



SCOTTISH EXECUTIVE

SCOTTISH EXECUTIVE ENVIRONMENT GROUP

“Developing a Strategic Framework for Scotland’s Marine Environment”

A Summary of Consultation Responses
September 2004



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Introduction

The consultation paper

The consultation paper “Developing a Strategic Framework for Scotland’s Marine Environment” highlighted the importance of Scotland’s marine environment and outlined some of the pressures placed on it. It also summarised some of the Scottish initiatives, and European Union (EU) and international obligations relating to the marine environment. The consultation document emphasised the importance of striking the correct balance between social, economic and environmental considerations, whilst acknowledging that there is a need for greater clarity in how current initiatives interrelate. It is also important to identify which principal policy objectives these initiatives serve, and to ensure that the outputs of activities/initiatives are consolidated and, where relevant, taken forward collectively.

The consultation paper was issued in April 2004 and closed on 30th July 2004, with a commitment to publish a summary of responses by the end of September and a draft Strategic Framework by December 2004.

Aims of this consultation

The consultation paper aimed to gain stakeholder and public opinion to assist Ministers in:

- establishing a clear vision and objectives for the quality and sustainable development of our seas
- devising appropriate management strategies and methods for Scotland’s marine waters
- providing the strategic link between the anticipated outputs from current activity and set the direction for any future initiatives; and
- setting time-lines for action.

Ministers will want to take into account responses to the consultation in considering whether any legislative change is necessary in Scotland and in formulating the policy basis for Scotland’s input to wider UK, EU and international developments.

The consultation process

Consultations are designed to invite opinion from not only organisations and individuals with an interest in the area of consultation, but also a wider public audience. The consultation paper was therefore distributed directly to a wide range of potential respondents; a shorter leaflet, drawing attention to the consultation paper, was distributed widely; and the consultation paper was published on the Scottish Executive (SE) web site.

It is standard Scottish Executive practice for responses to consultations to be summarised and for summaries to be made publicly available. Individual responses are also made available in the Scottish Executive's library, unless a respondent has specifically sought confidentiality.

This summary of responses has been issued to all those who received the original consultation (listed on pages 28 – 31 of consultation paper) and to those who provided a substantive response (explained on page 4 of this document) regardless of whether they were included in the original distribution. The summary will also be available on the Scottish Executive's web site.

The consultation process is outlined in more detail on page 1 of the consultation paper, and if you have any comment about how this consultation exercise has been conducted, please send them to:

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The Summary Report

This summary of responses is intended to reflect the views and opinions of those who made a substantive response (see below). Comments have not been attributed to individual respondents; rather we have tried to give a fair representation of the breadth of opinions and ideas expressed. Copies of individual responses are available in the SE Library (unless the respondent requested their response be kept confidential).

Responses to the Consultation Questions

The consultation paper was issued to 257 consultees and received 834 responses.

WWF Campaign

730 of these responses were sent as part of a postcard/email campaign initiated by WWF (World Wide Fund for Nature). This campaign supported the vision outlined in the consultation, and called for a Marine Act as a solution to balancing the conflicts of different marine users, whilst offering protection to marine species and habitats. It was suggested here that the Marine Act should incorporate marine spatial planning and provide a national Marine Authority with decision-making powers.

Substantive Responses

There were 104 substantive responses¹ to the 14 questions posed in the consultation paper (listed on page 5 of this summary). Most of the questions posed required more than a simple yes/no response, therefore this summary reflects the main thrust of the answers received rather than simply replicating all of the detail. Responses have been shown as graphical representations where possible.

¹ NB Any of the following graphical/statistical information refers to the substantive responses only (i.e. does not include the 730 WWF postcards/emails)

List of Consultation Questions

1. Do you endorse the Strategic vision for Scotland's marine environment set out in Annex 2? Are changes necessary?
2. Are there any drivers/ pressures on the marine environment that have not yet been addressed in the strategic vision and the key commitments in Annexes 1 and 2? What are they?
3. Are there any actions that remain to be addressed outside the various existing initiatives and activities in Section 4?
4. How might current and any additional drivers/ pressures on the marine environment best be addressed? Is there a need to:
 - Develop strategic goals with clear timescales to achieve the overall vision? What might these be?
 - Improve knowledge and understanding through research and monitoring?
 - Improve co-ordination and integration between regulators and agencies?
 - Improve management arrangements involving stakeholders? How might this best be achieved?
 - Review/improve existing legislation? Do you have personal experience of specific legislation that you consider outdated or unhelpful?
5. How can we measure progress with these? What sort of indicators should be developed to assess progress towards sustainable development of Scotland's marine environment?
6. Are any specific improvements necessary to the following four marine and coastal development consent regimes for which the Scottish Executive has devolved responsibility (Annex 3);
 - Section 34 of the Coast Protection Act 1949 (Navigational Safety)
 - Harbour orders under sections 14 to 18 of the Harbours Act 1964
 - Section 36 of the Electricity Act 1989
 - Part II of the Food and Environment Protection Act 1985

What form might these improvements take? (Note: comments on section 36 of the Electricity Act 1989 consents process should be restricted to its application to marine or offshore development. The Scottish Executive will be issuing a separate consultation paper on its more general application.)

7. Should a system of marine spatial planning be established in Scottish Waters? What would the key elements be? How would marine spatial planning work in practice?
8. The Scottish Executive is committed to developing an ecosystem approach to managing the marine environment but there are various definitions of what this means. Do you agree with the definition contained in the glossary? How should we give effect to an ecosystem approach in the marine environment? Should this be

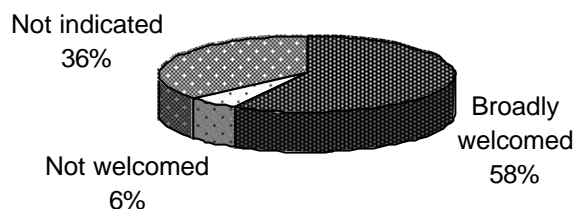
Scotland-wide, regional or local? What might the key components of such an approach be? Do models already exist that we can build on?

9. How should the effective stewardship/governance of Scotland's marine environment be achieved? Do you think that the current system is capable of delivering sustainable management of our marine environment? If not, what are the key issues that need to be addressed to resolve the situation? What sort of mechanism/body is needed to do this?
10. Is there a role for marine national parks in managing areas of our marine environment? If so, what should be the key elements of marine national parks? Should they be entirely marine, or should they encompass part of the coastline? What should be the distinctive role of the park authority?
11. Would a national coastline park contribute to the sustainable management of the Scottish Coast? What would be the distinctive role of the park authority which would avoid the risk of confusion with the responsibilities of other agencies? Would the focus of a national coastline park be primarily directed at the management of the coast and the immediate inshore waters? Or should it include more extensive management of the seas?
12. How should the development of a strategic framework for Scotland's marine environment be taken forward in practice – internally by the Scottish Executive with periodic consultation; through a committee/ working group of interested parties; other means?
13. What form should the strategic framework take – a policy statement/ publication: a similar model to the Strategic Framework for Scottish Aquaculture?
14. How often should the strategic framework for Scotland's marine environment be reviewed?

Question 1 *Do you endorse the Strategic vision for Scotland's marine environment set out in Annex 2? Are changes necessary?*

The following chart represents the overall response to this question. The responses to the strategic vision were generally positive. The majority of those 58% who broadly welcomed the vision provided additional suggestions of what it could incorporate. Only 6% of respondents did not endorse the vision.

Do you endorse the Strategic Vision?



The vision was welcomed for its intention to build on existing management initiatives and to clarify the role of stakeholders. Consultees generally thought that a wider planning system or authority to deal specifically with the Scottish marine environment should be part of the vision.

The vision was criticised for being too sectoral and ‘top-down’. A lack of a scientific basis was identified as a weakness of the vision, as well as that it does not address in enough detail how actions might be coordinated. It was suggested that the term “strategic framework” is a political term which might be meaningless to ‘electors in the street’.

Suggestions of what the vision might include:

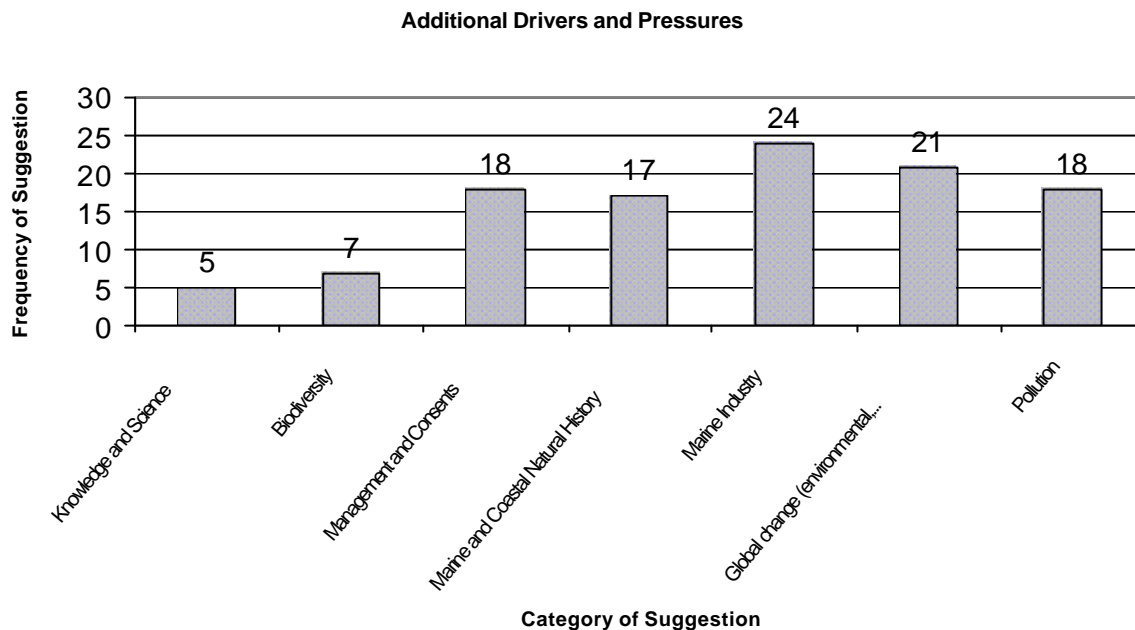
- Greater consideration of local knowledge, for a more ‘bottom-up’ approach: recognising contributions made by voluntary management groups and local partnerships
- Greater attention to industries such as tourism, sport and recreation, mineral resources, and maritime transport
- Greater attention to coastal-based stakeholders
- More detail of how to streamline existing legislation/policy
- “Marine” should be replaced with “Maritime”
- The word “attractive” should be included in the list “Clean, Healthy, Safe...”
- Reference should be made to the natural and cultural heritage of the marine environment
- Indicators which show how suggested actions will serve the vision

Question 2

Are there any drivers/ pressures on the marine environment that have not yet been addressed in the strategic vision and the key commitments in Annexes 1 and 2? What are they?

Several references were made by respondents to the Review of Marine Nature Conservation (RMNC) which highlights a comprehensive list of drivers and pressures. It was also suggested that perhaps it would have been more useful to provide a systematic analysis of the underlying problems rather than a list of drivers and pressures.

The table below shows categories of additional drivers and pressures suggested by respondents.



Examples of the drivers/pressures (to be added to the list in Annex 2 of the consultation) included within these general topics (in above graph) are as follows:

Knowledge and Science

- lack of scientific knowledge
- marine biotechnology

Biodiversity

- protection of aquatic health

Management and Consents

- unlicensed deposits
- ownership and rental agreements of sea bed

Marine and Coastal Natural History

- marine archaeology

Marine Industry

- mineral extraction
- defence activities

Global change (environmental, social, economic)

- effect of national/international economy on marine industry
- rising sea temperatures

Pollution

- marine litter

Question 3

Are there any actions that remain to be addressed outside the various existing initiatives and activities in Section 4?

Respondents commented generally on the existing initiatives and activities and how they relate to the proposed Strategic Framework. The main point that arose was the need to review *how* the proposed Strategic Framework might be linked to other initiatives. Further to this, there appeared to be a wish to address the relevance of 'outdated' initiatives that are included here and the need to ensure there is no duplication between initiatives. Respondents also called for a review of timescales for implementing protective measures.

Suggested additional actions that remain to be addressed:

- Further research into Water Framework Directive (WFD) implementation
- Protection of the marine historic environment and cultural heritage
- Actions to improve:
 - science
 - control of litter
 - environmental education
- Inclusion of:
 - National Public Awareness and Education Strategy
 - Irish Sea Pilot Project
 - Seashore and Inland Waters (Scotland) Bill
- Review of shipping routes to protect Marine Environmental High Risk Areas (MEHRAs)
- Initiatives to meet growing water sports and leisure tourism industry
- Strategic Environmental Assessments (SEAs) should include marine fish stocks outside Scottish waters
- Develop a Coastal Strategy to incorporate national coastline planning and flood prevention
- Develop a sustainable development policy to override short-term economic consideration
- Closer devolved/UK Government liaison

Question 4 *How might current and any additional drivers/ pressures on the marine environment best be addressed? [This headline question was supplemented with specific questions shown in the shaded text below]*

The overall response to the questions detailed below was 'YES'. The questions with specific suggestions are outlined below:

Is there a need to...

• ***Develop strategic goals with clear timescales to achieve the overall vision? What might these be?***

- To identify strategic goals in renewable marine energy
- To provide guidance on the range and extent of existing responsibilities to stakeholders
- To reach a baseline (through improved research and monitoring) for an ecosystems approach
- Goals and targets should be developed alongside the WFD
- Use/adapt the strategic goals of the EU marine strategy
- SMART objectives needed (Specific, Measurable, Attainable, Relevant, Timed)

• ***Improve knowledge and understanding through research and monitoring?***

- Develop a better understanding of landscape and seascape interactions
- Marine environment education should be part of the national curriculum
- More research into uses of the marine environment is required, e.g. recreational uses
- Adequate funding is needed for research councils/institutions

• ***Improve co-ordination and integration between regulators and agencies?***

- Through a reduction in the number of issues that are reserved matters for the UK Government
- Integrating national and local plans
- Set out a framework to enable effective liaison between regulators and authorities, e.g. set up a marine planning group to discuss marine energy issues which would mean better coordination between relevant agencies and authorities, enabling coordination of differing policies when developing renewables projects
- Institute a framework for data sharing - locally gathered information can be fed back to centralised information centres
- Need to coordinate FRS and SEPA's marine monitoring
- Introduce a management framework to resolve issues regarding multiple and/or conflicting uses of the sea

- ***Improve management arrangements involving stakeholders? How might this best be achieved?***

- Establishing a Marine Agency as an overarching authority to enable and regulate stakeholder involvement
- By providing a funding system to sustain the work of local stakeholders
- Firths Fora might provide a basis for management of stakeholder input
- A national advisory group could be formed from stakeholder organisations
- The SE could provide guidance on the responsibility of stakeholders

- ***Review/improve existing legislation? Do you have personal experience of specific legislation that you consider outdated or unhelpful?***

- A system for assessing marine user rights should be established
- A Marine Act would best address the issues (suggested in 40% of the 104 substantive responses)
- The SE should provide information on how EC Directives currently operate in the Scottish marine environment
- The SE should provide executive summaries of legislation on their website

Question 5 *How can we measure progress with these [goals and objectives]? What sort of indicators should be developed to assess progress towards sustainable development of Scotland's marine environment?*

Most respondents agreed with the need for indicators. A number suggested a suite of indicators to cover sustainability, biodiversity, and environmental quality. These could be developed from existing indicators as those developed by Scottish Biodiversity Forum (SBF), Scottish Coastal Forum (SCF), and also the “quality of life” indicators², where existing data sets could be used. Useful insight might also be gained from other countries’ models of marine management. Biodiversity, productivity and pollution were specifically identified as needing better indicators.

Further suggestions on *what/how* indicators should be developed:

- Studying indicator species at various trophic levels, taking account of environmental and physical influences
- Refining the criteria to judge environmental quality and a national monitoring system to monitor these judgements
- Must be locally based
- Need for common standards and quality control to ensure comparable data
- Indicators should be subject to scientific scrutiny
- Peer-reviewed ecological techniques could be used
- Set and meet SMART objectives

² “quality of life” indicators are defined by the Audit Commission as a ‘set of indicators covering three broad areas of economic, social and environmental well being’ (2002) and can be viewed in more detail at <http://www.local-pi-library.gov.uk/>

Question 6 *Are any specific improvements necessary to the following four marine and coastal development consent regimes for which the Scottish Executive has devolved responsibility (Annex 3)?*

- **Section 34 of the Coast Protection Act 1949 (Navigational Safety)**
- **Harbour orders under sections 14 to 18 of the Harbours Act 1964**
- **Section 36 of the Electricity Act 1989**
- **Part II of the Food and Environment Protection Act 1985**

What form might these improvements take?

A need for consistency/streamlining of legislation was the overall emphasis given by respondents, as well as a need to enhance access to, and coordination of, the consents process and to reflect a holistic, modern approach whilst meeting marine nature conservation obligations. An overarching consents regime with a single application point for consents was largely called for, as current legislation has been seen to be overly complex and sectoral. If the consents process was streamlined, respondents foresaw that this could balance sectoral needs. It was suggested that Marine Spatial Planning (MSP) and/or a Marine Act could enable these improvements to take place.

Specific comments, with regards to the individual consent regimes, follow below:

- **Section 34 of the Coast Protection Act (CPA) 1949 (Navigational Safety)**
 - is outdated and needs to be reviewed
 - currently, it is difficult for local authorities to promote small-scale schemes despite the fact that small-scale developments may mitigate the need for larger schemes. An extension/augmentation of the WEWS Act might provide an option to simplify the promotion of small-scale developments in the marine environment.
 - may be appropriate to devolve Section 34 to local authorities for developments out to 12nm
 - could be amalgamated with FEPA
- **Harbour orders under sections 14 to 18 of the Harbours Act 1964**
 - could be reviewed
 - consent to works needs simplifying
 - Harbours, Piers and Ferries (Scotland) Act 1937 deals with the authorisation of marine works through a much simpler process (however consent only granted to works with financial limit up to £600 000) and needs to be reviewed
- **Section 36 of the Electricity Act 1989**
 - current process means no local accountability (i.e. local authorities cannot object)
 - should be changed to allow local planning authorities the responsibility for directing any application for offshore development (Local Authorities' current position with regard to offshore Section 36 Act consents fails to allow them to express a sufficient planning view on developments which might have a significant local impact). This

position needs reviewing, particularly with regards to developments within 12 nautical miles

- development should fall under planning legislation
- if powers are devolved to local level – ensure Environmental Impact Assessment (EIA) still necessary

- **Part II of the Food and Environment Protection Act 1985 (FEPA)**

- FEPA exemptions need reviewing (outdated under Water Environment and Water Services Act - WEWS)
- should include movement within the sea to cover agitation dredging
- currently unable to cover area above Mean High Water Springs. This should be reviewed
- more stakeholder involvement required
- problematic that it is not capable of meeting the regulation of engineering activities out to 3nm
- amend FEPA to sit with WFD, WEWS and EIA directives
- should be amalgamated with CPA Section 34

General comments:

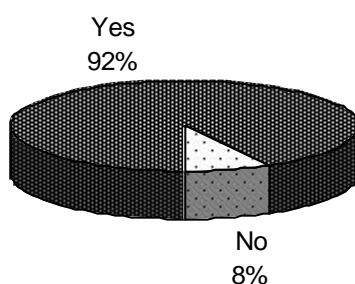
- Controlled Activities Regulations (CAR) could be introduced to integrate coastal and inland water
- Codes of practice need to be WFD compliant
- In keeping with ICZM, a full consultation with local authorities should take place before consents are granted
- Any regime consenting engineering operations in coastal and estuarine waters must cover all relevant activities (e.g. at present FEPA only regulates the disposal of dredged materials but not dredging activity)
- Consent regime must incorporate an appeal mechanism
- Arbitrary administrative boundaries are not applicable in the marine environment
- Crown Estate should not be responsible for removal of decommissioned fish farms
- Strategic Framework for the Marine Environment as an appropriate process to address role of Crown Estate Commission
- Integration of all available seabed geological and bathymetric information into a decision-support system available to the SE to be applied in all consent cases

Question 7

Should a system of marine spatial planning be established in Scottish Waters? What would the key elements be? How would marine spatial planning work in practice?

The chart below is a representation of the 49 responses to this question. It can be seen that of these 49 responses, the suggestion for Marine Spatial Planning (MSP) to be introduced was largely welcomed (92%). However, the majority of those that responded 'Yes' to a system of MSP suggested the concept of MSP needed further development as there were uncertainties about how it might be implemented and managed. A large number of respondents urged for pilot projects/trials of MSP before full scale implementation at a regional seas scale. Several references were made to the Royal Society for Protection of Birds (RSPB) and Royal Town Planning Institute (RTPI) report on Marine Spatial Planning.

Should a system of Marine Spatial Planning be established in Scottish Waters?



The benefits of MSP were foreseen as:

- Useful for reducing overlap in regulation and legislation
- Would enable integrated management of conflicts of economic development, and future developments with possible negative environmental impacts
- It may help identify possible sites for Marine National Parks (MNPs)
- Could steer development to the most appropriate locations
- Could enable better assessment of the cumulative impact of marine activities

Concerns and recommendations for the structure and implementation of an MSP system:

- It should be statutory, incorporating the precautionary principle and the 3rd party right of appeal
- A lead body to implement MSP should be formed
- It could in practice work in a similar way to the National Waste Plan (NWP) or River Basin Management Plan (RBMP)
- It should incorporate ICZM and RBMP
- It should not be a simple extension of land-based planning laws
- Locally tailored plans should evolve from national level objectives

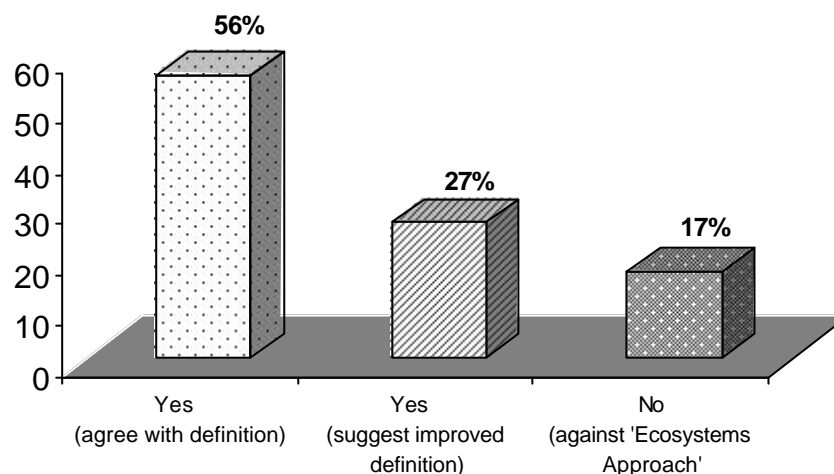
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- Planning zone sizes should be considered, perhaps at regional or sub-regional scale
 - The scale of the system should be considered: out to what distance; and how would the interaction with land based planning be managed?
 - The system should be linked to a mapped system of marine resources, seafloor, geology, topography and geomorphology
 - Areas of greatest biological diversity should have protection from any human exploitation
 - Concerns were raised over the extra burden MSP might place on local authorities who may have to assume responsibility for its planning and implementation

Question 8

The Scottish Executive is committed to developing an ecosystem approach to managing the marine environment but there are various definitions of what this means. [This headline question was supplemented with specific questions shown in the shaded text below]

There were 47 responses to this question. 56% of these responses agreed with the need for an ecosystem approach and agreed with the definition given in the consultation paper. A further 27% agreed with the need for such an approach, but suggested amendments to the definition provided. The remaining 17% of the 47 respondents were against the idea of an ecosystems approach. This information is represented in the graph below.

Are you in favour of an ecosystems approach and do you agree with the definition provided in the glossary?



Those who were altogether against an ecosystems approach expressed concern that it would place too much focus on human activity, ignoring the adverse effects of the natural environment and, in particular, other species. There were concerns that at this stage knowledge of ecosystems dynamics is too limited to embark on such an approach. Further to this, concern arose over whether the devolved jurisdiction of Scottish waters may mean that such an approach is impractical.

Do you agree with the definition contained in the glossary?

27% of responses to this question suggested improvements to the definition be made in order to clarify the concept of an ecosystems approach. A definition suggested as more appropriate is that provided in Annex II of the Workshop on the Ecosystem Approach to the management and Protection of the North Sea, Oslo, Norway 15 – 17 June 1998. Another suggested style for greater clarity was that of the Brundtland Commission (1987)³.

³ **Brundtland Commission** (1987) *Our Common Future*. Oxford: Oxford University Press.

How should we give effect to an ecosystem approach in the marine environment?

It was suggested that a marine spatial planning system may enable an ecosystems approach to be adopted. The UK Biodiversity Action Plan (BAP) was suggested as one example of the complementary objectives within an ecosystem approach to management that may include sustainable development, integrated spatial planning and management, and stakeholder involvement with inclusive decision making. Various respondents suggested that funding of the ecosystems approach should be agreed upon.

Should this be Scotland wide, regional or local?

It was generally suggested that the framework for the ecosystems approach should be Scotland-wide, but its implementation is recommended at a regional/local level, for example by local coastal Forums.

What might be the key components of such an approach?

Responses included:

- The approach must be holistic with stakeholder involvement: political, sectoral and institutional cooperation
- Management should be adaptive
- It should be locally, regionally, nationally, and globally integrated
- Consistency with other SE initiatives is a necessity
- May be underpinned by cost/benefit analysis conducted on independent EIAs
- Coordinated data collection must be a basis for future work
- Local monitoring is required to facilitate a better understanding of ecosystem changes
- It must adhere to the Habitats Directive

Do models already exist that we can build on?

- The World Conservation Union (IUCN Commission) on ecosystem management
- RBMPs should provide a lesson learnt, rather than act as a model

Question 9

How should the effective stewardship/governance of Scotland's marine environment be achieved? Do you think that the current system is capable of delivering sustainable management of our marine environment? [This headline question was supplemented with specific questions shown in the shaded text below]

The overall response to second part of this question was that the current system is not capable of managing the marine environment effectively. It was felt that the current system lacked direction and was too sectoral. Alternatively, it was suggested that the current system would be capable of doing so if it adopted a more proactive approach through dialogue and mutual understanding with stakeholders.

The following recommendations were made in response to the further parts of Question 9:

If not what are the key issues that need to be addressed to resolve the situation?

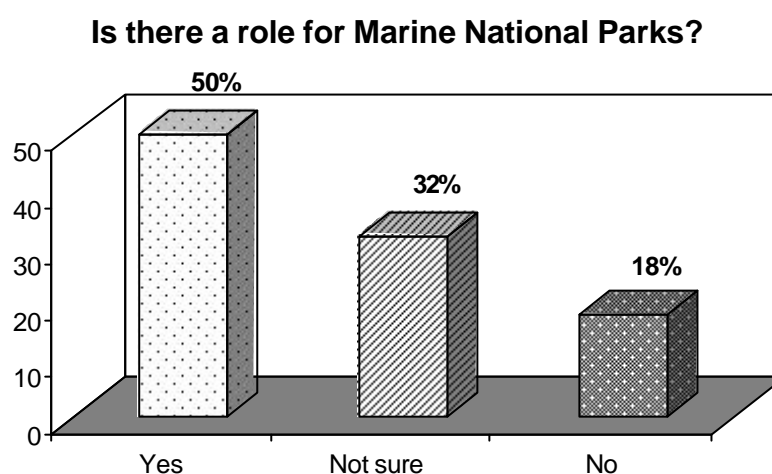
- Simplifying the development consents application and licensing system
- Ensuring economic growth, with regard to marine resources, is sustainable
- A fully integrated research and information network is needed
- Local authorities should focus on coastal planning
- Legislation should be streamlined to underpin ICZM

What sort of mechanism/ body is needed to do this?

- There was some support (31% from those who responded to this question) for a lead management body, for example: a Marine Agency. It was suggested that this body be independent, and separate from political and sectoral interests.
- The formation of a Marine Act was suggested by 40% of all respondents overall
- A Regional Seas approach was suggested as an effective model of management which would complement local management groups.

Question 10 *Is there a role for marine national parks in managing areas of our marine environment? [This headline question was supplemented with specific questions shown in the shaded text below]*

The chart below represents information relating to the 50 responses to this question. 50% of these responses welcomed the concept of MNPs and saw them as a way of safeguarding and managing the natural value of the marine environment, whilst promoting sustainable economic and social development. The 32% that were 'Not sure' required further clarification of the role of MNPs before a clear decision could be made.



If so, what should be the key elements of marine national parks?

Recommendations included:

- Provide management integrated with other planning mechanisms, e.g. would benefit from a marine spatial planning framework
- Decentralise planning process with stakeholder involvement
- Could be implemented under the National Parks (Scotland) Act
- Primary role would be to secure sustainable development of marine environmental resources over specific area
- Boundaries should incorporate whole management units e.g. water catchments for coastal watercourses, and transport cells on the coast and estuaries
- MNPs could form a network of marine protected areas
- MNPs could be used to identify and protect special areas of conservation
- MNPs could promote sustainable tourism
- We should look to international experience for lessons learned
- Could play a role in public education on marine issues
- Should include vital economic activities, including renewable energy
- Should aim to make sure the area where they are set up is not 'fossilised'
- Should avoid creating another layer of administration

Should they be entirely marine or should they encompass part of the coastline?

It was generally felt that MNPs should include part of the coastline, but respondents were not specific as to the boundaries of the coastline itself. It was also suggested that the MNP should not include any land element in its boundary. Separation of marine management areas from shore management areas was said to lead to confusion and can impede development.

What should be the distinctive role of the park authority?

It was urged that this role be discussed amongst stakeholders. Additionally, the following specific suggestions were made with reference to the role of the park authority:

- Should be responsible for management and commissioning research and guiding principles
- Role should be inclusive of stakeholders in producing and implementing plans
- Should have genuine regulatory powers, rather than advisory ones
- Membership should include national and local representation (linked to local authorities)
- Decisions should be local within nationally agreed policies
- Role should be outlined in the National Parks Bill, with a distinct local focus

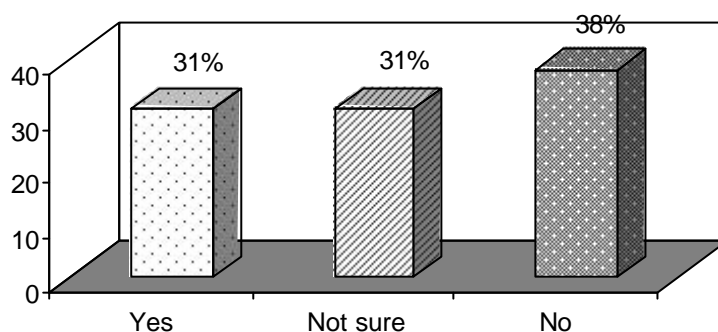
Additional comments and recommendations:

- The term ‘National Park’ suggests an emphasis on conservation or preservation legislation
- Translation of the model of a terrestrial park to a marine park will be problematic
- We should use data from existing Scottish national parks which have a marine element as case studies
- A Hebridean Islands National Park should be created
- Marine Protected areas are a more appropriate concept

Question 11 *Would a national coastline park contribute to the sustainable management of the Scottish Coast? [This headline question was supplemented with specific questions shown in the shaded text below]*

This question received 46 responses. The majority of these were unclear of the concept of NCPs and required further information/explanation before an informed decision could be provided. Concerns were raised over the creation of a single NCP as it was emphasised that Scotland's coastline is far too extensive for a single designation, and would benefit more from selected coastline park designations. The graph below represents information relating to the 46 responses to this question.

Would a National Coastline Park contribute to the sustainable management of the Scottish Coast?



The following recommendations were made in response to the further parts of Question 11:

What would be the distinctive role of the park authority which would avoid the risk of confusion with the responsibilities of other agencies?

- Role and authority both need a stakeholder consultation
- NCP should have same powers as terrestrial park but hold additional maritime powers
- Existing process such as the SCF Strategy, Firths initiatives, in combination with a lead body, legislative reform and MSP, could deliver the key elements of a National Park to cover the entire Scottish coastline
- Strengthening National Planning Policy Guideline 13 (NPPG13) (Coastal Planning) could enable authorities to manage coastal areas better
- Will only be practical under a new Bill relating to shore and foreshore

Would the focus of a national coastline park be primarily directed at the management of the coast and the immediate inshore waters? Or should it include more extensive management of the seas?

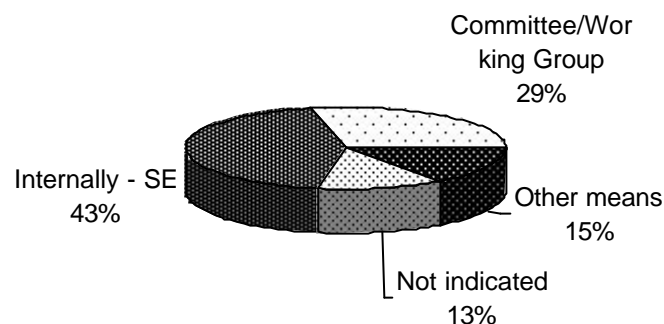
- No obvious need for NCPs if MNPs contain areas of the coastline
- Dynamic nature of coastline means that NCPs should cover the coast, inshore water and seas up to the UK jurisdiction limits
- NCPs might be a burden to inshore fishermen
- NCP could be divided into coastal cells, yet these might be unwieldy

Question 12

How should the development of a strategic framework for Scotland's marine environment be taken forward in practice – internally by the Scottish Executive with periodic consultation; through a committee/working group of interested parties; other means?

As can be seen in the chart below, of those who expressed a view, opinion was broadly split between the development of the Strategic Framework being taken forward internally by the SE and by some other externally focused means.

How should the Strategic Framework be taken forward in practice?



Further suggestions of who should lead the Strategic Framework development:

- A working group (at local and regional levels) headed by a Scottish Minister
- Strategic Framework could be taken forward by the SCF in conjunction with local partnerships, or another similar independent body
- A commission appointed by ministers
- Stakeholder committee of those living and working in the coastal environment (local knowledge) guided by the SE

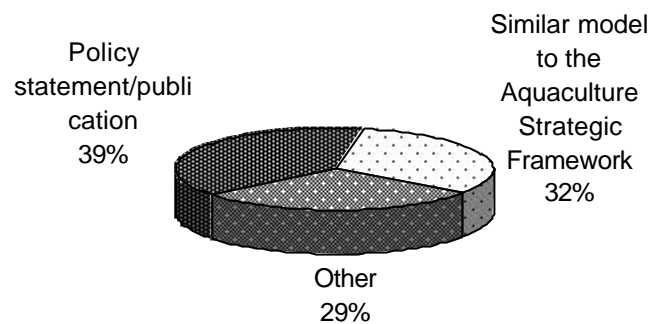
Comments made on *how* the consultation should be carried out in order that a Strategic Framework may be developed:

- Stakeholders who are less focussed on conversation and biodiversity should be fully involved in the development of marine plans
- The consulting body should have close links to the planning system and consultations should be carried out with local coastal partnerships, with the necessary funding provided
- Local coastal partnerships should be consulted and recognised in the final framework
- Holistic marine management will not be achieved by an isolated UK administration
- SCF might provide a useful model

Question 13 *What form should the strategic framework take – a policy statement/publication: a similar model to the Strategic Framework for Scottish Aquaculture?*

The chart below represents information on the 35 responses to this question. The two options provided here received fairly even responses, whilst other suggestions were made too.

What form should the Strategic Framework take?



Further suggestions:

- The framework should follow the same approach as the WFD with phased programmes and targets over a period of years
- The format should not be predetermined
- The framework should be a fluid, bottom-up 'hypertext'
- The framework should take the form of a strategy, with clear objectives and actions
- Centres of expertise should be established for each of the key elements of spatial planning, with a common platform for information dissemination

Question 14 *How often should the strategic framework for Scotland's marine environment be reviewed?*

The majority of responses called for a 5 yearly review. Annual, 3 year reviews, and also 10 year reviews were other common suggestions.

With regard to the review process itself, respondents suggested the following:

- That the review be updated in line with important changes in legislation
- Reporting should be harmonised with the UK marine stewardship report process (including State of the Seas) and the OSPAR Quality Status Reports (QSRs)
- The review should be ongoing with regards to progress of meeting the goals of a SMART marine strategy
- The review should be ongoing given the dynamic nature of the environment
- The review should be linked with other review cycles, e.g. RBMP 6 yearly reviews
- Linked with the 4 year cycle of the National Planning Framework.



Small changes in the way we perform everyday tasks can have huge impacts on Scotland's environment.

Walking short distances rather than using the car, or being careful not to overfill the kettle are just two positive steps we can all take.

This butterfly represents the beauty and fragility of Scotland's environment. The motif will be utilised extensively by the Scottish Executive and its partners in their efforts to persuade people they can do a little to change a lot.