

Scottish Coastal Forum's response to the Environment & Rural Development Committee's Marine Environment Inquiry

January 2007

Introduction

The Scottish Coastal Forum (SCF) engages representatives from all sectors with an interest in the use, development and management of Scotland's coastal resources and encourages debate on coastal issues at a national level. It was set up by Ministerial invitation and under independent Chairmanship in November 1996 to:

- encourage a voluntary, sustainable and holistic approach to the management of Scotland's coasts through the formation of local coastal fora;
- act as the national focus for coastal issues and co-ordinate the dissemination of advice on best practice;
- reflect views and aspirations of local fora for the coast of Scotland and guide a national policy framework within which local initiatives can operate;
- offer advice to Government in the development of coastal policies for Scotland.

The SCF has championed the development of an integrated approach to coastal zone management, which is designed to join up all the different policies that have an effect on coastal regions. It is about both planning and management of coastal resources and coastal space. It is not a one-off solution but an ongoing and dynamic process that will evolve over time.

The Forum's membership ranges from regulators to developers and currently comprises representatives from the following organisations:

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| ▪ Association of Scottish Shellfish Growers | ▪ Defence Estates | ▪ SNH |
| ▪ British Ports Association | ▪ Highlands & Islands Enterprise | ▪ Scottish Enterprise |
| ▪ British Geological Survey | ▪ Maritime & Coastguard Agency | ▪ Scottish Water |
| ▪ CoSLA | ▪ Scottish Fishermen's Federation | ▪ Scottish Environment Link |
| ▪ CBI Scotland | ▪ SEPA | ▪ Scottish Renewables |
| ▪ The Crown Estate | ▪ Scottish Salmon Producers' Organisation | ▪ SportScotland |
| | | ▪ Visitscotland |

Uses What are the varied, and often competing, demands which are placed on the marine environment? Where are the key points and pressures - with a particular view to any that have distinctively Scottish perspectives?

The Scottish Coastal Forum's 'Strategy for Coastal and Inshore Waters', published in 2004, explored the challenges posed by the wide range and number of uses made of the coastal and marine environments. We identified the following as key uses:

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| ▪ commercial fisheries | ▪ tourism & recreation |
| ▪ marine aquaculture | ▪ marine & coastal natural heritage |
| ▪ oil and gas | ▪ cultural heritage & archaeology |
| ▪ aggregate and mineral extraction | ▪ military activity |
| ▪ power generation | ▪ coastal defence & shoreline management |
| ▪ ports & marine transportation | |

Competing demands arise from three fundamental and interlinked elements: marine and coastal habitats and species; dynamic coastal processes; and the limitless human ingenuity to harness both of these aspects for our own social and/or economic benefit. Pressures build when too many interests

try to make use of the same resources or areas and there is a failure to optimise the use and management of resources, either on a local scale or at a regional or national level. Temporal or spatial planning and management tools may be required to accommodate competing and conflicting demands on limited resources.

Scotland's geography and natural resources have been harnessed in many ways over the centuries. The following examples illustrate current issues, which are not unique to Scotland but do have a peculiarly Scottish aspect.

- **Aquaculture:** Peripheral communities in the west coast and outer islands have survived and flourished due to the development of aquaculture since the 1970s. Scotland's sea lochs and voes provide ideal conditions for fish farming and shellfish cultivation, and the aquaculture industry grew until a period of retrenchment in the early 2000s. Concerns have been raised about the environmental effects of fish farms; particularly, nutrient enrichment of surrounding waters from undigested fish feed and waste as well as problems with sea lice from farmed fish affecting migrating salmonid species as they make their way to their spawning grounds. In an attempt to rationalise the location of sites, so that poorly flushed or inappropriate areas are no longer used but that peripheral communities do not lose much-needed sources of local employment, a location and relocation programme has been undertaken as part of the Strategic Framework for Scottish Aquaculture.
- **Renewable energy generation:** The generation of energy from tidal, current and offshore wind resources is a major challenge for this century and Scotland's coastal areas are already test beds for new infrastructure. However, there are questions surrounding the licensing of this equipment and ensuring that there is a responsibility to remove it in due course, even if unstable market conditions cause the original companies to fold. Additionally, the lack of interconnector capability from outlying areas to the national grid means that although we have the geography to generate renewable energy, its contribution to national requirements is currently hampered.
- **Recreational activities:** The market for recreational watersports has grown substantially since the early 1990s, both within Scotland and around the wider UK. New areas have been sought to take pressure off the crowded cruising grounds around the south coast of England and the west coast of Scotland, long known as a locally important sailing area, has been attracting a new breed of user in recent years; the long-distance boat owner who lives in England but who keeps his yacht or cruiser in a west coast marina and takes advantage of cheap(ish) flights to sail in Scotland. The economic and environmental sustainability of this approach is open to question and Scotland may find itself suffering if or when this market retrenches to areas closer to home because of escalating costs and environmental concerns.

In summary, the waters out to 12 nautical miles contain a considerable biological diversity and have been developed to host multiple uses, which have served our historic and current needs and can continue to serve our requirements into the future. However, the accommodation of all interested parties - and the balancing of their demands - is the challenge for the 21st Century during which the nature of our coastline and its environment is likely to change more quickly than we have previously experienced.

Planning What good practice is developing in Scotland from some of the initiatives which exist to co-ordinate the various activities and manage potential conflicts in the marine environment?

Within Scotland, good practice has evolved to suit the peculiarities of our geography, demographics, political circumstances and legislative requirements.

- **Local Coastal Partnerships:** Local Coastal Partnerships (LCPs) have been in existence in a number of forms in Scotland since the early 90's. They have developed in an *ad-hoc* manner with a variety of funding packages and performing a variety of roles. Their predominant function is to create a regional and local network to allow for dissemination of information to a wide audience and for that audience to contribute to decision-making for their geographic area. This achieves the ICZM principle of allowing all concerned parties to participate in coastal management.

National policy objectives require delivery mechanisms and the LCPs are well-placed to respond to assist with the implementation of initiatives such as Local Biodiversity Action Plans, the Area Advisory Groups for SEPA's River Basin Management Plans to implement the Water Framework

Directive and the forthcoming Inshore Fisheries Groups (IFGs). Indeed, some LCPs are actively investigating the hosting of IFGs within their offices so that close working relationships can be forged from the start. The Firth of Clyde Forum has also carved a unique role as the steering group for the Scottish Sustainable Marine Environmental Initiative (SSMEI) Clyde pilot. The development of Marine Spatial Planning in the Clyde area is drawing on the experience of established relationships with stakeholders and is a model of good practice in this respect, which could in future be extended and replicated elsewhere in Scotland.

LCPs are non-statutory organisations and have as a result, perhaps, lacked authority in being able to influence senior decision-makers. However, they have been ingenious in employing a variety of means to overcome this issue, such as acting as 'honest brokers' in discussions between conflicting parties and successfully delivering projects for multiple partners. They are flexible and able to adapt to the requirements of the member organisations and changing circumstances, following the principle of adaptive management. Some Partnerships have moved their activities onto a business footing, becoming Companies Limited by Guarantee, while others remain a voluntary forum for discussion, facilitated by a local authority or Scottish Natural Heritage. Their methods of operation can be explained partly by the geographical variety of the coastline of Scotland, but also by the nature of ICZM implementation which allows for flexible structures to be set up in order to achieve local needs. However, all LCPs share the common concern of uncertainty over long-term financial support, which directly affects staff retention and the ability to carry out their work programmes. The issue of secure funding is crucial to the continuation of this cost-effective and locally-focused mechanism that has, ultimately, enabled Scotland to implement the aims of the European Commission's Recommendation on Integrated Coastal Zone Management.

- **Conflict resolution:** The Forum believes that dispute settlement is not something that ICZM in its current form in Scotland can deliver on its own. This is an issue that must be considered in conjunction with the development of a remit for marine spatial planning. The concept of working in partnership and involving all interested parties, as ICZM principles encourage, should prevent disputes arising in the first place but current, voluntary ICZM mechanisms lack the authority to settle problems if they do materialise. This does not detract from the excellent work that Local Coastal Partnerships have carried out in the years they have been in existence but reflects that conflict resolution is a complex matter and requires clout to be successful.

Development of governance What do these initiatives show about how legislation and organisational structures etc. need to change? What is the best way to create an overarching framework for effective management of the marine environment?

In answer to the question of "What is the best way to create an overarching framework for effective management of the marine environment?" the SCF respectfully offers a simple suggestion - we would like to see *integrated government in pursuit of integrated coastal management*.

The evidence from the existing initiatives suggests three fundamental requirements must underpin this approach:

- the necessary scientific data to support decisions
 - a thorough understanding of the issues and perspectives involved
 - a willingness to abandon purely sectoral interests and work together for the greater good.
- **Marine Spatial Planning:** Existing regulation in the marine environment is undeniably complex and the existing regulatory regimes have come under increased scrutiny in terms of their ability to deliver forward planning, development control, assessment of cumulative impact and strategic environmental assessment. Although elements of the current regimes work, the overall situation is sometimes found wanting in terms of a truly integrated approach for the management of coastal resources. This situation is further complicated when the practical realities of Devolution are considered. Marine Spatial Planning provides a tool by which the ultimate goal of Integrated Coastal Management may be achieved. The two concepts are not interchangeable but they are capable of working together to facilitate a more integrated and transparent decision-making process.
 - **Regional Policy Statements:** In our consideration of ICZM and conflict resolution on behalf of AGMACS, the SCF recommended that any system of marine spatial planning should have a well



defined hierarchy between international, national, regional and local levels so that decision making takes place at the most appropriate level. We support the integration of existing local coastal initiatives into the system of planning and management, with careful consideration of statutory and voluntary roles. We also acknowledge that the existing remits of the LCPs would have to change to accommodate the new environment in which they would operate.

The SCF's proposes that a series of Regional Policy Statements (RPS) be produced to cover the whole of Scotland's coastal and inshore waters, using the principles of ICZM in a consistent manner and allowing for regional geographic differences. Regional Policy Statements will provide a clear vision, supported by a series of policies, to ensure that a balance of development, use and resource protection can be achieved. RPS should link with national and international policies and commitments in order to provide guidance to support those involved with management at a local level.

The SCF suggests that eleven coastal units be created to implement these Policy Statements, the majority based on existing Local Coastal Partnership areas. The core costs of employing the necessary specialist staff, with the requisite local knowledge and understanding of pertinent issues, should be covered by an annual grant from the Executive of up to £50,000 per area. This core funding would be available to match funding for specific projects from more local sources or organisations, potentially giving each Local Coastal Partnership an annual budget of £100,000 to deliver Integrated Coastal Zone Management in their own area. The SCF proposal also envisages a role for a national stakeholder body acting as an effective link between the Executive and a possible new Marine Management Organisation. The total cost of this proposal - core support of £50,000 for 11 Regional Coastal Policy areas and a similar amount for a national stakeholder body - would be £600,000 annually, which we believe is excellent value for money.

As further 'added value' from this proposal, this model could be usefully adapted to provide a delivery mechanism for localised marine spatial planning as part of the overall delivery of ICZM. The experience of the Clyde and Shetland Scottish Sustainable Marine Environmental Initiatives (SSMEI) should be incorporated over time, in order to demonstrate the data requirements for successful marine spatial planning and the benefits of utilising existing coastal partnership infrastructure. The Berwickshire and Mull SSMEI pilots can also be used to demonstrate how local communities can successfully plan for their own sustainable futures.

The Scottish Coastal Forum proposes the idea of Regional Policy Statements as a logical, cost-effective and pragmatic method for delivering Marine Spatial Planning and Integrated Coastal Zone Management in the inshore zone. We would recommend this option to the Committee's Inquiry, in combination with the evidence put forward by the Local Coastal Partnerships in their individual submissions and in their joint paper, as being a sensible option for achieving integrated management and conflict resolution within Scotland's coastal waters. The seaward extent of this model would be dependent on appropriate legislation and resource requirements but could logically be dovetailed into a new system that incorporates a Marine Management Organisation for UK (or Scottish) waters. However, this area is outwith the current remit of the Scottish Coastal Forum and we, therefore, limit our comments to our specific area of interest, out to the 12 nautical mile boundary.

Conclusion

These points are presented to the Marine Inquiry as the considered opinion of the Scottish Coastal Forum. We trust that they will be accepted and that the Committee's deliberations will reflect the comments made by those who live and work in a world where coastal biodiversity and marine ecosystems are not constrained by artificial political or administrative boundaries and where market forces do not fit easily into a vision of marine spatial planning.

The investigation of the issues affecting how Scotland's coastal and marine environments are utilised, managed and developed is welcome but it should not exist in glorious isolation from the many other initiatives currently under way. The Scottish Coastal Forum exists to provide advice to Government on coastal and marine policy: we look forward to seeing how the process of delivering truly integrated coastal and marine management within Scotland, and the wider UK, progresses.