS' PRESENTATION



Source: Defra & ABPmer (2005) Marine Spatial Planning Pilot

- Landuse
- Tourism
- Oil & Gas
- Mariculture
- Coastal Defence
- Ports & Navigation
- Military Activities
- Culture
- Conservation
- Dredging & Disposal
- Submarine Cables
- Fishing
- Renewable Energy
- Marine Recreation
- Mineral Extraction



SUSTAINABLE SEAS FOR ALL
 a contribution to Scotland's first marine bill

Proposals for a Scottish Marine Bill

- A new legislative & management framework for the delivery of sustainable economic growth in the marine environment
- SMRs to
 - deliver local planning for the marine environment
 - deliver ICZM
 - advise on applications for marine licences & consents
- Could also undertake other functions at the behest of Marine Scotland

- ### Scottish Marine Regions - What needs to be considered?
- The need for planning activity and/or conflict resolution
 - Any core elements that should underpin any/all potential models
 - Coherence and character of coastal and marine zones
 - Simplicity and cost-effectiveness
 - Boundaries - offshore and landwards

Pre-notified criteria = 130+

- | | |
|--|-----|
| 1) Physical characteristics / ecosystems | 19% |
| 2) Utilisation of existing models and units | 14% |
| 3) Specifically marine planning approach | 13% |
| 4) Appropriate scale | 10% |
| 5) Things to be considered under secondary legislation | 7% |
| 6) Availability of data to underpin process | 2% |
| 7) Other various suggestions | 35% |

Key points

Specifically marine approach to planning:

- Should reflect MARINE planning areas and not necessarily be simple extensions of terrestrial planning jurisdictions
- Where possible, does not split potential areas for marine energy developments
- Best use of marine resources

Key points

Physical characteristics & ecosystems:

- Prioritise ecosystem approach above artificial boundaries
- Should reflect ecosystem boundaries to allow relevant conservation measures to be addressed within the scope of responsibility for marine planning
- Biogeographic marine regions are a relevant consideration but they should not take precedence over the major terrestrial administrative and geographic regions

Key points

Appropriate scale:

- Should be of a size that lends itself to reasonable levels of stakeholder familiarity - both with the area and each other
- Size of SMR should be relevant to the activities in the area, i.e. a less active region might be bigger than a busier one
- Plan at most localised level possible and consider geographic logistics of stakeholder involvement

Key points

Utilisation of existing models and units:

- Synergy with other existing management strategy/ regime boundaries
- Most commonly referenced: RBMP AAGs, local authority areas and existing ICZM/coastal management initiatives
- Use coastal partnerships but help them fit what SGovt wants and develop them further

Key points

Secondary legislation issues:

- Make up and functions of administrative body

Data requirements:

- Mapping of seabed resources prioritised

Key points

Other comments:

- Cost effective
- Minimise resource burdens on parties playing important roles in both WFD and marine programmes
- Marine Scotland to control both RBMPs & ICZM
- Fit well with regionalisation under international obligations

Any others?

Session 2: Facilitated discussion

Consider key points against your own ideas:

- Q. Does the initial assessment seem to reflect the issues that your group feels are important?
- Q. Can you identify and agree on 3 key criteria for defining Scottish Marine Regions?
- Q. How would your group prioritise them?
- Q. Can you think of some options that might suit certain areas, given their own circumstances?

APPENDIX V: FULL LIST OF STAKEHOLDERS' CRITERIA

Physical characteristics, natural environment & ecosystem considerations

- Physical/biogeographical character (respect integrity of major functional ecosystem units e.g. Firths)
- Ecosystem approach
- Ecosystem approach as much as possible – e.g. Clyde sea area
- Where possible, does not split Natura sites
- Prioritise ecosystem approach above artificial boundaries
- Consideration of potential climate change impacts in the long-term (e.g. if coastline changes due to sea-level rise/managed coastal realignment, etc., conservation status of protected areas changes with future conditions, etc., how can regional planning now take into account these future 'potentially unpredictable' issues)
- Will Local Authorities need to be divided? Contiguity with IFGs?
- Biogeography/ecosystems
- Physical topography/ hydrography
- Fisheries
- Biogeography / ecoregions
- Hydrology, topography/landscape character
- Fisheries interests
- Marine features & habitats
- Naturally functioning units and ecosystems to encourage ecological coherence
- A scale that relates to the natural environment
- Should reflect, insofar as is possible, ecosystem boundaries or subsections of single marine ecosystems to allow relevant conservation measures to be addressed within the scope of responsibility for marine use planning (this is possibly too aspirational)
- Cohesion with regard to biogeography and natural characteristics
- Physical character
- Time aims/objectives should be measured in-line with ecosystem time scales
- Islands
- Estuaries
- Activities & ecology of marine areas are different depending on the part of Scotland e.g. aquaculture on west coast, oil on east, presence of distinct features e.g. firths, habitats – SMRs should reflect this where possible as it may make it easier for planning
- Ecosystem based approach must be applied
- Landward limits must reflect the extent of the coastal character and marine influence inland – for example sediment from off-shore sources
- Administrative boundaries should not take precedence over environmental ones, where possible/practicable

- The heterogeneity of the west coast and islands, (both ecological and community characteristics) as compared to the east coast, should be reflected in the scale/number/placement of regions
- Estuaries must be managed as a single unit
- Ecosystem based approach must be applied
- Landward limits must reflect the extent of the coastal character and marine influence inland – for example sediment from off-shore sources
- Administrative boundaries should not take precedence over environmental ones, where possible/practicable
- The heterogeneity of the west coast and islands, (both ecological and community characteristics) as compared to the east coast, should be reflected in the scale/number/placement of regions
- Estuaries must be managed as a single unit
- Compatibility with an holistic approach to managing the major estuaries (i.e. as far as possible don't spilt the major estuaries down the middle where there is significant interaction between the two sides)
- All other things being equal, favour major headlands and the outermost points of island groups as the landfall points for marine region boundaries rather than inlets, sounds, or arbitrary points on the coast
- Character of SMR- the presumption should be that natural, functional units, economic entities and ecosystems, such as islands, firths, lochs etc., should not be subdivided, but could, if required, be combined with other units
- Geographical criteria based on oceanographic subdivisions and legal (12nm boundary as this is a common line for changes in legislation)

Appropriate scale and extent of Regions

- Appropriate scale (just enough units to allow adequate detail for regional planning and engage stakeholders) - lessons from SSMEI?
- Size, Scale and Boundaries – SMR will have a local, national and international considerations which will create pressure on closely defined boundaries. Many of the topics considered within SMR will be thematic in nature and will require collaboration across boundaries. Inter Regional collaboration on thematic topics will be essential to the success of SMRs
- Inshore Fisheries Groups and Coastal Fora indicate workable unit sizes i.e. 12 – 15 to cover Scotland
- Scale/territory/administrative coverage
- Should be of a size that lends itself to reasonable levels of stakeholder familiarity – with both the area and each other
- Extent: (1) linear, i.e. coastline;
(2) area
- Manageable scale – Plan at most localized level possible and considers geographic logistics of stakeholder involvement. Available resources could determine the number of areas

- Scale - derived from a study / previous study e.g. sediment cells
- Size relative to the activities in the area i.e. less activity region can be larger than a busy region where a lot of planning will be necessary
- Appropriate scale – they should not be so large that local populations cannot readily identify themselves with them; they should not be so small that they fragment the Scottish coastal zone into small pieces without strategic coherence
- No added bureaucracy – keep it simple
- Scale - Suggested that no more than twelve SMRs required, (e.g. such as IFG / SCF proposals) but this number could be reduced if required to rationalise regional/ local authority representation on boards

Planning for specifically marine purposes

- ICZM and the 8 principles
- Focus on Irish Sea pilot project
- Where possible, does not split potential development areas for marine energy developments
- Rationalisation of marine spatial planning
- Strategic planning in commercial exploitation of renewable resources
- Marine uses (e.g. areas with great potential re renewables or key fishing areas, estuaries heavily used etc)
- The 8 principles of ICZM should underpin the policy and operation of SMRs and perhaps training in this will be required (see the COREPOINT project <http://corepoint.ucc.ie/>)
- Integrated planning requirements
- Process Defined Management Units – i.e. managed flexibility, with designation relevant to issues being examined
- Areas identified as suitable planning areas e.g. Pentland Firth and Orkney Water is currently the identified area for the preparation of a Marine Spatial Plan
- Areas of Development Pressures e.g. marine renewable energy

Mention of existing models / utilise administrative units

- Best fit with other marine management boundaries to maximise potential for efficient working
- Coherence with externally recognised boundaries (Regional Seas/marine sub-regions for MSFD)
- Use of independent LCPs, given their neutral position
- Simplicity in the public sector landscape, i.e. align the SMRs to the existing AAG boundaries to create either 10 SMRs or 5 SMRs
- Local Authority Areas – used to create AAGs
- Marine Divisions – used to create AAGs
- Catchments – used to create AAGs

- Consideration of existing boundaries/responsibilities/stakeholders
- If Local Authorities are expected to play a central role on the SMR Boards then the SMRs themselves should relate to Local Authority boundaries
- Seaward limit should be 12 nm; landward limit for ICZM should be variable and determined by the width of the coastal strip
- Don't reinvent the wheel – use coastal partnerships, but help them fit what SGovt wants and develop them further, they are an ideal asset waiting to help and build on excellent and productive current working
- Design around IFG boundaries which were introduced in 2009
- Fit well with regionalisation under international obligations, such as Water Framework Directive and Marine Strategy Framework Directive, OSPAR, etc
- Fit with UKMMAS areas
- Boundary issues – management of
- Role and function of SMRs – crossover/overlapping required with existing (statutory) bodies e.g. planning authorities, SEPA, SSMEIs etc.
- Local Authority Boundaries
- Relationship to existing mechanisms (e.g. SSMEIs, Coastal Partnerships)
- Simplicity in the public sector landscape, i.e. align the SMRs to the existing AAG boundaries to create either 10 SMRs or 5 SMRs.
- Local Authority Areas, river catchments and marine divisions were used to create AAGs and could be used again for SMRs
- Minimising administrative inefficiencies by seeking to maximise the correspondence of marine regions with existing patterns of operation for key bodies such as SNH, SEPA, local authorities etc
- Planning authority boundaries :- all applications
- Strategic Development Plan
- SEPA River Basin Management Plan Area Advisory Group
- Maritime & Coastguard Agency
- SCF's ICZM Regional Policy Areas
- To match with the River Basin Management Plan Areas (x 2 delegates)
- UK marine boundaries
- Chart boundaries
- Coastal Partnerships, ICZM & River Basins
- Local government boundaries
- Should reflect appropriate marine planning areas and not necessarily be simple extensions of terrestrial planning jurisdictions
- Consider that SEPA Regional RBMP Groups would be best starting point
- Cohesion with regard to management and use

- Connection: (1) with existing and continuing political and statutory units e.g. Local Authorities;
(2) with user and management units e.g. LCPs
- Co-terminosity with existing local authorities' boundaries. Maximise integration with terrestrial planning and simplify ICZM.
- Synergy with other/existing management/strategy regime boundaries e.g. RBMP AAGs, IFGs, existing ICZM/coastal management initiatives.
- Existing plans can be taken into account.
- Consideration of existing regulatory boundaries e.g. local authority, SEPA/SNH, IFGs, River Basin Planning as SMR plans would need to dovetail in with these
- Existing Coastal Fora areas where appropriate
- Use where possible what exists in terms of process and resource
- Good correspondence and direct connection with the major terrestrial administrative boundaries (i.e. local authority boundaries) to facilitate ICZM; generally speaking none of the marine regions should "float" offshore disconnected from the Scottish coast. There may however be a good case for identifying a special (distant) offshore marine region to cover the area around Rockall
- Reasonable fit with natural geographic marine regions are a relevant consideration but they should not take precedence over the major terrestrial administrative and geographical regions

Data issues

- Prioritise mapping of seabed resources
- Ability to use or construct functioning data sets

Secondary legislation considerations

- SMR boards need to have broad representation and good leadership
- Strong guidance from 'above' i.e. strong core and fundamental issues
- Training
- Funding
- Make up of local SMRs. Organic? Proscriptive? Etc.
- Definition of local and regional
- Relevant to local communities
- Meaningful engagement by Marine Scotland with local interests at an early stage. For the Outer Hebrides, local interests should include Comhairle Nan Eilean Siar, CoastHebrides and the Western Isles Inshore Fisheries Group
- SMRs should facilitate local decision-making and accountability and be provided with adequate resources in terms of finance, knowledge and skills for this to be undertaken
- Will require Government/Marine Scotland as lead partner to ensure proper adherence to national guidance on strategic marine planning issues

- Consideration of SMR lead body - would make sense for SMR boundary to fit as close as possible to area of jurisdiction for lead body
- Consideration of who would be the lead body, existing partnership and bodies conducting ICZM/costal management e.g. Firths, Clyde, Argyll and Bute ICZM and how well regions fit with this for coordination
- Membership of SMR board and the logistics of getting these members together for organising meetings, plan development and implementation e.g. if Shetland and Orkney and together or Shetland/Highland – where would meetings be? Difficulties in getting SMR members together on regular basis
- Local authority boundaries and links with land-based planning important. May be need for strategic regional plans as well as local marine plans
- Should set goals and objectives linked to National Goals and Objectives and plans
- Clear lines of responsibility and communications and remit – proportionality
- Criteria for protection within each region
- SMR boards should appoint a limited number of individuals / organisations, tasked to represent key sectors, and should avoid trying to have each sector represented on the Board. Boards must be accountable, but not unwieldy
- Local accountability on SMR boards could be delivered by the existing elected bodies. Recommend avoiding the Scottish National Park board model of having a mix of appointed and elected representatives
- Agencies with an advisory, rather than regulatory role, such as SNH should be advisors to rather than members of SMR boards

Specific social and economic issues

- Minimise resource burdens on parties playing important roles in both WFD and Marine programmes
- Economic considerations
- Cost effective
- The SMRs need to be well resourced to meet new challenges
- Socioeconomic uses
- Other forms of socio economic use
- Minimise resource burdens on parties playing important roles in both WFD and Marine programmes
- Presumption for sustainable economic growth and not constriction through environmental protection and designation
- Concentration of industries

Other

- New process for accommodating multi organisations with multi legislative powers such as that seen in RBMP
- Thematic Topics – Cross boundary thematic topics could include the economy, ecology, transit routes, inland waterways, renewable energy developments, international gateways etc. These topics area likely to change priority from region to region
- Terrestrial interface – SMR will have to consider the interface with terrestrial uses. The maritime environment and economy are influenced by, and in-turn influence, landward areas. River navigations and canal provide an essential linkage between SMRs and centre of population; should therefore be a key consideration in this terrestrial interface
- The International Dimension – Scotland provides linkages between the Scandinavian and Irish leisure markets as well as international shipping. There will have to be a National dimension reflected in the SMRs
- Simplicity
- Locally defined, not one size fits all
- Need for statutory backing; voluntary approach has not enough teeth for this these changes to work
- Re-designation of Shellfish Growing Waters in RBMPs
- Criteria for Shellfish Growing Waters should fit with Food Standard Agency criteria
- Marine Scotland should control RBMPs
- Marine Scotland should control ICZM
- Marine Scotland should take over SNH responsibilities from Low Water Mark.
- Given existing ways of dividing coastline, what will be extent of each SMR?
- Coherence
- The relationship between the terrestrial and the marine environment that encompasses social and economic factors as well as ecological and administrative i.e. that relate to the human factors
- Physical and/or social and economic characteristics. Synergy between landward and coastal areas, and consideration of main activities and distinct features e.g. firth & islands
- Resources available for SMRs – may dictate constraint on number of regions
- Natural linkages e.g. ferry links
- Should have a legally defined geographical boundaries
- Boundaries- current boundary for terrestrial / marine planning to remain as HWM. For terrestrial development proposals that will potentially impact on the marine and coastal environment, propose a mandatory consultation process with SMRs. No specific inland boundary need be defined for this consultation requirement, other than in terms of the potential impact of the proposals on the marine region. A system similar to the current terrestrial planning cross-boundary liaison mechanisms could be used. (Seaward limits for SMR not discussed (12/200 NM), but needs to be practical in terms of administration and licensing enforcement.)
- Scottish Marine Bill proposals must be consistent with UK / EU legislation and should ensure as far as possible that licence provisions and costs are consistent across the UK.

Input from Solway Firth Partnership

Solway Firth Partnership circulated a discussion paper to SFP Advisory Group members, briefly setting out some ideas for marine planning in the Solway as part of an Irish Sea Regional Planning Unit. Very limited feedback from Advisory Group members on this, although the responses received were positive in support of the suggestions made.

SFP found it difficult to suggest criteria for Scottish Marine Regions as this concept doesn't fit well for the Solway. SFP find the idea of dividing UK waters into Regional Sea Planning Units (RSPUs), which cross administrative boundaries and include the adjacent waters of the Republic of Ireland, easier to rationalize. Within the Irish Sea RSPU, I've suggested subdivision into Local Marine Management Units (LMMUs).

The boundaries of both RSPUs and LMMUs would be based on criteria including:

- biological and physical characteristics /ecosystems
- socio-economic characteristics

The boundaries for LMMUs would be based on criteria including:

- administrative boundaries / practicalities of management
- intensity of use (thinking of inshore / offshore which is more of an issue in areas such as the North Sea)

APPENDIX VI: SESSION 3 – WORKSHOP FEEDBACK

In Session 3, the eight tables each presented their comments on the questions posed and discussed in Session 2. The following section captures the main points from flipchart notes and notes taken during the groups' feedback.

Q1 Does the initial assessment (*of pre-notified criteria*) seem to reflect the issues that your group feels are important?

- Much discussion on social & economic v. nature conservation factors. Group felt it was not necessarily the case that one set took precedence over another
- Group did not feel that ecosystems were appropriate defining criteria unless they were at the Regional Seas level, i.e. North Sea, Celtic Sea, etc.
- General agreement that criteria summarised provided a reasonable summary of ideas BUT:
 - Lack of clarity about the definition of an ecosystem and where the boundaries might lie, dependent on species; habitat types in the coastal zone/inshore areas are mosaic-like with more homogeneous areas in the offshore zone
 - Discussion about where the boundary between inshore/offshore should lie – 3nm, 6nm or 12nm? More support for the better fit with inshore fishery management (6nm)
 - Scale – smaller scale inshore units combined with 10/12 larger offshore units. Offshore areas don't necessarily require to be managed from same source as adjacent inshore areas.
 - Alignment with administrative boundaries is important to support practicalities of management
 - Lead organisations – important to develop thinking for marine planning at the same time as developing criteria for boundary-setting.
 - Where will planning control lie?
 - SMR area is not necessarily same as a Marine *Plan* Area – there could be multiple plans within a Marine Region¹⁰
 - Minimise fragmentation of existing cohesive units & structures
 - Recognise limited (administrative) resources of stakeholders & stakeholder fatigue
- Physical criteria not necessarily in synergy with some aspects of ecosystem
 - Key is how to define an ecosystem? Habitat? Tidal? Salinity?
 - Biological aspects - 2nd level issue
 - Totally marine approach is difficult; what about cross boundaries issues?
 - SMRs will differ in size – this is fine
 - Utilisation is a key influence on boundaries

¹⁰ N.B. This idea was also expressed in questions from the floor but the Scottish Government explained that the intention of the Scottish Marine Bill is for **one** Plan for each Marine Region, not multiple sub-regional Plans

- Group accepted the context of social, economic and environmental objectives – there are key when considering criteria
- Group discussed the pre-notified criteria:
 - Physical processes are preferable for defining criteria: natural processes should not be divided
 - Utilise existing models – strong feeling to incorporate socio-economic factors
 - Scale – important to engage stakeholders; users and assets need to be in the same unit
 - Offshore issues likely to be covered by Scottish National Marine Plan
- Group felt that criteria should be ‘fit for purpose’ but that this approach needs cohesion between scale/area; ecosystem and socio/economic factors. Marine planning offshore needs to be subject to the same filters

Q2 Can you identify & agree on 3 key criteria for defining Scottish Marine Regions?

- 3 key criteria:
 - Physical characteristics and ecosystem drivers
 - Utilisation of existing models and units
 - Specifically marine approach to planning
- 3 key criteria should be:
 - Characteristics of area: physical definition of boundaries, entities such as Firths (e.g. Firth of Forth/Pentland Firth) and biological aspects as a secondary consideration
 - Existing models: follow local authorities/existing infrastructure where it is useful, e.g. existing classification of water bodies; ensures cohesion of regulation
 - Other important issues: e.g. socio-economic aspects, accessibility, mobility and size/scale
- 3 key (prioritised) criteria:
 - Geographic boundaries
 - Administrative boundaries
 - Tailored approach for inshore/offshore
- Key criteria:
 - Some coherence with SEPA AAG boundaries
 - Issues related to some terrestrial influence, e.g. Clyde
 - Coincidence of some IFG boundaries
- 3 key criteria:
 - A few larger Regions would be better than lots of small ones

- May be useful to synergise with existing regulatory areas, e.g. IFGs¹¹ or AAGs (with some adjustment of their boundaries to fit better with IFGs)
- Interaction with Town & Country Planning needs to be considered – adjustments may be needed to limit conflict and thought must be given to what happens to T&C planning boundaries in the coastal zone
- Key criteria:
 - Utilisation of existing models/units (connections): ecosystem-based approach, e.g. IFGs or existing administrative approaches e.g. RBMPs, LCPs
 - Scale: 0 6-12-200nm reflecting differing levels and types of use
 - Fit for purpose – cohesion: taking into account area, social & economic issues
 - Resources/capacity: making use of existing structures where appropriate to deliver marine planning

Q3 How would your group prioritise them?

- Criteria should be geographic and biogeographic based
- Physical characteristics take precedence over administrative models
- 3 key prioritised criteria:
 - Geographic boundaries
 - Administrative boundaries
 - Tailored approach for inshore/offshore
- Prioritisation:
 - Physical boundaries based on characteristics of coastal areas
 - Use existing boundaries like IFGs, AAGs – Group considered that IFGs were a reasonable fit BUT sense should be applied to fine line boundaries; it may not always be appropriate (or appropriate for it to be a local authority) and conflict *will* happen, especially at landward limit
 - Other boundaries – can terrestrial boundaries be made to fit?
- Prioritisation:
 - Appropriate scale
 - Using existing models
 - Taking a marine approach to planning
- Physical characteristics would be prime criteria for definition BUT the group was open to idea of taking all criteria on board and seeing what falls out (as best fit) for individual areas
- Existing models and units should be used – the process to develop the IFGs was good, even if the actual IFGs have had other issues to deal with.

¹¹ Suggested caveats to this - Lewis should join with West Coast IFG, Orkney should join with North Coast IFG and North and South West Coast IFGs should merge

Q4 Can you think of some options that might suit certain areas, given their own circumstances?

- Seaward boundaries could be varied, depending on activities, to 3, 6 or 12 nm. Out to 12nm may require stakeholders with specialist knowledge/expertise, e.g. oil and gas. Important that stakeholders with particular knowledge make decisions for issues within their own fields of expertise
- Support for keeping the Minch as a Scottish Marine Region in its own right but acknowledged that Barra would have little in common with Cape Wrath; where there was much activity going on, the group felt a smaller area was appropriate – fewer pressures allow for a larger area to be considered
- Shetland to be a Scottish Marine Region as ‘one size’ option fits there but other options should suit particular circumstances and Firths should NOT be divided
- ‘Definite’ SMRs (using physical ecosystem criteria):
 - Moray Firth
 - Forth Estuary (including Berwickshire coast and cross border?)
 - Firth of Clyde
 - Solway Firth and cross border (review boundary at Mull of Galloway and Loch Ryan)*
 - Tay Estuary?
 - Western Isles*
 - Shetland (+ Fair Isle)*
 - Orkney (+ North Coast)* * *Good fit with AAG, IFG & Local Authority boundaries*
 - West coast – have one long SMR from Cape Wrath to Mull of Kintyre and allow smaller initiatives within that area?
 - East Coast – East Grampian coast
- Options for areas:
 - Don’t divide Firths (including Pentland and Moray) or the Minch
 - Deal with Rockall and St. Kilda in the National Marine Plan
 - Boundary resolutions – particularly how T&CP conflicts are resolved
 - Some methods may not be appropriate in all cases – apply discussion, science and sense!

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