

Marine Scotland

SCOTLAND'S NATIONAL MARINE PLAN

Modifications Report



marinescotland

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Introduction

The National Marine Plan¹ has now been adopted. This modifications report sets out the modifications that have been made to the proposals as published in the consultation draft of the National Marine Plan on 25 July 2013, as required by the Marine (Scotland) Act 2010² and Marine and Coastal Access Act 2009.³

An independent investigation⁴ into the Plan was undertaken by Planning Aid Scotland and a report published. This contains 22 recommendations focused on the following areas:

- Linkages and fit with relevant legislation, policies and guidance.
- Integration between marine and terrestrial planning.
- Clarity on timescales for implementation, delivery and review.
- Use and signposting of research and data.
- Consistency of terminology.
- The advantages and disadvantages of the approach to fisheries.
- Integration between sectors and conflict resolution.
- Protection afforded to the marine environment and opportunities for mitigation, enhancement and adaptation to climate change.

Parliamentary scrutiny⁵ of the Plan included a report published by the Rural Affairs, Climate Change and Environment Committee; a response to this report from the Cabinet Secretary for Rural Affairs, Food and the Environment, a Parliamentary debate⁶ and a Parliamentary statement⁷ under section 13 (3) of the Marine (Scotland) Act 2010.

This modifications report is structured as follows:

- An executive summary of the main modifications in each Chapter.
- A Chapter-by-Chapter analysis of the modifications, covering:
 - The key areas raised in the consultation analysis⁸ and modifications made to address these.
 - Any other material changes to the objectives and policies in the chapter.
 - Any modifications in relation to the independent investigation into the proposals in the draft Plan.
 - A comprehensive table setting out all the modifications.
- Annex A contains the full list of recommendations made by the independent investigation and how these have been responded to.
- Annex B summarises the changes made as a result of the Parliamentary scrutiny process.
- Annex C contains an update on the Business and Regulatory Impact Assessment and Sustainability Appraisal for the Plan.
- Annex D contains a full list of the policies contained in the consultation draft as compared to those in the current version of the Plan.

Footnotes

¹ <http://www.gov.scot/Topics/marine/seamanagement/national/nmp>

² <http://www.legislation.gov.uk/asp/2010/5/contents>

³ <http://www.legislation.gov.uk/ukpga/2009/23/contents>

⁴ <http://www.gov.scot/Topics/marine/seamanagement/national/indepdent>

⁵ <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/79255.aspx>

⁶ <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9784&i=89729>

⁷ <http://www.gov.scot/Topics/marine/seamanagement/national/Statement>

⁸ <http://www.gov.scot/Publications/2014/04/7284>

EXECUTIVE SUMMARY

The main body of this report references all changes to the National Marine Plan from the consultation draft. As well as changes to meet consultation responses and the recommendations of the independent investigation and Parliamentary scrutiny, the comprehensive listing includes drafting changes related to the style of the document, typographical errors etc. As a result the main report may give the impression that there here has been a very high level of change in the Plan, which would be misleading. This summary seeks to reflect an overview of the substantive changes that have taken place in each chapter.

Ministerial Foreword

A Ministerial Foreword has been added.

Chapters 1 & 2: Introduction and Marine Planning in Context

These chapters have been modified to clarify:

- The relationship between the Plan and other regulatory regimes/existing good practice.
- How the Plan accords with the EU Directive on Marine Spatial Planning.
- The link to regional planning and timescales for development and review of both national and regional planning.
- The integration between marine and terrestrial planning, the role of the Draft Planning Circular and a consistent definition of terrestrial planning.
- The role of local authorities and Inshore Fisheries Groups in relation to regional planning.
- The development of NMPi and its relevance.
- The need for proportionate application of the Plan, taking account of scale and sensitivity.
- The approach to marine planning in a changing climate; and the relevant evidence base.

Chapter 3: Vision, Objectives and Approach to Policies

This chapter has been modified to clarify:

- The relationship between General Policies and sectoral policies..
- The application of an ecosystem approach.
- The approach to setting objectives and policies, including distinguishing between climate change adaptation and mitigation.
- How the Plan assists in resolving potential competition/conflict.
- Guidance for regional planners.

Chapter 4: General Policies

The opening of this Chapter has been modified to set out more clearly the Scottish Government's commitment to sustainable development and how the Plan contributes to this. The Chapter then presents GEN 1 as an overarching General Planning Principle and the remaining policies within the chapter have been reordered according to the five guiding principles set out in the UK's shared framework for sustainable development.

Policies GEN 2 (Economic benefit) and GEN 3 (Social benefit) are now presented together as a result of consultation feedback and the previous policy on community impact has been removed and is covered within GEN 3.

The following policies have been modified:

- GEN 5 - Climate change
- GEN 6 - Historic environment
- GEN 7 - Landscape/seascape
- GEN 8 - Coastal process and flooding
- GEN 9 - Natural heritage
- GEN 12 - Water quality and resource
- GEN 13 - Noise
- GEN 15 - Planning alignment A
- GEN 18 - Engagement
- GEN 19 - Sound evidence

The text in support of GEN 1 has been amended to be clearer as to the scope of sustainable development and use. The text in support of GEN 4 has also been modified to provide guidance on preferential use where coexistence is not possible, in response to the independent investigation. The policies listed as GEN 4 (Community impact) and GEN 11 (Good Environmental Status) have been removed as are now covered by GEN 3 and the strategic objectives.

The following policies have been added:

- GEN 10 - Invasive non-natives
- GEN 11 - Marine litter
- GEN 20 - Adaptive management
- GEN 21 - Cumulative impacts
- Regional policies added to General Policies 4, 5, 7, 8, 9, 11, 15 and 16 to give further detail on what should be considered by regional marine planners in relation to co-existence, climate change, landscape/seascape, coastal processes and flooding, natural heritage, marine litter, compatibility of regional plans and compatibility with other plans.

Chapter 5: A Guide to Sector Chapters

This Chapter has been modified to reflect and explain changes to the following sector Chapters - in particular the addition of a Key References section for each sector and the introduction of Regional Policies. The Chapter has also been modified to reinforce that policies for each sector should be read

as subject to the General policies set out in Chapter 4, and in conjunction with other sectoral policies. References to the maps have also been added and more detail is provided on the varying level of prescription in policies.

Chapter 6: Sea Fisheries

This Chapter has been modified to highlight the Scottish Government's recognition of the importance of the fishing industry and its role in food security. The text has also been amended to give further detail on the roles of Inshore Fisheries Group and Marine Planning Partnerships and to highlight the importance of national and regional interaction on fisheries matters.

The policies in this Chapter have been rationalised and modified to set out a clearer reference to: an ecosystem approach within the regulatory framework; the safeguarding of fishing opportunities and activities where possible; and the Fisheries Management and Mitigation Strategy to be put in place where such safeguarding is not possible. The policies have also been modified to include reference to a broader range of stakeholders and a regional policy has also been added.

Chapter 7: Aquaculture

This Chapter has been modified to clarify the current regulatory framework and importance of aligning marine and terrestrial planning processes. A section on Interactions with other Users has been added. Amendments have been made to clarify that industry growth targets must have due regard to the marine environment and carrying capacity and to highlight the regulatory framework within which the targets must be achieved. Sustainability issues have also been highlighted – particularly with regard to research and development into sea lice, containment, interactions and feed.

A policy on community benefit has been added, as has a regional policy.

Chapter 8: Wild Salmon and Diadromous Fish

This Chapter has been modified to highlight the need for better understanding of potential impacts and to reflect the outcomes of the Wild Fisheries Review. A regional policy has also been added.

Chapter 9: Oil and Gas

This Chapter has been modified to emphasise the Scottish Government's support for the transition to a low carbon economy. The publication of the Offshore Safety Directive is also reflected and one of the policies has been amended to refer specifically to coastal infrastructure. A regional policy has also been added.

Chapter 10: Carbon Capture and Storage

This Chapter has been modified to clarify the Scottish Government's position on development of the sector; and to reflect the move from the demonstration phase to the commercialisation phase. Further amendments have been made to ensure linkage with the National Planning Framework and to refer to the more general need for alignment of the marine and terrestrial planning processes. A regional policy has also been added.

Chapter 11: Offshore Wind and Marine Renewable Energy

This Chapter has been modified to set out the sectoral marine planning process for offshore wind and marine renewable energy more clearly and to highlight that the Plan Options identified through that process are considered the preferable locations for sustainable development of these sectors. Further amendments have been made to policies to clarify the treatment of agreements for lease, regional locational guidance and spatial plans.

Amendments have also been made to set out the linkages to the National Planning Framework, particularly in relation to grid issues, and to highlight the need for alignment of marine and terrestrial planning processes more generally.

More detail has been added on the approaches to assessing key environmental risks and the new Scottish Offshore Research Framework, supported by an additional objective and an additional policy on research and monitoring.

Other additional policies deal with a case by case approach to test and demonstration sites; adaptation to climate change; and the principles of community benefit. A regional policy has also been added.

Policies set out in the consultation draft on cables, scenario mapping and on actions of Scottish Government on climate change and community benefit have been removed as they are now dealt with either elsewhere in the Chapter or elsewhere in the Plan.

Chapter 12: Recreation and Tourism

This Chapter has been modified to highlight the need to improve data on this sector and on-going work to do so. Amendments have also been made to ensure linkage with the National Tourism Development Framework and the National Long Distance Walking and Cycling Route in the National Planning Framework.

Modifications have also been made to highlight the importance of maintaining and enhancing the scenery and conditions necessary for the sector; and good practice to address environmental impacts. A policy on the mutual benefits possible from enhancing natural resources has been added, as has a regional policy.

The objectives for the sector have also been modified to provide a distinct focus on both access and facilities; to focus on potential opportunities for rural towns; and to highlight the importance of education and responsible use.

Chapter 13: Shipping, Ports, Harbours and Ferries

This Chapter has been modified to highlight the support the sector provides to a range of other marine sectors, both long-standing and emerging. Amendments have been made to ensure linkage to relevant National Developments within the National Planning Framework; and to sustainable travel policies.

The objectives for the sector have been reworded to highlight the safeguarding of access to ports and harbours; and to focus on mitigation of, and adaptation to, climate change.

The policies have been modified to place emphasis on the avoidance of displacement where possible and to highlight the need for marine and terrestrial planning systems to provide co-ordinated support for industrial sectors. A regional policy has also been added.

Policies contained in the consultation draft on ship to ship transfers and compliance with maritime law have been removed so as to avoid the duplication of existing statutory requirements.

Chapter 14: Submarine Cables

This Chapter has been modified to cover all submarine cables and therefore incorporates text previously contained in Chapter 11 of the consultation draft. The objectives have been amended to emphasise the importance of the contribution of submarine cables to connectivity, global communications and supply of electricity.

The policies in this Chapter have been reworded to emphasise the importance of engagement at the routing stage, the need to assess and mitigate for potential impacts and to clarify the further steps that should be taken. Amendments have also been made to ensure the historic environment and the needs of other sea users are taken into account; and to ensure links to Local Development Plans.

A regional policy has been added and text has been added to highlight activity which is exempt from the marine licensing regime.

Chapter 15: Defence

This Chapter has been modified to ensure consistency in terms of drafting style with other Chapters. A regional policy has also been added.

Chapter 16: Aggregates

This Chapter has been modified to refer to the Crown Estate study on aggregate deposits and to specifically refer to the importance of Glensanda Quarry. The policies in this Chapter have been reworded to highlight the need to consider the impact on areas of resource, particularly where permissions exist for extraction, and to highlight the need for a broader environmental test, linked to the policies and objectives of the Plan. A regional policy has also been added.

CHAPTER-BY-CHAPTER ANALYSIS

For each chapter, modifications are reported as follows:

- The key areas raised in the consultation analysis and modifications made to address these.
- Any other material changes to the objectives and policies in the chapter.
- Any modifications in relation to the independent investigation into the proposals in the draft.
- A comprehensive table setting out all the modifications.

Chapters 1 – (Introduction) and 2 (Marine Planning in Context)

Consultation points

The key areas raised during the consultation period are summarised at pages 2-3 of the consultation analysis report.

Linkage between objectives and policies

This has chiefly been addressed by the addition of new text at the start of each of the sector chapters which explains that objectives and policies in these Chapters should be read as subject to those in Annex B and Chapter 4; and that not all the objectives listed can necessarily be achieved directly through the marine planning system. This responds to consultation responses and also feedback received during the HRA process.

Reconciliation of objectives

In chapter 2, the sections on the relationship with regulatory regimes and existing good practice (paragraphs 2.13 – 2.14) and marine planning, consents and authorisations (paragraphs 2.15 – 2.16) have been reworded to clarify the role of the Plan and how it applies to other plans and decision making.

It is recognised that all objectives cannot always be fully reconciled but will be given varying weights in achieving an appropriate balance in planning and decision making processes depending on particular circumstances.

Stronger links with legislation, guidance and policy

Paragraph 1.6 has been added to how the explain how the Plan accords with the new EU Directive on Marine Spatial Planning. Chapter 2 has been significantly reworded to set out the marine planning system more clearly – in particular the sections on regional marine plans (paragraphs 2.6 – 2.12); the relationship with regulatory regimes and existing good practice (paragraphs 2.13 – 2.14); and marine planning, consents and authorisations (paragraphs 2.15 – 2.16). The aim is to be clear as to the context in which, and how, marine planning will operate.

The listing of all relevant legislation, guidance and policy has been avoided as it would not be possible to maintain an up to date and comprehensive list over the lifetime of the Plan. In general, the restatement of existing legislation, guidance and policy has also been avoided and the assumption is that existing regimes will continue to apply. However in some cases where there is particular relevance, cross-references or direct reference have been made in other Chapters.

Integration across sectors

As is set out above, new text has been added at the start of each sector chapter (Chapters 6-16) to explain that these policies and objectives are subject to those in Annex B and Chapter 4. The integration between marine and terrestrial planning is dealt with in an expanded section in Chapter 2 (paragraphs 2.17 - 2.20).

Perceived focus on economic use

The vision for the marine environment and the range of objectives which underpin this vision are set out in more detail in Chapter 3 and Annex B and represent a balanced approach.

Terminology – particularly in relation to sustainable development

In Chapter 2, paragraph 2.17 sets out the link to the Government's Purpose. Further explanation of the approach to sustainable development is given in Chapters 3 and 4.

Clarification on timescales for implementation, delivery and review

Paragraph 2.5 has been added to set out the timescale for review. Timing for regional plans is set out in paragraph 2.8 with further detail on delivery set out in paragraphs 2.9 – 2.11.

Integration with terrestrial planning

The section on marine planning and terrestrial planning in Chapter 2 (paragraphs 2.17 – 2.20) has been significantly expanded and makes direct reference to the Draft Planning Circular on the relationship between the two systems.

Modifications of objectives and policies

There are no objectives or policies in these chapters, therefore no modifications have been made.

Response to independent investigation

Amendments to Chapter 2 have been made to respond to Recommendations 3, 4, 5,6, 9,10,20 and 21 of the independent investigation. These amendments include:

- Paragraphs 2.13 – 2.14 on the relationship to existing regulatory regimes and good practice and more detail on regional planning policy and practice (paragraphs 2.6 – 2.12) – relevant to Recommendation 3.
- More detail on the alignment between marine and terrestrial planning, the role of the Draft Planning Circular and a consistent definition of 'terrestrial planning' at footnote 16 (paragraphs 2.18 – 2.20) – relevant to Recommendations 4, 9 and 10.
- Timescales for implementation, delivery and review (paragraph 2.5) – relevant to Recommendation 5.
- Clarification on the relationship between the Plan and regional plans (paragraph 2.8) – relevant to Recommendation 6.

- Paragraph 2.10 highlights the involvement of Inshore Fisheries Groups and the relationship between their management plans and regional marine plans – relevant to Recommendation 20.
- Paragraph 2.14 encourages the continuation of existing collaborative agreements – relevant to Recommendation 21.

See Annex A for further detail.

All modifications

Paragraph number	Reason for change
1.1 – slight rewording.	Drafting style.
1.2 – removed ‘out to 12 nautical miles’ and ‘12-200 nautical miles’.	As already covered at 1.1.
1.3 – added ‘(referred to as the Marine Acts)’. Added ‘across all of Scotland’s seas’. Replaced ‘effect’ with ‘place’.	For clarification/drafting style.
1.4 – slight rewording and footnote added.	Drafting style. Footnote to provide reference for any future direction.
1.6 – new paragraph.	To reflect the Plan’s relationship with the EU Directive on Marine Spatial Planning which came into force subsequent to the consultation draft.
1.7 – added ‘An interactive GIS portal – National Marine Plan interactive (NMPi) - has been developed to display the spatial data which underpinned the Atlas. NMPi is referenced throughout this Plan where relevant and will continue to be updated throughout the lifetime of the Plan.’	Reflects the on-going development of NMPi and its relevance to the Scotland’s Marine Atlas and the Plan.
1.8 – new paragraph.	Provides link to reference material hosted online.
1.9 – significant rewording.	Updated text refers to the addendum to the sustainability appraisal.
MAP 1 amended.	Reflects the new EEZ agreed in 2014.
Chapter 2.	
2.2 – new paragraph.	Sets the scene for this section.
2.3 – removed ‘UK Government, Scottish Government, Welsh Government and Northern Ireland Executive.’ Text on compatibility with MPS and other marine plans now in 2.4.	Drafting style and for clarification.
2.4 – reworded to include text on compatibility with MPS and other marine plans.	For clarification.
2.5 – new paragraph added.	To explain timescales for reviewing and reporting on the Plan.
2.6 – significantly reworded.	For clarification.
2.7 -- new paragraph.	Explains the development of Marine Planning Partnerships and the relative role of regional plans.
2.8 – new paragraph.	Clarification on timescales for regional planning and that the MPS and NMP apply hitherto.
2.9 – new paragraph.	Further detail on legislative requirements for regional plans.
2.10 – new paragraph.	Further detail on the structure of Marine Planning Partnerships.
2.11 – new paragraph.	Further detail on piloting work on regional planning.

2.12 - new paragraph.	Explains NMPi relevance to regional planning.
2.13 - 2.14 - new paragraphs.	Explains the Plan's relationship to existing regulatory regimes and good practice.
2.15 - main paragraph - formatting (bold) and slight rewording. Footnote on Crown Estate added.	Drafting style. Footnote to reflect ongoing process to transfer assets of the Crown Estate in Scotland.
2.15 - marine licensing - placement and heading changed. Replaced 'The National Marine Plan will provide an overarching framework outlining how marine decisions should be made. 'Within this framework...' with 'This Plan and future regional plans must be taken into account when licensing applications are considered.'	Reworded for clarification.
2.15 - marine licensing - added 'Where broad spatial areas are identified within this Plan for certain types of activity (e.g. RENEWABLES 1, AQUACULTURE 1, 2 and 3) it should be noted that proposals will continue to be subject to the licensing process.'	For clarification and to emphasise that project level proposals will continue to be subject to the licensing process.
2.15 - fishing licences - slightly reworded.	Highlights relevance for this particular type of licence.
2.15 - aquaculture development consents - placement changed and reworded.	Terminology made consistent across the Plan. Highlights the relevance of the Planning Circular.
2.15 - ports and harbours - placement changed, reworded.	For clarification.
2.16 - new paragraph.	Explains the need for proportionate application of the Plan, taking account of scale and sensitivity.
2.17 - new paragraph.	Explains the contribution of planning processes to the Scottish Government's Purpose.
2.18 - Text significantly reworded .	Explains alignment between marine and terrestrial planning in greater detail.
2.19 - 2.20 new paragraphs.	Explains the content and relevance of the Planning Circular.
2.22 - Text reworded to include 'other UK administrations'.	Highlights requirement to work with Wales and Northern Ireland planning authorities also.
2.23 - 2.28 - new sections.	Highlights the overarching approach to marine planning in a changing climate and the relevant evidence base.

Chapter 3 - (Vision, Objectives and Approach to Policies)

Consultation points

The key areas raised during the consultation period are summarised at pages 3-4 of the consultation analysis report.

Compatibility between strategic objectives and sector specific objectives, and prioritisation of conflicting objectives.

As noted for Chapter 2, additional text has been added at the start of each of the sector chapters which explains that objectives and policies in these Chapters should be read as subject to those in Annex B and Chapter 4; and that not all the objectives listed can necessarily be achieved directly through the marine planning system. It is recognised that all objectives cannot always be fully reconciled but will be given varying weights in achieving an appropriate balance in planning and decision making processes depending on particular circumstances. The Plan does not therefore attempt to prioritise beyond the statement at the beginning of each sector Chapter. A new section on resolving potential competition and conflict has been added which sets out general guidance as to how to apply the Plan (paragraph 3.16).

Need for consistency between Plan and EU/UK legislation

As noted for Chapter 2, the listing of all relevant legislation, guidance and policy has been avoided as it would not be possible to maintain an up to date and comprehensive list over the lifetime of the Plan. In general, the restatement of existing legislation, guidance and policy has also been avoided and the assumption is that existing regimes will continue to apply. However in some cases where there is particular relevance, cross-references or direct reference have been made in other Chapters. In Chapter 3, the main issue of relevance is the linkage to the UK Marine Policy Statement which encompasses the High Level Marine Objectives and the EU Marine Strategy Framework Directive which contains the Descriptors of Good Environmental Status set out in Annex B.

Better linking across sectors/recognition of cumulative impact

This Chapter now more clearly sets out the ecosystem approach (paragraphs 3.2 – 3.4), the Plan's objectives and approach to policies (paragraphs 3.5 – 3.13), guidance on resolving potential competition and conflict (paragraph 3.16) and guidance for regional planners (paragraphs 3.19 – 3.21). It is made clear that this is relevant to all sectors, as are policies set out in Chapter 4, thereby clarifying a consistent approach across sectors.

An additional cumulative impact policy has been inserted in Chapter 4 (GEN 21).

Consistent approach to climate change

As in the consultation draft, this Chapter explains at paragraphs 3.9 and 3.11 how climate change objectives and policies are identified throughout the Plan, alongside the key policy GEN 5. The symbols set out at paragraph 3.9 now include distinct symbols for climate change adaptation and climate change mitigation. Additional text has been added in Chapter 2 (paragraphs 2.23 – 2.28) and the climate change section in each sector chapter has been reviewed to ensure that mitigation and adaptation actions are identified and appropriately balanced. These include changes at:

- Objective 3 in chapter 6 regarding fuel efficiency;
- AQUACULTURE 11 regarding reduction of greenhouse gas emissions;

- Objective 3 in Chapter 12 regarding opportunities from future climate change;
- Objective 5 in Chapter 12 regarding the use of low carbon energy solutions;
- REC & TOURISM 4 regarding provision of low-carbon transport options;
- paragraph 6.47 to highlight potential implications of climate change on fisheries in more detail;
- paragraph 7.19 to add detail on the current evidence related to potential effects relevant to aquaculture;
- paragraphs 9.20 – 9.22 to reiterate Scottish Government’s position on the transition to a low carbon economy; and the commitment of the oil and gas industry to minimising its environmental impact;
- paragraph 11.33 to recognise that technologies designed to contribute to decarbonisation will involve energy use in their own right;
- paragraph 12.34 to add further detail on potential impacts from increased visitor numbers to tourism and recreation attractions, and potential mitigation;
- paragraph 13.32 to highlight the potential range of impacts on the transport sector;
- paragraph 14.13 on potential impacts from sedimentation and current changes on the cables sector; and
- paragraph 16.10 on potential impact on the aggregates sector.

Timescales, implementation and review

The most relevant changes in this Chapter are in the resolving potential competition and conflict section and also the guide for regional planners, which set out greater detail on implementation.

Consultation process

The need for informed consultation and adaptive management is highlighted in the resolving potential competition and conflict section. Details on the consultation process carried out for the Plan can be found at: <http://www.scotland.gov.uk/Topics/marine/marine-consultation>.

Clarification of definitions and alignment of terminology

Footnote 16 highlights the use of the term ‘terrestrial planning’ which is then used consistently throughout the plan. The word ‘alignment’ is also consistently used to describe the relationship required between marine and terrestrial systems. Consistency checks have also been made on terms such as sustainable development and ecosystem approach which are explained more fully in Chapter 4.

Modifications of objectives and policies

The objectives and policies have remained the same but modifications have been made at paragraphs 3.2 – 3.13 which explains the approach to setting objectives and policies more clearly. Guidance for regional planners has also been added.

Response to independent investigation

Chapter 3 has been reworded and restructured – in particular paragraphs 3.2-3.9 to address recommendation 1 of the independent investigation. See Annex A for further detail.

All modifications

Paragraph number	Reason for change
Vision statement added.	For clarification and to give context to the rest of the Chapter.
Section on Scottish Government National Objectives removed.	Now covered in summary at 2.17.
3.1 – new paragraph.	Explains the requirements to set objectives and policies.
Text on ‘Vision for the Marine Environment and National Marine Plan strategic objectives’ removed (pages 14-15 of consultation draft).	Replaced by text in 3.2 – 3.9 which explains these concepts more clearly.
3.2-3.4 – new paragraphs.	More detail - now clarifies the application of an ecosystem approach through the Plan.
3.5 – 3.9 – new paragraphs.	Explains the approach to the adoption of strategic and sectoral objectives.
3.10 – 3.13 – new paragraphs.	Explains the approach to the development and adoption of planning policies; gives a clearer explanation of the relationship between General and sectoral policies; and highlights the need for proportionate application of the Plan.
3.14 – new placement and slightly reworded.	Links the development of the Plan back to the evidence base, placement changed as a result of changes to the structure of the Chapter.
Text in ‘Approach to policies’ section of consultation draft (page 18-19 of that draft) removed.	Replaced by text in 3.2 – 3.13 which explains the development of the Plan and its policies more clearly.
3.16 – new paragraph.	Explains how the Plan provides guidance on resolving potential competition and conflict.
3.17 - slightly reworded and bullets re-ordered. Addition of ‘ how climate change may alter our marine ecosystems and’ to fourth bullet.	Order of bullets made more logical in terms of applying an ecosystem approach.
3.18 – removed ‘This should enable plans to be modified in instances where unexpected and undesirable ecosystem effects are detected which impinge on plan objectives, are related to human activity, and can be addressed by a planning approach.’	Reference now made to GEN policy 21 on Adaptive Management for further detail.
3.19 – 3.20 – new paragraphs.	Section expanded to explain the way in which the Plan provides guidance for future regional planners.
3.21 – new paragraph.	Sets out the issues regional planners should consider in relation to Chapter 3.
Boxes A – C – replaced by Annexes A-C.	Annex A added to explain the concept of ecosystem goods and services. Annex B replaces Boxes B and C and sets out the Plan’s strategic objectives. Annex C replaces Box A and has been slightly reworded to update and shorten the summary.

Chapter 4 - (General Policies)

Consultation points

The key areas raised during the consultation period are summarised at pages 4 of the consultation analysis report.

Suggestions for changes and further detail

The following key changes have been made:

- Opening section (4.1 - 4.4): Sets out more clearly the Scottish Government's commitment to sustainable development; how the Plan contributes to it. GEN 1 is presented as an overarching General Planning Principle in favour of sustainable development and use when consistent with the policies and objectives of the Plan.
- The Chapter has been reordered so that the policies are presented according to the five guiding principles set out in the UK's shared framework for sustainable development.
- GEN 2 (Economic benefit) and GEN 3 (Social benefit) are presented together, reflecting consultation feedback for amalgamation given commonality and repetition within text.
- Former GEN 4 on scenario mapping removed as a distinct policy. Scenario mapping, Strategic Environmental Assessment and Sustainability Appraisal highlighted as potential tools for explaining the potential impacts of proposals which aim to deliver economic and/or social benefit.
- Former GEN 11 on Good Environmental Status removed as a distinct policy is already covered by inclusion of the Descriptors of Good Environmental Status as Strategic Objectives.
- Paragraphs 4.15 - 4.16 gives further detail on approaches to encouraging co-existence and providing for preferential use where co-existence is not possible.
- Paragraph 4.17 emphasises the need to take account of existing agreements between sectors.
- Regional policies added to General Policies 4, 5, 7, 8, 9, 11, 15 and 16 to give further detail on what should be considered by regional marine planners in relation to co-existence, climate change, landscape/seascape, coastal processes and flooding, natural heritage, marine litter, compatibility of regional plans and compatibility with other plans.
- GEN 5 (Climate change) - the wording of the boxed policy has been changed to focus more clearly on legislative duties in relation to climate change. The supporting text has been amended to emphasise the need to consider mitigation and adaptation, to reflect the introduction of the Scottish Climate Change Adaptation Programme and to link to the role of ecosystem services and encourage proactive enhancement of these services.
- GEN 6 (Historic environment)- wording has been amended to strengthen policy and align with the Marine Policy Statement and SPP. Text added to acknowledge social-economic importance of heritage assets. Text also added to recognise potential for discoveries and set out protocols.
- GEN 8 (Coastal process and flooding) - amended to include specific reference to coastal flooding and refer to the role of recovery and enhancement. Also to highlight that further mapping of areas vulnerable to coastal change will be available in future and to add references to appraisal process for more traditional engineered approaches.
- GEN 9 (Natural heritage) - added reference to protection and enhancement within the boxed policy. Following text reordered under the three pillars of the Marine Nature Conservation

Strategy (Site protection, species protection and wider seas measures). Within this structure, clearer more detailed guidance is given on the requirements of Natura 2000 sites; Marine Protected Areas; locally designated sites; species protection; management plans and guidance; and wider seas measures, including Priority Marine Features. The importance of geology/ geodiversity is also recognised more explicitly.

- GEN 12 (Water quality and resource) – amended to make reference to importance of water quality for immersion sports.
- GEN 13 (Noise) – further detail on potential impacts of noise and potential mitigation. Highlights the need for monitoring and research and links to the Noise Registry.
- GEN 15 (Planning alignment A) – amended to give further detail on alignment between marine and terrestrial planning processes, linked to the Planning Circular.
- GEN 18 (Engagement) – further detail on the pre-application process added.
- GEN 19 (Sound evidence) – amended to highlight the addressing of gaps; deploy and monitor practices and applying precaution within a risk based approach.

Clarification and clear definitions

GEN 1 (General Planning Principle) – paragraph 4.5 has been amended to clarify the expected equality of treatment between existing and emerging activity.

Terminology of ‘sustainable development and use’ used throughout the Chapter – replacing previous references to alternatives such as ‘sustainable utilisation’, ‘industries and activities’ etc.

A Glossary has also been added.

Landscape/seascape

Amendments have been made to GEN 7 to provide more detail on the European Landscapes Convention, to include cumulative effects and provide more detailed guidance on considering and minimising impacts and maximising the potential for enhancement. Paragraph 4.31 now clarifies the relationship with the Scottish Planning Policy.

Alternative policies

Additional policies:

- GEN 10 (Invasive non-natives) – this was covered within the Natural heritage policy in the consultation draft but is now a distinct policy, reflecting consultation feedback and emphasising the importance of the ‘prevention, rapid response, control’ approach to management.
- GEN 11 (Marine litter) – as with GEN 10, this issue was previously covered within the Natural heritage policy in the consultation draft but is now presented as a distinct policy, reflecting consultation feedback, highlighting the potential impacts of marine litter and giving weight to the recent Marine Litter Strategy for Scotland.
- GEN 20 (Adaptive management) – this was covered within the Sound evidence policy in the consultation draft but is now a distinct policy, providing additional detail, linking new data and information to future iterations of policy.
- GEN 21 (Cumulative impacts) – based on consultation feedback, it was considered important to develop a policy on cumulative impacts. This sets out consideration of impacts, assessment processes and potential mitigation (across boundaries if necessary).

Modifications of objectives and policies

The major modifications are set out above – material amendments to policies:

- GEN 5 - Climate change
- GEN 6 - Historic environment
- GEN 7 – Landscape/seascape
- GEN 8 - Coastal process and flooding
- GEN 9 - Natural heritage
- GEN 12 - Water quality and resource
- GEN 13 - Noise
- GEN 15 - Planning alignment A
- GEN 18 - Engagement
- GEN 19 - Sound evidence

Additional policies are:

- GEN 10 - Invasive non-natives
- GEN 11 - Marine litter
- GEN 20 - Adaptive management
- GEN 21 - Cumulative impacts
- Regional policies added to General Policies 4, 5, 7, 8, 9, 11, 15 and 16 to give further detail on what should be considered by regional marine planners in relation to co-existence, climate change, landscape/seascape, coastal processes and flooding, natural heritage, marine litter, compatibility of regional plans and compatibility of other plans.

Policies removed from the consultation draft are:

- GEN 4 - (Community impact)
- GEN 11 - (Good Environmental Status)

Response to independent investigation

The text in support of policy GEN 1 has been amended to be clearer as to the scope of sustainable development and use, in response to Recommendation 7 and sustainable ‘development and use’ is used consistently through this Chapter and the rest of the Plan.

The text in support of policy GEN 4 has been added to at paragraphs 4.15 - 4.16 to provide guidance on preferential use where coexistence is not possible in relation to Recommendation 16; and at paragraph 4.17 to emphasise the need to take account of existing agreements between sectors in relation to Recommendation 21.

The addition of policy GEN 21 responds to Recommendation 22 on cumulative impact. See Annex A for further detail.

All modifications

Paragraph number	Reason for change
4.1 - new paragraph.	Emphasises Scottish Government commitment to sustainable development.
4.2 - new paragraph.	Explains contribution of marine planning to sustainable development.
4.3 - new paragraph.	Explains the General Planning Principle and application of the General policies.
4.4 - removed 'The boxed statements in this chapter express policy principles with accompanying text.'	For clarification - The relationship now more clearly expressed in 4.3 - 4.4.
Removed 'This presumption reflects the view that development and use can deliver multiple benefits provided they are undertaken sustainably. Developments should deliver benefits for Scotland. Benefits include generation of employment, skill development, increased wealth, quality of life and well-being and vibrant communities.'	Replaced by new text in 4.2 and 4.7 - 4.10.
4.5 - Placement changed and significantly redrafted.	Clarifies equality of treatment between existing and emerging activity.
4.6 - significantly reworded.	For clarification.
GEN 2 & GEN 3 - slightly reworded.	Drafting style.
4.7 - 'sustainable utilisation' replaced by 'sustainable development and use'.	Consistency of terminology.
4.7 - added 'maintaining or increasing population levels'.	Reflects potential benefit of population stability/growth.
4.8 - 4.9 - slightly reworded.	Consistency of terminology/drafting style.
4.11 - added 'The'.	Drafting style.
Former GEN 4 removed.	Relevant text now included at 4.12.
4.12 - slightly reworded and added 'Scenario mapping, Strategic Environmental Assessment and Sustainability Appraisal may all be helpful in doing so.'	Reflects the tools which could be utilised to explain potential implications of proposals.
GEN 4 - formerly GEN 5. Replaced 'multiple uses of marine space' with 'coexistence with other development sectors and activities within the Scottish marine area'. Removed 'where possible'.	Reflects more precisely the wording of the Marine Policy Statement.
4.13 - slightly reworded.	Consistency of terminology.
4.15 - 4.16 -new paragraphs.	Provides guidance on encouraging coexistence and providing for preferential use where coexistence is not possible.
4.17 - new paragraph.	Emphasises need to take account of existing agreements between sectors.
New regional policy.	Highlights main issues of relevance for regional planners.
GEN 5 - formerly GEN 19 - significantly reworded.	Wording of policy changed to cover more general duties required under Climate Change legislation.
4.18 - Placement changed and significantly reworded.'	Reflects overall transition to a low carbon economy and introduction of the Scottish Climate Change Adaptation Programme. Gives a clearer explanation of action required to adapt to, and mitigate, climate change.

4.19 - replaced 'Developments or activities should not result in the complete loss of or damage to natural carbon sinks' with 'Reducing human pressure and safeguarding ecosystem services such as natural coastal protection and natural carbon sinks (e.g. seagrass beds, kelp and saltmarsh) should be considered.'	Extends the scope of the policy to include other ecosystem services. Clarifies the need to consider pressure and safeguarding. Previous wording considered to be confusing and not well defined in consultation process.
4.20 - added 'Appropriate proactive opportunities for enhancing natural carbon sinks and allowing natural coastal change where possible should also be considered.'	Extends coverage to include consideration of proactive enhancement of ecosystem services.
New regional policy.	Highlights main issues of relevance for regional planners. It provides additional policy to consider and manage impacts on carbon sinks.
GEN 6 - formerly GEN 13 - reworded.	Strengthens policy to align with Marine Policy Statement and SPP.
4.20 - added 'In addition to its cultural value, the historic environment can be a powerful driver for economic growth, attracting investment and tourism and sustaining enjoyable and sustainable places in which to live and work.'	Reflects the potential economic contribution of heritage assets.
4.21 - removed 'positively' and 'The Marine Scotland Act 2010 introduces powers that will result in the designation of HMPAs to protect marine heritage assets of national importance inside Scottish inshore waters.'	Positively - removed as suggests the need for heritage assets to have undergone a formal qualification process. Reference to HMPAs powers removed as these are now designated and therefore included in Map 3.
4.22 - replaced 'conserving what is significant so that future generations can continue to use, enjoy and understand heritage as we do' with 'It can also help to increase the social and economic contribution of the heritage assets, for example by encouraging opportunities for public access.'	Highlights the potential social and economic potential more clearly.
4.23 - second bullet. Removed 'an assessment of the significance of undesignated heritage assets should be required where they are likely to be affected by developments and other marine licensable activities.'	Text added to reflect legislative guidance for determining importance of marine heritage asset i.e. those that meet 'designation criteria'.
4.23 - second bullet - added 'and consideration given to the potential for new discoveries of historic or archaeological interest to arise.'	Added to recognise potential for discoveries.
4.24 - 4.25 - significant rewording.	As per 4.23 recognises potential for discoveries. Sets out protocols for recording discoveries and requirements where preservation in situ is not possible.
GEN 7 - formerly GEN 14 - slightly reworded.	Consistency of terminology.
4.27 - added 'and applies an all landscapes approach that addresses developed, altered and cultural landscapes as well as more natural scenic areas.'	Provides more detail on the European Landscape Convention.
4.29 - significantly reworded.	Expands coverage to include cumulative effects and provide more detailed guidance on minimising impacts and maximising the potential for enhancement.
4.30 - new paragraph.	Clarifies the relationship with Scottish Planning Policy.

4.31 - added 'SNH Landscape Character Assessments and forthcoming SNH guidance on undertaking Coastal Character Assessment also provide useful tools in considering impacts on landscape.'	Reference to potentially useful tools for considering impacts.
New regional policy.	Highlights main issues of relevance for regional planners.
GEN 8 - formerly GEN 17 - replaced 'adversely impact coastal processes' with 'have unacceptable adverse impact on coastal processes or contribute to coastal flooding.'	Specific reference to coastal flooding.
4.32 - removed 'The term coastal change encompasses a variety of processes such as erosion, coastal landslip, permanent inundation and coastal accretion.' Removed 'minimising social and economic impacts and ensuring future functioning of services and industries'.	Coastal change definition removed so as not to be restrictive. Drafting style.
4.33 - slightly reworded.	Drafting style and amalgamation of paragraphs.
4.34 - new paragraph.	Highlights that mapping of areas vulnerable to coastal change will be available in future.
4.37 - slightly reworded.	Drafting style and amalgamation of paragraphs. Additional reference to the role of recovery and enhancement.
4.38 - significantly reworded.	Drafting style and added references to appraisal process and estimating impacts.
Regional policy added.	Highlights main issues of relevance for regional planners.
GEN 9 - formerly GEN 12 - slightly reworded and added 'protect and, where appropriate, enhance the health of the marine area.'	Emphasises the importance of the duty to protect and enhance health.
4.39 - slightly reworded and added 'geodiversity'.	Highlights importance of geodiversity. Other rewording for drafting style.
Former GEN 11 removed.	Covered by inclusion of Descriptors of Good Environmental Status as strategic objectives.
Text on pages 28-29 of consultation draft - removed.	Much of this text has been removed as replaced by more detailed guidance in relation to the three pillars of the Marine Nature Conservation Strategy.
4.42 - 4.45 - new paragraphs.	Gives clearer guidance on the requirements of Natura 2000 sites. Responds to feedback received during the HRA process.
4.46 - 4.47 - new paragraphs.	Gives clearer guidance on the requirements of Marine Protected Areas.
4.48 - new paragraph.	Gives clearer guidance on the requirements of Sites of Special Scientific Interest.
4.49 - new paragraph.	Links to Scottish Planning Policy in relation to locally designated sites.
4.50 - new paragraph.	Gives guidance on adherence to management plans and guidance.
4.51 - 4.54 - new paragraphs.	Gives clearer guidance on requirements in relations to marine species.
4.54 - added 'as should recommended techniques for assessing acceptable levels of man-made pressures.'	Reflects the requirement to assess acceptable impacts of human pressure.
4.55 - 4.58 - significantly reworded/new text added.	Gives clearer guidance on wider seas measures - including the treatment of Priority Marine Features.
4.59-4.60 - new paragraphs.	Reflects the need to consider potential impacts on geology.

New regional policy.	Highlights main issues of relevance for regional planners.
GEN 10 - additional policy.	Reflects importance of promoting biosecurity in decision making and the current approach to response and management of invasive non natives
4.61 - 4.62 - significantly reworded and expanded (previous text under GEN 12 page 29 of consultation draft).	Clearer guidance on good biosecurity practice.
GEN 11 - additional policy.	Clarifies policy on marine litter.
4.63 - 4.64 - new paragraphs.	Sets out the potential impacts of marine litter and how these should be addressed in planning and decision making.
New regional policy.	Highlights main issues of relevance for regional planners.
GEN 12 - formerly GEN 18.	
4.66 - added 'and areas particularly important for immersion sports'.	Refers to importance of water quality for areas used for immersion sports.
GEN 13 - formerly GEN 16 - significantly reworded.	Drafting style and to emphasise consideration effects rather than source.
4.68 - 4.69 - significantly reworded and expanded.	Gives guidance on the potential impacts of noise and potential mitigation, removing reference to specific measures to allow case specific consideration. Highlights the need for monitoring and research and the link to the Noise Registry.
GEN 14 - formerly GEN 15 - slightly reworded.	Drafting style.
4.70 - 4.71 - slightly reworded.	Drafting style, for consistency within the Plan.
GEN 15 - formerly GEN 6 - slightly reworded.	Drafting style, for consistency of terminology within the Plan.
4.72 - slightly reworded and added 'examples include, but are not limited to, cables or pipelines, aquaculture, ports and harbours, offshore renewables and coastal infrastructure.'	Rewording for drafting style. Broader range of illustrative examples included.
4.73 - 4.74 -new paragraphs.	Gives further guidance on alignment between marine and terrestrial processes, linked to the Planning Circular.
New regional policy.	Highlights main issues of relevance for regional planners.
GEN 16 - formerly GEN 7 - slightly reworded	Drafting style.
4.75 - significantly reworded.	Clearer justification for alignment and link to regional marine planning.
New regional policy.	Highlights main issues of relevance for regional planners. Existing text slightly reworded.
GEN 17 - formerly GEN 8 - slightly reworded.	Drafting style.
GEN 18 - formerly GEN 9 - slightly reworded.	Drafting style- drafting correction.

4.77 - slightly reworded and added 'taking into account statutory pre-application consultation requirements where these apply' and 'There should be a presumption in favour of publicising applications for marine and terrestrial components together during consenting processes.'	Amended for drafting style and also to reflect new requirements regarding pre-application consultation and to promote the practice of publicising marine and terrestrial components together.
GEN 19 - formerly GEN 10. Text shortened but re-used elsewhere in following paragraphs.	Refers explicitly to the socio-economic evidence base.
4.78 - added 'Gaps in evidence will be addressed through a variety of means, including but not exclusively, the Marine Scotland Science Strategy ⁸ , evidence gathered in support of regional planning, and marine research and monitoring mechanisms and stakeholders.'	Highlights strategy and sources for addressing evidence gaps.
4.79 - new paragraph.	Promotes the application of deployment and monitoring practices.
4.80 - new paragraph.	Highlights key evidence bases that will be updated on an on-going basis.
4.81 - significantly expanded to align with Marine Policy Statement.	Gives greater guidance on applying precaution within a risk based approach.
GEN 20 - additional policy.	Emphasises the importance of an adaptive management approach.
4.82 -4.83 - significantly expanded.	Gives greater guidance on adaptive management practices.
GEN 21 - additional policy.	Emphasises the importance of addressing cumulative impacts.
4.84 - 4.89 - new paragraphs.	Gives greater guidance on taking cumulative impact into account.

Chapter 5 - (A Guide to Sector Chapters)

Consultation points

Spatial focus

The section on key references has been added and includes reference to spatial data available via National Marine Plan interactive.

Modifications of objectives and policies

There are no objectives or policies in this Chapter, therefore no modifications have been made.

The text discussing marine planning policies for each of the sector chapters has been amended to be clear that these policies should be read as subject to the General Policies, and in conjunction with all other sectoral policies (paragraph 5.3) and to highlight the additional of regional policies.

Response to independent investigation

The additional references to 'key references' and 'regional policies' sections reflect changes made to the Plan which are relevant to Recommendations 2 and 6. For further detail, see Annex A.

All modifications

Paragraph number	Reason for change
Format change - the flow of the Chapter has been altered to reflect the reformatting of the sector Chapters.	The objectives and policies for each sector chapter are now presented together at the start of the chapter for ease of reference.
Part 1: Objectives and marine planning policies - significantly reworded.	Amalgamates former paragraphs and provides more detail on how policies have been developed. Also highlights that sector policies should be read subject to the General Policies; the use of symbols within the Plan; and the role of regional policies.
Part 3: Key issues for marine planning - slightly reworded.	Rewording to remove reference to the Government's Economic Strategy, which has been superseded, and to reflect the review of climate change sections within the following chapters.
Map - new section.	Explain that sector maps are to be found at the end of the relevant chapter.

Chapter 6 – SEA FISHERIES

Consultation points

The key areas raised during the consultation period are summarised at pages 4-5 of the consultation analysis report.

Marine research investment

Paragraph 6.30 added to highlight the importance of ensuring good quality information used to inform planning and decision making processes.

Adequate support and protection for the industry

Paragraph 6.2 added to highlight the Government's recognition of the importance of the industry. FISHERIES 1 reworded to contain an explicit reference to ensure 'existing fishing opportunities and activities are safeguarded where possible'. FISHERIES 3 also amended to ensure that a Fisheries Management and Mitigation Strategy is developed where such safeguarding cannot take place, and to present detail on the interests to be included, the data and information to be provided and the process to be undertaken.

Perception that sustainable development prioritised over fishing/potential for conflict

As is noted above, paragraph 4.5 in Chapter 4 has also been amended to clarify the expected equality of treatment between existing and emerging activity. That paragraph also makes clear that fisheries is a key sector to which the presumption in favour of sustainable development and use is applicable – i.e. fishing can be a sustainable use.

As is noted above, FISHERIES 3 has been amended to set out the process if there is potential conflict with another sector.

National management of fishing

The Plan continues to promote fisheries as part of future regional marine planning. Paragraphs 6.5 and 6.6 have been added to give further detail on the roles of Inshore Fisheries Groups and Marine Planning Partnerships and to highlight the importance of regional and national interaction on fisheries matters. Paragraph 2.10 in Chapter 2 has also been amended to reflect the expected role of Inshore Fisheries Groups and Marine Planning Partnerships.

Scientific certainty of MSY

The Plan continues to refer to MSY which is internationally recognised as an appropriate measure for the sustainability of stocks.

Relevance/feasibility of objectives

Standard text has been added to the beginning of all sector chapters to recognise that not all the objectives listed can necessarily be achieved directly through the marine planning system, but they are considered important context for planning and decision making. Equally this standard text also highlights that objectives should be read subject to the policies and objectives set out in Annex B and Chapter 4 – i.e. it is not assumed that they will necessarily be achieved if this cannot be done within the parameters set out in those Chapters.

EU access rights

Paragraph 6.4 sets out the broad context of regulation of the industry. Further information can be found within the key references highlighted within Chapter 6 or in the Fisheries section of NMP Online.

Differentiation between mobile and static gear

Paragraph 6.5 highlights the need to bring a more localised perspective to fisheries management. Paragraphs 6.29 & 6.30 highlight interactions within the industry.

Modifications of objectives and policies

A number of the objectives have been modified to address issues raised during the consultation – such as a preference for ‘optimising’ exploitation rather than ‘maximising’ and giving more detailed information on the stakeholders involved in fisheries management. References to climate change adaptation, climate change mitigation and food security have also been added.

FISHERIES policies have been rationalised and modified to set out a clearer reference to an ecosystem approach within the regulatory framework; the safeguarding of fishing opportunities and activities where possible; and the Strategy to be put in place where such safeguarding is not possible. They have also been modified to include reference to a broader range of stakeholders and a regional policy has been added to offer clarity as to issues for regional planners to consider.

Response to independent investigation

Modifications to this chapter include those to respond to Recommendations 17, 18, 19 and 20 of the independent investigation. These include:

Amended paragraph at 6.2 that states that ‘The Scottish Government recognises the social, cultural and economic importance of fishing activity to many of Scotland’s communities and wishes to see the long history of fishing in Scottish waters continue’ which echoes the wording in the Marine Policy Statement as suggested in Recommendation 17.

In line with Recommendation 19, the policies have been rationalised and restructured and FISHERIES 1 contains an explicit reference to ensuring ‘existing fishing opportunities and activities are safeguarded wherever possible’.

FISHERIES 3 also now gives more detail on the preparation of a Fisheries Management and Mitigation Strategy and the implications of a failure to agree, in response to Recommendation 18.

New paragraphs 6.5 – 6.6 have been added which sets out the rationale for a more regional model of marine management and the relationship with the Plan and Marine Scotland, in response to Recommendation 20.

Further detail is available at Annex A.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objective 1 - added reference to environmental and economic sustainability.	For clarification.
Objective 2 - changed 'leader' to 'seen as an exemplar' and added 'and accounts for changes in species distribution and abundance due to climate change'.	Drafting style and to highlight the need to react to change in opportunities due to climate change.
Objective 3 - Changed 'support the sea fisheries industry to' to ' the sea fisheries industry can'.	Reworded to highlight overall objective rather than implying the action required.
Objective 3 - Replaced 'maximise' with 'optimise'.	Reflects that optimal exploitation is not always the same as the absolute maximum.
Objective 3 - added 'Optimise the use of fuel by using fuel-efficient gear and vessels' and 'Continue to contribute to food security and provision of a healthy food source'.	Reflects contribution to climate change mitigation and food security.
Objective 4 - removed 'Help sustain vibrant coastal'.	Consultation feedback highlighted concern that 'vibrant' implied a value judgement as to communities which should be sustained. Also reworded to highlight the overall objective rather than implying the action required.
Objective 5 - expanded to include reference to an ecosystem basis, appropriate stakeholders, inshore fisheries and the involvement of Inshore Fisheries Groups and Marine Planning Partnerships. Footnote added to give a CFP example.	Consultation feedback indicated it would be helpful to give some more detail on regional management, linked to the CFP, and the stakeholders involved.
Objective 6 - 'Manage fisheries' changed to 'fisheries managed'.	Reworded to highlight the overall objective rather than implying the action required.
Objective 7 - Removed 'take'.	Reworded to highlight the overall objective rather than implying the action required.
Objective 8 -changed 'elimination' to 'avoidance and added ' and implementation....both offshore and onshore'.	Acknowledges importance of working within EU requirements, and the potential impact on the fishing industry and associated sectors.
Objective 9 - Reworded 'management of' rather than 'manage'.	Reworded to highlight the overall objective rather than implying the action required.
FISHERIES 1 - new policy drawing on FISHERIES 3 in the consultation draft.	Highlights the broader framework of European legislation beyond the CFP. Also introduces a requirement to safeguard existing fishing where possible and to ensure an ecosystem based approach.
FISHERIES 2 - was referenced as FISHERIES 4 in the consultation draft.	Policy unchanged but placed differently.

FISHERIES 3 - reword of Fisheries 5 in the consultation draft.	Terminology amended to a Fisheries Management and Mitigation Strategy rather than a Fisheries Management Plan - to fit better with existing practice. Clarity that a Strategy is required where existing fishing cannot be safeguarded. Further detail on the interests to be included in the process, the information and data to be provided, the stage at which the Strategy should be drawn up and the process in event of disagreement. Reference to ability to catch quota amended to reflect that this could be disrupted by external factors.
FISHERIES 4 - was referenced as Fisheries 6 in the consultation draft.	Policy unchanged but placed differently.
FISHERIES 5 - reword of Fisheries 7 in consultation draft.	Reworded to include all stakeholders with an interest and to clarify the relationship with regional plans.
Regional policy added.	Highlights issues for consideration by regional marine planners.
Removed FISHERIES 1 and 2 from consultation draft.	Substance incorporated in new Fisheries 1.
Removed FISHERIES 8 from consultation draft.	Statement of Government initiative rather than a planning policy. Action taken as part of this initiative will be reflected in regional planning and is referred to in the regional policy.
Key references added.	Added for each sector to highlight key reference material.
6.2 - new paragraph.	Highlights Government's recognition of the importance of fishing activity and links to the wording of the Marine Policy Statement
6.3 - new paragraph.	Reflects evidence base set out in Scotland's Marine Atlas.
6.4 - added sentence "The management of fishing is also affected by EU environmental legislation which places obligations on Scotland in relation to fisheries management."	Reflects environmental aspects of regulation alongside fisheries management aspects.
6.5 and 6.6 - new paragraphs.	Gives more detail on Inshore Fisheries Groups and the development of regional marine planning - and their relationship to this Plan.
6.7 - slightly reworded.	For accuracy.
6.8 - new paragraph.	Recognises the existence of seasonal inter-tidal and hand diving fisheries.
6.9 new statistics.	Updated for 2013 figures.
6.11- 'caught' replaced with 'landed'.	For clarification.
6.12 - text placed in footnote.	More consistent referencing
6.14 new statistics.	Updated for 2013 figures
6.15 shortened.	References to specifics of exports and imports removed.
6.16 - reference to size of fleet removed.	Covered at 6.9.
6.16 - added 'in some sectors'.	Clarification.
6.16 - 'over' replaced by 'almost'.	Updated figures.
6.17 - slightly reworded.	Drafting style and update reference to Scotland's Economic Strategy.
6.16 -6.19 some reordering of text.	Clarification.

Map 5 & 6 removed.	Replaced with Map 5 to show quantity of landings by vessels by district for 2013.
6.20 - 'hard to predict precisely' replaced with 'very difficult to accurately predict'.	Drafting style.
6.21 - added sentence - 'such positive co-operation should be encouraged where possible'.	Highlights role of planning in encouraging co-operation.
6.23 - new paragraph.	Highlights greater detail of potential interactions.
6.24 - New sentence - 'There is also potential for damage to occur to both infrastructure and fishing equipment as a result of interactions, with obvious safety implications also.'	Highlights greater detail of potential interactions and safety aspect.
6.24 - added 'with resultant increased pressure on remaining, often adjacent, fishing grounds'	Highlights potential impact of displacement.
6.25 - 'wind energy areas' replaced with 'infrastructure or development'	Acknowledge potential for a range of areas to provide the benefits described.
6.26 - new paragraph.	Incorporates FLOWW best practice guidance.
6.28 - new sentence added - 'Conservation areas can also help to underpin sustainable fishing by protecting habitats of value to commercial species' life cycles, supporting the recovery of protected species and serving to enrich the biodiversity of an area.'	Gives broader detail on the potential benefits of conservation areas.
6.29 - added 'and within'.	Highlights potential issues within sectors, as well as between.
6.30 - added sentence 'Attention should also be paid to the status and verification of all information used to inform decisions. '	Reflects the desirability of ensuring good quality information used to inform planning and decision making processes.
6.31 - removed text specifically referring to issues in the Clyde.	Ensures the general issue is focused on, rather than the specific example - which would be more appropriate for regional planning.
6.32 - slightly reworded.	Drafting style.
6.34 - add reference to grounds which are already fished.	For clarification.
6.35 - slightly reworded.	Drafting style change.
6.36 - added 'fuel use'.	For clarification.
6.37 - added phrase 'whilst it is preferable not to restrict access to individual fishing grounds'.	For clarification.
6.39 - added text in brackets.	For clarification.
6.41 - added 'localised' and 'demersal'. Removed 'due to risk of damage to gear'.	For clarification and greater accuracy.
Removed boxed text on Clyde 2020 (previously between 6.41 and 6.42).	More relevant to regional planning - now referred to in the regional policy.
6.42 - additional text on specific restrictions in place.	Consultation responses highlighted these particular examples.
6.45 - 'Slightly reworded.	For clarification.
6.47 - Significantly reworded - added sentences - 'More frequent adverse weather conditions may also lead to offshore vessels being displaced to more sheltered inshore areas, as well as placing additional limits on inshore vessels. Furthermore, fishermen may require greater flexibility to move between fishing grounds to respond to the impact of climate change on the distribution of stocks.' Also added 'climate-induced' in the following sentence.	Reword for clarification - Highlighting potential implications of climate change in further detail, with an emphasis on issues which may particularly relevant for marine planning and decision making.

6.47 - change 'affect' to 'lead to both risks and opportunities for'.	Clarification that potential impacts could be positive or negative.
6.49 - removed 'for example shifting from beam trawls to seine nets can deliver a 15 fold reduction in fuel use per kg of fish' and 'in line with government commitments'.	Focus on the broader point that changes to fishing techniques is one way in which carbon footprint can be reduced.
6.49 - added 'but attention should also be paid to the possibility of such improvements leading to increased fishing effort and greater overall carbon use'.	Reflects caveat that more efficient methods may incentivise greater effort overall with associated carbon implications.
Map - text added to explain ports identified represent Fishing Districts.	For clarification.

Chapter 7 - AQUACULTURE

Consultation points

The key areas raised during the consultation period are summarised at pages 5-6 of the consultation analysis report.

Relationship with terrestrial planning

Paragraph 7.4 added to clarify the current regulatory framework, how the Plan will apply and the importance of aligning marine and terrestrial planning processes in future with a reference to the Planning Circular. This is also highlighted in Chapter 2 at paragraph 2.15.

AQUACULTURE 1 and 2 have also been reworded to set out more clearly joint action required by marine and terrestrial planners.

Reflect terminology and context set out in other strategic documents

Key references are added at the beginning of the chapter and a number of other strategic documents directly referenced throughout the chapter. Terminology has been checked to ensure internal consistency within the Plan.

Qualified support for presumption against marine fish farms on the north and east coasts

The presumption against further marine fish farm developments on the north and east coasts to safeguard migratory fish species is maintained. This precautionary approach has been retained on the basis that it is a long standing agreement which was established to protect migratory fish and there is no definitive scientific evidence on the impacts on these fish which would support its removal. However individual applications would be assessed on a case by case basis and subject to a planning decision by the relevant local authority. This is consistent with the position set out in the National Planning Framework.

Interactions with other users

New section added at paragraph 7.18 highlighting potential interactions with wild salmon and migratory fish, inshore fishing, and recreation and tourism (including visual impact).

Polarised views on growth targets set out in objectives

The growth targets are maintained within the objectives (Objective 2) with an added clarification that these are supported 'with due regard to the marine environment and carrying capacity'. Standard text has also been added to the beginning of all sector chapters to recognise that not all the objectives listed can necessarily be achieved directly through the marine planning system, but they are considered important context for planning and decision making. Equally this standard text also highlights that objectives should be read subject to the policies and objectives set out in Annex B and Chapter 4 - i.e. it is not assumed that they will necessarily be achieved if this cannot be done within those parameters.

This is also emphasised by extended material at paragraph 7.16 which highlights the framework within which the industry should aim to achieve their growth targets.

Spatial planning projects

Paragraph 7.17 provides an update on a project to identify areas of opportunity and constraint (previously covered in the Future section of the consultation draft) and explains that this will represent a development of current Locational Guidance. AQUACULTURE 2 requires such guidance to be reflected in areas identified by future marine and terrestrial development plans.

Sustainability issues

Objective 7 added – support research and development to improve knowledge and understanding of the requirements for sustainability of the industry, with a particular focus on the issues of sea lice, containment and interactions with other industries.

Additional material at paragraphs 7.12 -7.14 to highlight the key issues of control of sea lice and sustainability of feed; and to highlight action which has been taken and will be taken in the future.

The extended material at paragraph 7.16 sets out the framework within which regulators aim to minimise and mitigate environmental impacts.

Modifications of objectives and policies

This Chapter has been modified to introduce a new Objective 1 which sets out a summary of the direction of travel for the industry. As is noted above, Objective 2 has been amended to refer explicitly to the marine environment and carrying capacity in the context of sustainable growth targets.

Objective 5 has also been amended to highlight a marine planning approach to identifying areas for development ‘taking account of key resource and constraints considerations’.

As noted above, AQUACULTURE 1 & 2 have been reworded to set out more clearly joint action required by marine and terrestrial planners. AQUACULTURE 4 has been updated to reflect that designation of shellfish waters has taken place.

AQUACULTURE 6,9,10 and 11 have been amended to give them more general application and/or to allow for flexibility during the lifetime of the Plan. AQUACULTURE 11 also now refers to greenhouse gas emissions. A policy on community benefit (AQUACULTURE 14) has been added and AQUACULTURE 7 is now a distinct policy on a risk based approach to location of development and the potential impact on wild fish.

A regional policy has also been added which summarises considerations for regional planners.

Response to independent investigation

Paragraph 7.4 has been added to give more detail on the current regulatory system, its’ relationship to this Plan and the need for alignment between marine and terrestrial planning, which is relevant in relation to Recommendation 4.

Further detail is available at Annex A.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objective 1 - new objective.	New objective added to give summary of the direction of travel for the industry.
Objective 2 - reworded from consultation draft.	Incorporates explicit reference to the marine environment and carrying capacity.
Objective 3 - slightly reworded version of objective 1 in consultation draft.	Reworded to highlight overall objective rather than implying the action required.
Objective 4 - remove word 'secure'.	Reworded to highlight overall objective rather than implying the action required.
Objective 5 - added 'taking account of key resource and constraints considerations'.	Highlights marine planning approach to identifying areas.
Objective 7 - new objective.	Highlights the importance of research and development to underpin the sustainability of the industry.
AQUACULTURE 1 - significantly reworded.	Highlights the emphasis on identifying appropriate locations, the potential use of planning development briefs and considering carrying capacity.
AQUACULTURE 2 - Slightly reworded and incorporates previous Aquaculture 3.	For clarification.
AQUACULTURE 3 - formerly Aquaculture 4 (text unchanged).	No change.
AQUACULTURE 4 - formerly Aquaculture 5 - text updated.	Updated to reflect designation taken place. Also highlights the need to consider capacity.
AQUACULTURE 5 - formerly Aquaculture 6. Reworded and expanded.	Contains a more specific reference to avoiding/mitigating adverse impacts.
AQUACULTURE 6 - formerly Aquaculture 7. Added 'although boundaries may be revised by Marine Scotland to take account of any changes in fish farm location, subject to the continued management of risk'.	Acknowledges need for flexibility during the lifetime of the Plan.
AQUACULTURE 7 - formerly part of Aquaculture 8.	Presented as a distinct policy to ensure a focus on this issue.
AQUACULTURE 8 - second part of former Aquaculture 8. Added ' Seal licences will only be granted where other management options are precluded or have proven unsuccessful in deterrence.'	For clarification.
AQUACULTURE 9 - Removed 'should a harmful plankton or algal bloom occur.'	Ensures more general requirement for any type of emergency.
AQUACULTURE 10 - reworded to replace 'to seek their support' with 'and others who may be affected to identify and, where possible, address any concerns'.	Ensures broader requirement in cases where impact could go beyond the local community and emphasises the need to address identified concerns.
AQUACULTURE 11 - Reworded to replace ' where a' with 'any' and remove 'this'. Added 'Equipment and activities should be optimised in order to reduce greenhouse gas emissions'.	Reworded to reflect introduction of technical standard, to allow flexibility during the lifetime of the Plan and reflect mitigation to climate change.
AQUACULTURE 13 - Replaced 'criteria' with 'objectives and policies'.	Clarification that this policy is subject to objectives and policies contained within the Plan.
AQUACULTURE 14 - added policy.	Reflects commitment to maximising community benefit.

Regional policy added.	Highlights issues for consideration by regional marine planners.
Key references added.	Added for each sector to highlight key reference material.
7.1 Significantly reworded - New paragraph replacing first four paragraphs of this section in the consultation draft.	More general introduction clarifying Scottish Government support for sustainable growth and referencing the evidence base. Further economic information is now found in Part 2.
7.2 - significantly reworded.	Updated references.
7.4 New paragraph replacing the last paragraph in this section in the consultation draft.	More detail on the current regulatory system, its' relationship to this Plan and the need for integration between terrestrial and marine planning.
7.5 Replaced 'underpin' with 'contributes to'. Added 'and helping to maintain community infrastructures such as schools, ferries and other services.'	Highlights potential broader role of the industry beyond direct employment.
7.6 - 7.7 Significantly reworded - paragraphs moved from Part 1 of consultation draft and updated.	Updated for 2012 figures and to include text on protein conversion efficiency.
7.8 - slightly reworded.	For clarification.
7.9 - reworded to include reference to larger operations in Western Isles and at Loch Fyne as well as in Shetland.	Reflects broader range of areas where large scale operations taking place.
7.10 - reworded and includes formerly distinct paragraph on environmental management	For clarification and to ensure that the development of environmental management projects is highlighted as an opportunity.
7.11 - text remains the same but placing changed.	To ensure that the section opens with the importance of water quality and current flow to the industry.
7.12 - new paragraph.	Highlights the substantial challenge of sea lice and the national treatment strategy.
7.13 - new paragraph.	Highlights the use of Farm Management Areas and action on the interaction with wild fish.
7.14 - extended paragraph.	Highlights the importance of sustainable feed materials and on-going research.
7.15 - new paragraph.	Reference to the main evidence base.
7.16 - substantial rewording and placing changed.	Introductory text refers to earlier chapters and existing regulatory controls.
7.16 - first bullet - placing changed.	To emphasise the importance of planning location with reference to carrying capacity.
7.16 - second bullet - new.	To ensure locational guidelines are highlighted.
7.16 - third bullet - extended.	Reference to design and added detail on features to be considered.
7.16 - fifth - seventh bullets.	Highlights role of SEPA and Marine Scotland.
7.16 - eighth bullet - added 'addressing predators and marine non-native species'.	Further detail.
7.17 - placing changed and reworded.	Moved from future section to reflect potential application during the lifetime of the Plan and link to locational guidelines highlighted.
7.18 - new section.	New section added for consistency of approach with other sectoral chapters and highlighting the main interactions relevant to planning identified in consultation responses.

7.19 - added 'For example, increased shellfish contamination, harmful plankton events and the establishment of non-natives species may be risks but it is not yet clear that a changing ocean climate can be responsible for these effects.'	Added detail on the current evidence related to potential effects.
7.20 - 7.21 significantly reworded.	Reworded to reflect current knowledge, give greater detail in some places and highlight potential adaptation.
7.22 - Replaced 'favourable' with 'low'.	For clarification.
7.22 - added 'There are also opportunities for the use of renewable resources in providing energy for aquaculture installations'.	Highlighting potential mitigation measure.
7.24 - reworded 'and beyond....within the wider environment' to 'and beyond. It is also tasked to ensure the long-term sustainability of aquaculture within the wider environment.'	To clarify that the MGSA remit is broader than the 2020 targets.
7.25 - new paragraph.	Highlights the importance of research and development and the role of the Scottish Aquaculture Innovation Centre.
7.26 - slightly reworded.	Drafting style.
7.27 - significantly reworded (formerly last two paragraphs in this section of consultation draft).	Clarifies Scottish Government support for the seaweed sector and aquaculture taking place further offshore.

Chapter 8 – WILD SALMON AND DIADROMOUS FISH

Consultation points

The key area raised during the consultation period is summarised at page 6 of the consultation analysis report.

Improved data required.

Paragraph 8.6 has been amended to highlight existence of uncertainty and to state that ‘continued efforts to better understand potential impacts should be encouraged.’ Paragraph 8.13 has also been updated to reflect the conclusions of the Wild Fisheries Review.

Modifications of objectives and policies

There are no material modifications to objectives and policies.

Response to independent investigation

There are no relevant modifications.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objectives 1 and 2.	Reworded to highlight overall objective rather than implying the action required.
WILD FISH 1 – reworded to replace ‘migratory’ with ‘diadromous’.	For greater accuracy and consistency.
Key references added.	Added for each sector to highlight key reference material.
8.1 – reworded for clarification.	Includes reference to range of species rather than just salmon and sea trout.
8.2 – reworded for clarification.	Clarifies the focus of the Plan on the marine environment.
8.3 – reworded to add ‘ Salmon and many other key species of diadromous fish have been identified as Priority Marine Features and UKBAP (UK Biodiversity Action Plan) Priority Species. Some species are afforded protection by SAC and SSSI designation.’	Highlights conservation value alongside economic value, and designations which may be relevant in marine planning and decision making.
8.6 – reworded to replace ‘migratory’ with ‘diadromous’ in two places.	For greater accuracy and consistency.
8.6 – reworded first bullet – added ‘ whilst there is uncertainty around the likelihood and severity’ and ‘continued efforts to better understand potential impacts should be encouraged.’	Reflects that further investigation may be required.

8.6 - reworded first bullet - removed 'significant'.	Reflects earlier change that likelihood and severity is uncertain.
8.8 - updated.	To reflect latest statistics.
8.9 - updated.	To reflect latest statistics.
8.10 - slightly reworded.	For clarification.
8.11 - reworded to replace 'migratory' with 'diadromous' and added 'In addition there is a link between decreases in marine growth and survival in salmon and changes in oceanic climate.	For greater accuracy and consistency.
8.13 - updated.	To reflect progress in relation to the Review since the consultation draft.

Chapter 9 – OIL AND GAS

Consultation points

The key areas raised during the consultation period are summarised at page 6 of the consultation analysis report.

More recognition of the impact of the sector on climate change

Climate change section expanded to emphasise the recognition that a move towards a low carbon economy is required and supported by Scottish Government. That section is also amended to give further detail on action being taken to minimise the environmental footprint of operations.

Compatibility of policies with strategic objectives and climate change policies

Paragraphs 9.1 – 9.3 amended to emphasise the context of moving towards a low carbon economy and the links between the sector and other areas.

More detail on decommissioning or re-use of infrastructure

New section added to paragraph 9.12 on decommissioning.

Greater consideration of interactions with other sectors

Changes made to section on interactions with other users to reflect the benefit of current interactions (e.g. ports and harbours) as well as future potential interactions and to reflect that interaction can have both positive and negative impacts, which may change as technologies develop. This section has also been amended to highlight potential benefits to other sectors via skills transfer.

Co-ordination with land planning

OIL AND GAS 3 amended to include a specific reference to coastal infrastructure.

Offshore Safety Directive

Paragraph 9.5 added to reflect publication of the Directive. OIL AND GAS 6 has also been updated to refer to the Directive.

Modifications of objectives and policies

As noted above, objectives and policies have been updated to refer to coastal infrastructure and to the Offshore Safety Directive. A number of other small amendments have been made to update references or clarify intent. A regional policy has also been added to highlight issues for consideration by regional planners.

Response to independent investigation

The modification of OIL AND GAS 3 to refer to coastal infrastructure is relevant to Recommendation 4. Further detail is available at Annex A.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter	For ease of reference.
Objective 1 reworded.	Reworded to highlight overall objective rather than implying the action required.
Objective 2 - part of Objective 3 in consultation draft, slightly redrafted.	Reference to potential future environments added.
Objective 3 - part of Objective 3 in consultation draft. Removed reference to 'Not Exceeding Excessive Cost'.	Updated to reflect industry norms.
OIL & GAS 1 - reworded to add 'the new Oil and Gas Authority' and remove 'Not Exceeding Excessive Cost'.	Reflects new body and reflects industry norms.
OIL & GAS 1 reworded to add 'oil and' and 'habitat change'.	For consistency with impacts highlighted in Part 2 - Living Within Environmental Limits.
OIL & GAS 3 - reworded to add 'and coastal' and 'and should take into account environmental and socio-economic constraints'.	Reflects need for integration with terrestrial planning and highlights the essential aspects of a planned approach.
OIL & GAS 5 - reworded to remove 'offshore'.	Superfluous given reference to Scottish waters.
OIL & GAS 6 - reworded to add 'and the Offshore Safety Directive'.	Updated to include reference to the new Directive.
Regional policy added.	Highlights issues for consideration by regional marine planners.
Key references added.	Added for each sector to highlight key reference material.
9.1, 9.3 and 9.4 - new paragraphs.	Clarification of policy position.
9.5 - new paragraph.	Update on the Offshore Safety Directive.
9.7 - reworded paragraph.	Update on Sir Ian Wood's Report.
9.9 - placement moved and slightly reworded.	Moved from background and context section in consultation draft. Figures updated to 2013 statistics and reference to superseded Government Economic Strategy removed.
9.10 - add 'and Aberdeenshire'.	Reflects consultation comment that Westhill in Aberdeenshire is the global centre of subsea engineering expertise.
Paragraph 9.12 - reworded to include third element of decommissioning at third bullet point.	Reflects economic potential of decommissioning and potential link to CCS.
Paragraph 9.12 - first bullet point reworded.	Text updated and references added for additional detail.
9.13 - reworded to add 'there are obvious benefits to existing interactions such as those with shipping and ports and harbours.'	Reflects benefits of current interactions as well as potential future interactions.

9.13 - reworded to add 'There is also potential for other sea users to be negatively impacted by infrastructure requirements of the sector (which may continue to change as technologies develop).'	Reflects potential for both positive and negative interaction and the need for flexibility.
9.14 - Renewables - reworded to add - "The oil and gas sector can play a significant role in helping to reduce costs of developing offshore wind projects through the application of skills and knowhow of marine operations. Research by Scottish Enterprise suggests that the oil and gas supply chain has the potential to reduce the cost of offshore wind operations by around 20%. There are also potentially beneficial synergies between decommissioning activity and the emerging offshore wind sector."	Highlights potentially significant benefits of interaction.
9.14 - CCS - reworded to add 'and transfer of relevant skills and expertise'.	Reiterates potential for benefits to other sectors including CCS.
9.15 - reworded - chemical pollution - removed 'although there is no evidence of significant effects on the food chain.'	Some consultation responses felt that this could appear misleading, although factually correct.
9.17 - 9.19 - new paragraphs.	Further information on current regulation relating to pressures and impacts on the marine environment.
9.20 - 9.22 - new paragraphs.	Reiterates Scottish Government policy position on transition to a low carbon economy; and the commitment of the industry to minimising its environmental footprint.
9.23 - reworded and added 'and associated impacts on physical structures, operating windows and health and safety both on, and travelling to, platforms. However it is recognised that the offshore sector is currently operated under an established, robust and world leading health and safety regime.'	More detail on climate change adaptation.
9.24 - reworded.	Updated to reflect current industry view.
9.25 - reworded to remove 'The timing of the process is uncertain due to fluctuating oil price (reflecting global energy demand), field exhaustion, advances in oil recovery and availability of skills.'	Highlights the overall decommissioning effort required over time.
9.26 - Reworded to replace 'Oil and Gas UK intends' with 'Regulators will work together'. Also added 'and to ensure assets are not decommissioned prematurely'.	Highlights the role of regulators working under the Plan and a focus on making best use of existing infrastructure.

Chapter 10 – CARBON CAPTURE AND STORAGE

Consultation points

The key areas raised during the consultation period are summarised at page 6 of the consultation analysis report.

Mixed views on position of the sector

Terminology amended to refer to ‘commercialisation’ phase rather than ‘demonstration’ on the basis of feedback from the industry. New paragraphs added at 10.1 – 10.3 to give the context and clarify the Scottish Government’s position.

Integration with terrestrial planning/National Planning Framework

Paragraphs 10.8,10.9 & 10.22 have been added to reflect the coverage of the National Planning Framework. CCS1 has also been amended to refer to support ‘through an alignment of marine and terrestrial planning processes’ and the regional policy also refers to the National Planning Framework.

Support for re-use of redundant oil and gas infrastructure

The utilisation of existing infrastructure continues to be promoted in Objective 3. This is also highlighted in amendments to Chapter 9 (e.g. addition of ‘and to ensure assets are not decommissioned prematurely’ in paragraph 9.26).

Modifications of objectives and policies

The objectives have been modified to reflect the amended terminology (‘commercialisation’) noted above and to highlight the potential for linkage of CCS to Enhanced Oil Recovery processes. The amendment to CCS 1 to refer to the alignment of marine and terrestrial processes is also noted above.

Response to independent investigation

The amendments outline above under the Integration with terrestrial planning/National Planning Framework are relevant to Recommendation 4. Further detail is available at Annex A.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objective 1 - reworded.	To highlight overall objective rather than implying the action required. Combined with previous Objective 4.
Objective 2 - reworded.	Previously Objective 3. Reworded to highlight overall objective rather than implying the action required. Text on utilising existing infrastructure now in new Objective 3.
Objective 3 - reworded.	Previously Objective 2. 'Commercialisation' used instead of 'demonstration' on basis of feedback from industry. Text on utilising existing infrastructure added.
Objective 4 - reworded.	To add focus on the potential for linkage of CCS to Enhanced Oil Recovery processes.
CCS 1 - reworded to add 'through an alignment of marine and terrestrial planning processes, particularly'.	Highlights the need for alignment of planning processes.
'Demonstration' replaced with 'commercialisation'.	Consistency of terminology.
Regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
10.1 -10.3 - Section reworded - new paragraphs.	Sets out the context to the technology and the aspirations for development in Scottish waters.
10.4 - reworded.	Clarifying the role of CCS to capture emissions before they enter the atmosphere, rather than reducing emissions at source.
10.5 - penultimate and final sentence reworded.	reworded to refer to ongoing work to advance understanding; and to add specific references to research projects.
10.7 - new paragraph.	Reworded to highlight a more recent study carried out in 2014 and the potential for linkage between CCS and Enhanced Oil Recovery.
CCS Commercialisation Projects.	New heading reflecting terminology from 'demonstration' to 'commercialisation'.
10.8 - 10.9 Section reworded.	New paragraphs to reflect progress from consultation draft and confirmation of National Developments within the National Planning Framework.
10.10 - reworded 'meet' replaced by 'make'.	Clarifying drafting.
10.11 - slightly reworded.	Removed reference to 'opening up possibilities for enhanced oil recovery' as covered below.
10.12 - 'demonstration' replaced by 'commercialisation'.	Consistency across the chapter.
10.13 reworded to add 'EOR may also serve as an economic enabler for the development of CCS as the CO2 will gain a market value as a commodity for sale'.	Highlighting opportunities demonstrated in Canadian project (footnote given).

10.15 - reworded to add "It should also be noted that the environmental impacts may vary depending on the ease with which connections can be made between onshore power generation and existing offshore infrastructure."	Noting further variable which will impact on the overall benefit which can be achieved.
10.16 - reworded to add 'and this risk must be managed'.	For clarification.
10.19 - slightly reworded.	For consistency throughout the Plan.
10.20 - slightly reworded.	To reflect progress and consistent terminology throughout the Chapter.
10.21 - reworded to add ' The progress of the Peterhead project will be closely monitored and the Scottish Government will continue to encourage the EC to develop policy mechanisms to support and stimulate the development of CCS across the power and industrial sectors.'	To focus on continued action required.Map
10.22 - new paragraph.	Link to the National Planning Framework.
Map removed.	Streamlining.

Chapter 11 – OFFSHORE WIND AND MARINE RENEWABLE ENERGY

Consultation points

The key areas raised during the consultation period are summarised at page 7 of the consultation analysis report.

Incorporation of Sectoral Marine Plans

The incorporation of Sectoral Marine Plans within the Plan has been retained with an amended section outlining the sectoral marine planning process in more detail (paragraphs 11.11 – 11.14) and a revised RENEWABLES 1 which highlights that the Plan Options are considered the preferred location for the sustainable development of offshore wind and marine renewables.

Additional information from the sectoral process

As is noted above, amended section at paragraphs 11.11 – 11.14 gives further detail on the sectoral marine planning process.

Consistency with terrestrial planning and the National Planning Framework (and integration with onshore renewables)

A new paragraph has been added at 11.20 which sets out linkages to the National Planning Framework in relation to grid provision. Paragraph 11.32 has also been amended to highlight the need to align marine and terrestrial processes to address coastal issues.

Sustainability and cumulative impact

Paragraph 11.32 has been amended to highlight approaches to assessing key environmental risks and a strategic approach to mitigating potential impacts and cumulative impacts.

Consultation

Paragraph 11.26 has been amended to refer to an inclusive approach to avoiding or minimising impacts via effective communication and mitigation strategies.

Research

A new paragraph at 11.31 references the new Scottish Offshore Research Framework with a supporting research strategy. New Objective 8 also highlights the aim for a co-ordinated Government and industry monitoring package. Additional policy RENEWABLES 9 also highlights the requirement for strategic research and monitoring.

Modifications of objectives and policies

Objective 2 has been modified to include reference to competitive local supply chain; and Objective 3 has been modified to provide greater detail on alignment of marine and terrestrial planning. A new Objective 8 has been added to highlight the importance of monitoring.

RENEWABLES 1 and 2 have been significantly reworded to clarify the intention that Plan Options identify preferred areas for development; and to clarify the treatment of agreements for lease, regional locational guidance and spatial plans.

RENEWABLES 5 & 8 have been reworded to emphasise the importance of environmental assessment as a basis for mitigation and to reflect the requirement for broader engagement.

Policies set out in the consultation draft on cables, scenario mapping and on actions of Scottish Government on climate change and community benefit have been removed as they are now dealt with either elsewhere in this Chapter or elsewhere in the Plan.

Additional policies are as follows:

- RENEWABLES 3 - allowing for a case by case approach to test and demonstration sites.
- RENEWABLES 7 - emphasising the importance of adaptation to climate change.
- RENEWABLES 9 - highlighting the requirement for strategic research and monitoring.
- RENEWABLES 10 - incorporating principles for community benefit.

Response to independent investigation

The modification of Objective 3 to provide greater detail on alignment of marine and terrestrial planning is relevant to Recommendation 4, as are the addition of paragraphs 11.20 on links to the National Planning Framework and the rewording of 11.32 to highlight the need to recognise potential cumulative impacts and to take a common approach to common issues across marine and terrestrial processes. Further detail is available at Annex A.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objective 1- reworded.	To highlight overall objective rather than implying the action required.
Objective 2 - reworded.	To highlight overall objective rather than implying the action required. Reference to competitive local supply chain added.
Objective 3 - reworded.	To include reference to terrestrial planning and specific examples of alignment.
Objective 4 - reworded.	To highlight overall objective rather than implying the action required.
Objective 5 - reworded.	Removed reference to 2015 target as due to be met.
Objective 7 - reworded.	To include reference to sustainable development and expansion.
Objective 8 - new objective.	Highlight the importance of monitoring.
RENEWABLES 1 - significantly reworded.	For clarification of policy intention that the Plan Options identified are preferred areas for renewables development.

RENEWABLES 2 - significantly reworded.	For clarification of policy intent as to treatment of agreements for lease, regional locational guidance and spatial plans in the Pentland Firth and Orkney Waters.
RENEWABLES 3 - added policy.	Allows for a case by case approach to test and demonstration sites.
RENEWABLES 5 - replaces previous policies 5 & 8 in consultation draft.	Emphasises the importance of environmental assessment to provide a basis for mitigation. Response to feedback from HRA process.
RENEWABLES 6 - reworded.	Emphasises the need for a strategic approach to development of grid and minimising impact.
RENEWABLES 7 - added policy.	Emphasises importance of adaptation to climate change.
RENEWABLES 8 - formerly policy 9. Replaced 'existing users' with 'the general public and interested stakeholders'.	Reflects the requirement for broader engagement, including with the public.
RENEWABLES 9 - added policy.	Highlights the requirement for strategic research and monitoring.
RENEWABLES 10 - added policy.	Incorporates principles for community benefit.
Policies 7, 8, 10 and 11 from consultation draft removed.	Policy 7 removed as picked up for all submarine cables in Chapter 14. Policy 8 removed as now covered by Policy 5. Policy 10 removed as scenario mapping now referenced elsewhere within the Chapter and at 4.12 as one tool which may be used to assess and communicate potential implications. Policy 11 removed as now covered by RENEWABLES 7 & 10 and by GEN 2 & 5
Regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
11.1 - reworded to add 'wind and marine'.	Highlights the diverse nature of wind, wave and tidal sectors.
11.2 - new paragraph.	Reflects the strategic context for the development of offshore wind and marine renewables.
11.3 - reworded - placement moved from policy section in consultation draft. Added 'Scottish Territorial Waters Offshore Wind Sites' (STW) and detail to reflect Crown Estate round 3 sites are within zones identified by SEA.	For clarification
11.4 - reworded.	For clarification.
11.5 - 11.6 - significantly reworded.	Updated to reflect the current situation and potential future opportunities.
11.7 - 11.10 - significantly reworded.	Updated to reflect the current situation and future opportunities.
11.11 - 11.14 - new section.	For clarification of the sectoral marine planning process.
11.15 - 11.17 - Section significantly reworded - new paragraphs	Highlight economic opportunities and the need to align planning processes and consider scenario mapping to realise these.

11.18 - slightly reworded and added 'Opportunities for renewables development and activity are not restricted to the ports identified to the ports identified in N-RIP, with many other ports engaged with developers to support the sector'.	For clarification of the range of potential opportunities.
11.20 - new paragraph.	Link to the National Planning Framework.
11.21 - new paragraph.	For clarification.
11.22 - slightly reworded.	Drafting style.
11.23 - reworded.	Updated and linked to sectoral marine planning processes.
11.24 - new paragraph.	Cross-reference to new cables chapter.
11.25 - slightly reworded.	Added reference to cables and removed references to academia and electricity transmission which picked up elsewhere in Chapter.
11.26 - significantly reworded and added 'Impacts can be avoided or minimised through an inclusive approach which identifies affected sector contacts, improves communication between developers and these sectors, identifies the impacts and seeks to address these through effective communication and mitigation strategies.'	Reworded for clarification and add broader impacts not related to those on habitats or species. Added text to promote an inclusive approach to effective communication and mitigation.
11.27 - 11.29 - new paragraphs.	Further detail on good practice for communication and mitigation.
11.30 - slightly reworded.	Drafting style amended and added reference to the Scotland's Marine Atlas.
Specific references to particular impacts and pressures removed.	As covered in Scotland's Marine Atlas.
11.31 - new paragraph.	Highlights research frameworks underpinning future planning processes.
11.32 - reworded to add 'A strategic approach to mitigating potential impacts and cumulative impacts on the marine environment forms an integral part of marine planning and decision making, whilst issues arising in the coastal interface should align between marine and terrestrial processes.'	Now highlights need to recognise potential cumulative impacts and to take a common approach to common issues across marine and terrestrial processes.
11.33 - Reworded to replace 'An increase in renewable energy generation (electricity and heat) as a means of reducing carbon emissions could help our efforts to tackle climate change' with 'Whilst the technologies themselves will involve the use of energy for construction, transportation and maintenance, they will contribute to the decarbonisation of electricity generation through their long-term operation.'	Now recognises that the contribution to decarbonisation will also involve energy use during the lifetime of the technology.
11.34 - significantly reworded.	Added references to potential impacts related to coastal erosion.
11.35 -11.37 - slightly reworded.	Drafting style.
11.38 - new paragraph.	Highlights the future potential of floating wind turbines development and the relevance of Regional Locational Guidance.
11.39 - new paragraph.	Highlights the importance of strategic research and monitoring.

Chapter 12 – RECREATION AND TOURISM

Consultation points

The key areas raised during the consultation period are summarised at page 7-8 of the consultation analysis report.

Clarity on the application of policies

A new regional policy has been added to this Chapter. Amendments to Chapter 2 highlight the role for regional planning. More generally, the application of the policies is common throughout the Plan and is explained in Chapters 3 and 5.

Data and research

New paragraph 12.3 highlights the need to improve data on this sector and on-going work to do so. Also specific additional wording on research areas which would support recreational sea angling at paragraph 12.9.

Interaction and conflict

Paragraph 12.22 expanded to highlight the role of marine planning in ensuring co-existence and reducing conflict.

Coastal walking/coastal path as referenced in the National Planning Framework

Paragraph 12.19 has been significantly reworded and expanded to make the link to the long distance walking and cycling route identified in the National Planning Framework; and to highlight the importance of aligning marine and terrestrial processes and opportunities for shared infrastructure.

REC AND TOURISM 3 has also been amended to refer specifically to the National Long Distance Walking and Cycle Routes.

National Tourism Strategy

Paragraph 12.4 has been significantly reworded and expanded to refer to the National Tourism Development Framework.

Sustainable development – economic benefit and environment

Paragraph 12.2 amended to emphasise the importance of maintaining and enhancing attractive coastal scenery and marine conditions. New paragraph 12.31 and amendments to the climate change section (paragraphs 12.32 – 12.34) highlight good practice to address environmental impacts.

REC AND TOURISM 1 is an additional policy which highlights support for sustainable development of the sector. REC AND TOURISM 5 is also an additional policy which highlights the mutual benefits possible from enhancing natural resources.

Modifications of objectives and policies

Objectives 1 and 7 have been modified to emphasise the importance of sustainable development of tourism and recreation in positioning Scotland as a leading destination; and to highlight the potential economic contribution which can sit alongside social benefits.

Objectives 4 and 5 have been split to provide distinct focus on both access and facilities. Objective 5 also now contains reference to use of low carbon energy solutions. New objectives have been added as follows:

- Objective 2 - highlights the need to protect and enhance the natural resource.
- Objective 3 - focuses on potential for diversification opportunities to increase assets in rural towns and exploit opportunities from future climate change.
- Objective 8 - highlights the importance of education and responsible use.

As is noted above policies REC AND TOURISM 1, highlighting support for sustainable development of the sector, and REC AND TOURISM 5 highlighting the mutual benefits possible from enhancing natural resources, have been added. A regional policy has also been added to highlight issues for consideration by regional planners.

The other policies have been rationalised from the consultation draft with REC AND TOURISM 2 reworded to highlight the potential impact on infrastructure and REC AND TOURISM 3 amended to include 'opportunities to link to the National Long Distance Walking and Cycling routes'. REC AND TOURISM 4 has been amended to include support for the provision of low carbon transport options.

Response to independent investigation

Modifications of paragraph 12.19 and REC AND TOURISM 3 to make the link to the long distance walking and cycling route identified in the National Planning Framework; and to highlight the importance of aligning marine and terrestrial processes and opportunities for shared infrastructure are relevant to Recommendation 4.

Modifications of paragraph 12.4 to refer to the National Tourism Development Framework are relevant to Recommendation 2.

Further detail is available at Annex A.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objective 1 - reworded and amalgamates former Objectives 1 & 2.	Emphasises the importance of development of activities and industries in positioning Scotland as a leading destination.
Objective 2 - new objective.	Highlights the need to protect and enhance the natural resource.
Objective 3 - new objective.	Focuses on potential opportunities to increase assets in rural towns.

Objectives 4 & 5 – formerly Objective 3.	Highlights access and facilities as two main areas of focus, which are linked but not necessarily reliant on each other. Objective 5 now also refers to the use of low carbon energy solutions.
Objective 7 – formerly Objective 4 - reworded to add 'and increase economic benefit'.	Highlights the potential economic contribution which can sit alongside the social outcomes listed.
Objective 8 – new objective.	Highlights importance of education and responsible use.
REC AND TOURISM 1 – added policy.	Emphasises support for sustainable development of this sector.
REC AND TOURISM 2 – formerly REC AND TOURISM 1 - slightly reworded. Added 'including the extent to which proposals may interfere with the physical infrastructure that underpins a recreational activity'.	Highlights potential impacts on infrastructure as well as on the natural resource depended upon.
REC AND TOURISM 3 – formerly REC AND TOURISM 2 - slightly reworded and added 'including opportunities to link to the National Long Distance Walking and Cycle Routes'.	Link to the National Planning Framework. Rewording for consistency across the Plan and drafting style.
REC AND TOURISM 4 – amalgamates former REC AND TOURISM 3 & 5. Also added reference to low carbon transport options.	'Access' requirements from former Policy 3 covered by Policy 2. Highlights climate change mitigation aspects of policy.
REC AND TOURISM 5 – added policy.	Highlights the mutual benefits possible from enhancing natural resources.
REC AND TOURISM 6 – formerly REC AND TOURISM 7.	Placement change only.
Former REC AND TOURISM 4 & 6 removed.	Covered in GEN policies 3, 7 and 9.
Regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
12.1 – slightly reworded.	Drafting style.
12.2 – reworded to add 'making it important to ensure these qualities are maintained and enhanced.'	Highlight importance of protection and enhancement of qualities which the sector rely upon.
12.3 – new paragraph.	Highlights the need to improve data on this sector, and on-going work to do so.
Key areas table. Recreational sea angling – added 'and Orkney islands' Diving – added 'sea lochs'. Kite sports – added 'and Tiree'. Cruising – added 'Rosyth; Queensferry'.	Further key areas added as identified through consultation process.
Key areas table – note added to table.	Explains study underway to update data – which will be published online.
12.4 – significantly reworded and expanded.	Reference to the National Tourism Development Framework.
12.5 – changed placement but text unchanged.	For consistency with other chapters.
12.6 – slightly reworded.	Drafting style and for consistency of terminology throughout the Plan.
12.7 – reworded to add 'or even trans-national'.	Reflects that some opportunities will derive from activity taking place between Scotland and other countries.
12.8 – reworded to remove 'which offer significant economic activity'	Reflects current lack of evidence on value of some activities.

12.9 - reworded and added 'greater understanding of catches, identifying areas/ stocks which can support increased angling effort'.	Further detail on possible actions to support growth of the sector.
12.10 - significantly reworded and expanded.	Further detail on the potential economic contribution of sailing activity and recognition of the value of Scottish waters at a European level. Updated information on the position on the East Coast.
12.11 - reworded - specific events now footnoted. Added 'Recognition of unique qualities, areas of recreational value and opportunities for bespoke activities in regional marine plans could help to attract sporting events to Scotland.'	Focuses on identifying future opportunities at a regional level.
12.12 - reworded to remove 'Toilets in popular areas would also be beneficial'.	Not specific to this activity and not primarily an issue for marine planning.
12.13 - reworded to replace 'will' with 'may'.	Reflects that will be a range of circumstances which will dictate particular actions in different areas.
12.14 - added 'geology, habitats and'. Replaced 'of interest' with 'a key attraction to scuba divers'. Added 'shared' and 'in widening the appeal of an area to other tourism and recreation sectors'.	Reflects the importance of geology and habitats of interest; and the potential benefits of shared facilities encouraging diversification of use.
12.15 - slightly reworded.	Drafting style.
12.16 - reworded to replace 'attract visitors to Scotland' with 'play an important role in sustaining Scotland's remote and rural coastal and island communities.'	Emphasises the potential contribution to remote communities.
12.18 - reworded to add 'Again, close shore access to car parks and shared on-shore support facilities are required.'	Highlights the requirement for facilities consistent with the other activities.
12.19 - added 'and cycling.' Text significantly reworded and expanded.	Links to the long distance walking and cycling route identified in the National Planning Framework. Highlights the importance of aligning marine and terrestrial processes and opportunities for shared infrastructure.
12.20 - significantly reworded and expanded.	Reflects links to other transport options.
12.21 - new paragraph.	Reflects open water swimming and snorkelling activity and key requirements.
12.22 - reworded to add 'As such, alignment of marine and terrestrial planning processes is necessary to ensure positive interactions'. Added 'of the marine environment'. Added 'In supporting sustainable growth of the marine recreation and tourism sector, marine planning can help to ensure that it co-exists with existing marine users and reduce conflict. '	Emphasises the potential role of marine planning in managing interaction and the importance of aligning marine and terrestrial processes.
Removed interactions between recreational/sporting activity.	Recognises less of significant issue for marine planning.
12.25 - significantly reworded and expanded.	Further detail on likely interactions.
12.26 - reworded to add 'However, such developments often offer positive interactions providing supporting facilities and infrastructure for the sector. Improvements to ports and harbours can also attract visitors.'	Highlights potential positive interactions to balance the constraints referred to.
12.27 -removal of text on alteration to wave etc.	Further research and monitoring required to identify potential impacts.
12.28 - slightly reworded to add 'many of Scotland's beaches have received Blue Flag and Seaside awards'.	Recognises the high quality of the environment being discussed.

12.29 - 12.30 - slightly reworded.	Drafting style.
12.31 - new paragraph.	Highlights available good practice to address environmental impacts.
12.32 - change 'benefit from' to 'be impacted by'.	Reflects possible range of impacts.
12.33 - added 'and coastal erosion'.	For clarification.
12.34 - new paragraph.	Further detail on potential impacts and mitigation measures.

Chapter 13 – SHIPPING, PORTS, HARBOURS AND FERRIES

Consultation points

The key areas raised during the consultation period are summarised at page 8 of the consultation analysis report.

Polarised views on whether NMP should designate nationally significant ports and harbours

The Plan does not designate ports and harbours as such. TRANSPORT 2 has been reworded to apply to major commercial ports or existing or proposed ports and harbours which are identified as National Developments or as priorities in N-RIP; and to provide a regional policy for important ports and harbours at the regional level.

Cross sectoral linkages and policy integration between marine and terrestrial planning and transport strategies

Objective 2 reworded to highlight the support of other sectors. Paragraphs 13.3 and 13.4 have also been significantly reworded to highlight this issue. Paragraph 13.19 has been expanded to refer to aquaculture as well as fisheries; paragraph 13.21 has been expanded to highlight the importance of ports at the interface between canals and the marine area; and new paragraphs have been added on aggregates and mineral transshipment (paragraph 13.20) and the importance of supporting ferry routes (paragraph 13.23).

TRANSPORT 4 has been amended to be less specific, and therefore more flexible, about the other sectors which are supported.

Paragraph 13.11 has been added to refer specifically to National Developments in the National Planning Framework and to highlight the need for alignment between marine and terrestrial processes.

TRANSPORT 7 has been added to highlight the requirement for planning systems to be co-ordinated to allow support for industrial sectors and integrated and sustainable travel options.

New Objective 4 highlights sustainable travel (links to public transport and active travel routes).

Modifications of objectives and policies

Objectives 1, 2 and 5 have been reworded to highlight the safeguarding of access to ports and harbours; sustainable growth and key aspects of the sector; and a focus on mitigation of and adaptation to climate change. A new objective 4 has been added to highlight sustainable travel.

TRANSPORT 2 has been reworded to clarify the national and regional tiers of the policy and to give more detail on the ways in which regional planners may consider identification of important assets.

As is noted above, TRANSPORT 4 has been amended to be less specific, and therefore more flexible, about the other sectors which are supported.

TRANSPORT 6 has been reworded to place emphasis on the avoidance of displacement where possible and to clarify potential impacts.

As is noted above, TRANSPORT 7 has been added to highlight the need for marine and terrestrial planning systems to provide co-ordinated support for industrial sectors and integrated and sustainable travel options.

Policies contained in the consultation draft on ship to ship transfers and compliance with maritime law have been removed so as to avoid the duplication of existing statutory requirements.

A regional policy has also been added to highlight issues for consideration for regional marine planners.

Response to independent investigation

The modifications noted above under the ‘Cross sectoral linkages and policy integration between marine and terrestrial planning and transport strategies’ heading are relevant to Recommendations 2 and 4. See Annex A for further detail.

All modifications

Paragraph number	Reason for change
Chapter title changed from ‘Transport’ to ‘Shipping, Ports, Harbours and Ferries’.	To better capture the content of the chapter, particularly port and harbour elements’.
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Objective 1 – reworded and new reference to safeguarding access.	Highlights safeguarding of access as well as navigational safety.
Objective 2 – reworded and expanded.	Highlights sustainable growth and key aspects of the sector.
Objective 4 – new objective.	Highlights sustainable travel (links to public transport and active travel routes).
Objective 5 – reworded.	Focus on mitigation of and adaptation to climate change. Acknowledge potential cost challenges for shoreside power.
TRANSPORT 1 – minor changes to spell out UNCLOS in full and to use ‘routes used by shipping’ rather than ‘shipping routes’. Addition of specific reference to commercial anchorages and defined approaches to ports.	Drafting changes for consistency with terminology elsewhere in this Chapter. Text changes for clarification of applicability of the policy.
TRANSPORT 2 – slightly reworded – ‘activities’ replaced by ‘use’.	For consistency with terminology across the Plan.
Reworded to add ‘or future expansion of.’	Future proofing.
Reworded to remove ‘which are nationally regionally significant’. Added ‘major commercial ports or existing or proposed ports and harbours which are identified as’.	Clarifies the application of the policy.
Reworded to add ‘giving consideration to social and economic aspects of the port or harbour and the users of the facility subject to policies and objectives of this Plan.’	Gives more detail on the ways in which regional planners may consider identification of important assets.
TRANSPORT 3 - slightly reworded to replace ‘links to island (Maps 16-18 refer) and remote mainland activities’ with ‘to island and remote mainland area’. Replaced ‘interfere’ with ‘significantly interfere’.	Clarity of drafting and removal of reference to removed maps. Introduces proportionality to ‘interference’.

TRANSPORT 4 - reworded to remove 'in the Plan, including renewables, fishing and marine tourism and recreational activities'.	Gives a broader, more flexible policy which can respond to a range of other sectors.
TRANSPORT 6 - significantly reworded.	Places emphasis on the avoidance of displacement where possible and clarifies potential impacts.
TRANSPORT policies on statutory notices on ship to ship transfers and compliance with maritime law removed.	For consistency across the Plan - avoiding the duplication of existing statutory requirements.
TRANSPORT 7 - additional policy.	Highlights the need for planning systems to provide co-ordinated support for industrial sectors and integrated and sustainable travel options.
New regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
13.1 - significantly reworded and new text.	Further explanation about the sector and its importance to Scotland's economy.
13.2 - new paragraph.	Explains the international nature of regulation of the sector.
13.3 - 13.4 significantly reworded and new text.	Highlights the importance of the support to other industrial sectors which ports provide.
13.5 - significantly reworded and new text added.	Updated to reflect the publication of the Ferries Plan.
13.6 - new paragraph.	Highlights the need for alignment of planning processes.
13.7 - added 'and NMPi'.	To ensure reference to NMPi.
13.8 - new paragraph.	Outlines powers of statutory harbour authorities.
13.9 - new paragraph.	Updated figures for employment and contribution to the Scottish economy.
13.10 - reworded to add - 'This includes considering the impact of development and use on defined approach channels and commercial anchorages which are integral to logistical port operations and safe refuge of ships, as well as areas used by shipping more generally. Displacement of shipping should be avoided where possible. Increased journey length increases fuel costs and emissions, and may also impact on frequency of journey required. This in turn may be detrimental to the economic success of some freight types or significantly influence the ports used.'	Reflects the need for consideration of commercial anchorages and approach channels. Further explanation to underline the importance of avoiding displacement where possible.
13.11 - new paragraph.	Updates and corrects information formerly presented in Background and Context. Links to the National Planning Framework. Also highlights the importance of freight services to local economies, the contribution by canal harbours and the need for alignment of planning systems.
13.12 - new paragraph.	Highlights the importance of safeguarding shipping and port activity, particularly for the east coast. Includes text formerly used elsewhere in document.
13.13 - new paragraph.	Highlights the need for dredging and consideration of dredging and disposal sites within marine planning.
13.14 - reworded to add references to Grangemouth and Dundee.	Reflects the importance of these ports to the oil and gas industry.

13.18 - reworded to add 'and Orkney Waters'. Replaced 'which offers considerable renewables resources and potential opportunity for development' with 'Further studies will be undertaken if required.'	Reflect full coverage of survey and potential for future work.
13.19 - reworded - new heading - added 'aquaculture' in title and 'Similarly, use by the aquaculture industry is widespread'.	Reflects importance of the sector to the aquaculture industry, as well as the fishing industry.
13.20 - new paragraph.	Highlights the role of the sector in transportation of aggregate material, most notably Glensanda.
13.21 - slight redrafting and added 'Ports at the interface between canals and the marine area also provide important gateways to the marine environment for leisure craft offering alternatives to difficult passage around the north mainland and acting as an international gateway for boats arriving from Europe'.	Slight rewording for clarification. Added text on links to canals to highlight the role of canal harbours.
13.22 - map removed. Slight rewording.	Maps rationalised throughout this chapter. Reworded to reflect.
13.23 - new paragraph.	Highlights importance of supporting ferries routes. Includes text originally used in Background and Context.
13.24 - reworded and additional text.	Emphasise both ongoing activity and emerging uses.
13.26 - slight reword - 'commercial lanes' replaced by 'areas used by commercial shipping'.	Consistency of terminology throughout the chapter.
13.27 - reworded.	To refer to Scotland's Marine Atlas.
References to noise and pollution removed.	To focus on the main pressures.
13.28 - reworded to add 'and exposure of buried archaeological remains.' Also added 'Moorings, anchoring and chain rotation can damage sensitive habitats and disturb upper layers of seabed sediment and potentially heritage assets. Dredging and moorings are licensable activities and therefore their environmental impacts are assessed through licensing procedures.'	More detail on potential risk to heritage assets and regulation already in place (consistent with other areas covered within this section).
13.30 - added 'While the convention has not yet been ratified, OSPAR's contracting parties have agreed interim voluntary guidance on water exchange standards' and supporting footnote.	For clarification.
13.31 - slight rewording and added 'Coastal shipping and the movement of goods from Scottish seaports to their destination and vice versa is a lower carbon solution and has additional benefits of removing traffic from the road network.'	Highlights the relative benefits of coastal shipping.
13.33 - new paragraph.	Highlights potential climate change adaptation, for consistency of approach across the Plan.
13.34 - added 'transport technology' and removed 'indigenous'.	Improves description of drivers of trends.
13.35 - reworded.	Clarifies potential relevance to different parts of the Scottish fleet and Scottish ports.
13.36 - amalgamates two previous paragraphs. Reworded.	Rewording for clarification.
13.37 - removed 'A warming climate may benefit tourism and recreation and new harbours may be required to provide access and the necessary facilities.'	Clarifies expected climate change impacts.

Maps 16, 17, 18, 20 removed.	Streamlining.
Map 10 - amended version of previous Map 10.	Reflects NPF3 National Developments and removes grid enhancements - for clarity and relevance to TRANSPORT 2.
Map 11 - new map - Major Commercial Ports.	Relevance to TRANSPORT 2.

Chapter 14 – SUBMARINE CABLES

Consultation points

The key areas raised during the consultation period are summarised at page 8 of the consultation analysis report.

Co- existence of offshore energy and telecoms infrastructure

This chapter has been amended to cover all submarine cables. Interaction between cables and the offshore renewables industry is discussed from the perspective of the importance of interconnectors and grid plans.

Geodiversity

CABLES 1, CABLES 2 and CABLES 3 have been amended to emphasise the need to minimise impacts on the natural environment, particularly the seabed, and to provide appropriate and proportionate environmental assessments. Text on exemptions to the marine licensing regime has also been added.

As noted above, GEN 9 in Chapter 4 has also been amended to ensure that the importance of geology/ geodiversity is also recognised more explicitly.

Modifications of objectives and policies

Objectives 1-3 are new objectives which have been added to emphasise the importance of the contribution of submarine cables to connectivity, global communications and supply of electricity.

CABLES 1 and CABLES 2 have been significantly reworded to emphasise the importance of engagement at the routing stage and the need to assess and mitigate for potential impacts; and to clarify the further steps that should be taken on a case by case basis (emphasising the importance of routing, minimising impacts where possible, addressing safety concerns whilst protecting the assets and infrastructure and consideration of the need to reinstate the seabed). Text on exemptions to the marine licensing regime has also been added to CABLES 1.

CABLES 3 has been reworded to broaden the range of consideration to include the historic environment and the needs of other sea users.

CABLES 4 has been amended to ensure links to Local Development Plans.

A regional policy has also been added to highlight issues for consideration for regional marine planners.

Response to independent investigation

The link to Local Development Plans in CABLES 4 is relevant to Recommendation 4. See Annex A for further detail.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
Chapter 14.	Chapter changed to focus on all submarine cables rather than telecom cables only.
Objectives 3-5 - new objectives.	Emphasises the importance the contribution of submarine cables to connectivity, global communications and supply of electricity.
CABLES 1 - significantly reworded and expanded.	Emphasises the importance of engagement at the routing stage and the need for assessing and mitigating for impacts. Text on exemptions to the marine licensing regime has also been added.
CABLES 2 - significantly reworded and expanded.	Clarifies in further detail the factors that should be taken into account on a case by case basis. Emphasises the importance of routing, minimising impacts where possible, addressing safety concerns whilst protecting the assets and infrastructure and ensuring the need to reinstate the seabed is considered.
CABLES 3 - reworded to replace 'environmental impact' with 'impacts on the marine historic and natural environment and other users'.	Broadens the range of consideration to include the historic environment and the needs of other users.
CABLES 4 - reworded to replace 'as well as those outlined in Scottish Planning Policy' with 'and align with those in the Scottish Planning Policy and Local Development Plans'.	Ensures the policy links to the local development plan level.
Regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
14.1 - new paragraph.	Sets the context for the diverse range of subsea cables and their importance.
14.3 - new paragraph.	Sets the context of current practice and regulation.
14.4 - 14.6 - expanded and significantly reworded.	Further detail linking cable development to the growth of various economic sectors.
14.7 - slightly reworded.	Removed statements that cables are benign and that main interaction is with the fishing industry, reflecting that there can be both positive and negative interactions with a range of sectors.
14.8 - new paragraph.	Reflects broadening of chapter to cover a range of cables and the interaction with the renewables industry.
14.9 - significantly reworded and reference to CABLES 2 added.	For clarification of mitigation measures and conflict management, as per CABLES 2.
14.10 - new paragraph.	Emphasises the importance of engagement with affected stakeholders.
14.12 - significantly reworded.	Further detail on the mitigation methods used and on the specifics of electromagnetic fields.

<p>14.13 - reworded to add 'Changes in sedimentation and increase in currents due to climate change may change depositional regimes and so leading to potentially increased risks of exposure of previously buried cables.'</p>	<p>Further detail on potential impacts.</p>
<p>14.14 - new paragraph.</p>	<p>Additional material on the importance of adaptation to climate change.</p>
<p>14.16 - new paragraph.</p>	<p>Highlights future activity to be undertaken under the ISLES project.</p>

Chapter 15 - DEFENCE

Consultation points

The key areas raised during the consultation period are summarised at page 8 of the consultation analysis report.

Additional information sought on how regional plans should interact with this sector

A regional policy has been added to this Chapter.

Modifications of objectives and policies

Only very slight modifications have been made to the objectives and policies set out in the consultation draft - in order to ensure consistency and drafting style with the rest of the Plan. As is noted above, a regional policy has been added to highlight issues for consideration for regional planners.

Response to independent investigation

No modifications in this Chapter are directly relevant to the independent investigation recommendations.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objectives and policies presented together at the start of the chapter.	For ease of reference.
DEFENCE 1 - slight rewording. Removal of map reference from 'naval area' policy.	Consistency of terminology - 'development and use'. Ensure consistency with information conveyed by map.
DEFENCE 2 - removed 'where required'.	Drafting style.
Regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
15.2 - added 'these maps are available on NMPI'.	Reference to NMPI.
15.3 - slightly reworded and added 'The UK Aeronautical Rescue Co-ordination Centre is also currently based at Kinloss Barracks formally RAF Kinloss. The MOD's SAR helicopters will be withdrawn in a phased programme during the period 2015 to 2016 and replaced by a UK wide contracted SAR helicopter service under the Department of Transport.'	Provides update on MOD services.
15.5 reworded to replace 'not' by 'unlikely to be'.	Reflects that there may be limited cases where installations may be able to be sited in these areas.

15.9 - new paragraph.	Reflecting likely interactions with aquaculture development.
15.10 - reworded to add 'However mitigation measures such as design considerations and navigation marking can help address these issues.'	Further guidance on addressing interactions.
15.13 - reworded to add 'and seeks to comply with relevant legislation where possible. However...and the MOD may be exempt from legislative duties on grounds of over-riding public interest in some cases. In order to minimise the environmental impact of all MOD activities in accordance with environmental legislation, the MOD has developed an electronic charting system in partnership with UK Statutory Conservation Bodies.'	Provides further context on addressing environmental impact.
15.14 - new paragraph.	Reference to Scotland's Marine Atlas.
15.16 - significantly reworded. Text replaced with 'Naval shipping, like other shipping, has the potential to unintentionally introduce non-native and possibly invasive species to Scottish waters either by carrying them on underwater surfaces or when discharging ballast water. The MOD reduces these risks by proactive maintenance of its vessel's hulls and responsible management of ballast water on board. Where reasonably practicable, MOD vessels are fitted with ballast water treatment systems in accordance with the International Maritime Organisation Convention on this matter.'	Further detail on the context for management arrangements.
15.17 - reworded to add 'The MOD seeks to comply with relevant legislation as well as guidance on the protection of marine European Protected Species and' and replaced 'these' with 'negative'.	Further detail on the context for management arrangements.
15.20 - Addition of 'The MOD has a target to reduce fossil fuel consumption by 18% by 2020/21 (against 2009/10 baseline).'	Further detail on context of management arrangements.
15.21 - slight rewording.	Drafting style.
Map 13 - amended version of previous Map 22.	Updated.

Chapter 16 – AGGREGATES

Consultation points

The key areas raised during the consultation period are summarised at page 8 of the consultation analysis report.

Crown Estate study on aggregate deposits

New paragraph 16.3 highlights this assessment and refers to the relevant maps on NMPI. Paragraph 16.11 has also been significantly reworded to refer to the study.

Marine transportation of aggregate from coastal locations

New paragraph 16.4 highlights this issue and cross-references coverage in Chapter 13 (at paragraph 13.20). Activity at Glensanda Quarry is also specifically highlighted at paragraph 16.6.

Modifications of objectives and policies

The objective in this Chapter has been reworded to focus on ensuring supply is available to meet demand, whilst taking account of environmental impacts.

AGGREGATES 1 and AGGREGATES 2 have been reworded to highlight the need to consider the impact on areas of resource, particularly where permissions exist for extraction, and to highlight the need for a broader environmental test, linked to the policies and objectives of the Plan.

A regional policy has also been added to highlight issues for consideration by regional planners.

Response to independent investigation

No modifications in this Chapter are directly relevant to the independent investigation recommendations.

All modifications

Paragraph number	Reason for change
Introductory text added.	Highlights relationship between sector and general policies and explains contextual position of objectives.
Objective – significantly reworded.	Reworded to a more general aspiration around ensuring supply to meet demand.
AGGREGATES 1 – reworded.	Highlights the need to consider the impact on areas of resource, particularly where there are permissions for extraction of that resource.

AGGREGATES 2 - reworded - replaced 'including that sediment removal will not significantly adversely interfere with coastal processes and thus alter local rates of coastal erosion which could exacerbate the predicted effects of a changing climate' with 'when determining whether any proposed marine aggregate dredging is considered to be environmentally sound and is in accordance with the other policies and objectives of this Plan.'	Highlights the need for a broader environmental test, linked to the policies and objectives of the Plan.
New regional policy added.	Highlights main issues of relevance for regional planners.
Key references added.	Added for each sector to highlight key reference material.
16.1 - reworded.	Clarifies the relative position of land-based and marine aggregates industries.
16.2 - reworded and additional text.	Clarifies historical context for use and highlights potential for further activity/demand.
16.3 - new paragraph.	Refers to an updated assessment of potential mineral resource.
16.4 - new paragraph.	Highlights the link to marine transportation issues.
Reworded - paragraph removed - 'Being inactive, the aggregates industry in Scotland is not currently contributing to the Scottish economy. However it could do so in the future.'	Paragraphs 16.5 and 16.6 revised to give more detail on this position.
16.5 - reworded to replace 'increases economic participation, which is one of the drivers contributing towards Sustainable Economic Growth' with 'in the future could increase economic contribution.'	For clarification.
16.6 - new paragraph.	Highlights the importance of Glensanda.
16.7 - reworded.	For clarification.
16.8 - reworded to add 'damage or destruction of important sites of geodiversity interest'. Added 'species and'.	Highlights potential impact on geodiversity and species alongside those listed in the consultation draft.
16.9 - new paragraph.	Highlights applicable regulation - for consistency across the Plan.
16.10 - reworded and additional text - 'Potential changes in storminess as a result of climate change could impact on the window of suitability for aggregate extraction. It may also potentially lead to increased need for aggregates for beach replenishment or coastal defences'.	Further details on potential requirement to adapt to climate change.
16.11 - Significantly reworded.	Adds detail on new information on potential resource and the variables likely to influence any future development.

Annex A – Independent Investigation Recommendations and Responses

Recommendation	Response
Linkages and fit with relevant legislation, policies and guidance	
<p><i>Rec 1. In textual form, the content dealing with numerous strategies, indicators and objectives at different levels of governance can result in a degree of duplication and overlap, and a general confusion as to how they relate to each other. A graphical representation of this information, with a clear hierarchy and chains of objectives and outcomes, could offer much greater clarity and understanding to the reader.</i></p>	<p>Text of chapter 3 reworded to address the clarity issues – particularly paragraphs 3.2 – 3.9. A diagram will also be made available on NMP Online.</p>
<p><i>Rec 2. If there is a broader context to a policy, or if it has relevance to other government initiatives, then making these connections overt through direct references whenever this is possible could produce a fuller understanding of the scope and potential of marine planning.</i></p>	<p>Key reference sections have been added to each of Chapters 6 – 16 and referencing throughout the Plan highlights the broader context within which it applies. The general relationship between the Plan and existing regulatory frameworks is highlighted at Paragraphs 2.13 – 2.14.</p> <p>Particular examples are highlighted in Chapter 12 with the addition of a reference to the National Tourism Development Framework at paragraph 12.4 and in Chapter 13 with the rewording of Objective 2 and TRANSPORT 4 to highlight the support for other sectors.</p>
<p><i>Rec 3. There should be greater explanation given to the processes which will inform the content of marine planning documents, with particular regards to complementing or incorporating other policies and strategies. These may emanate from within marine planning or may be from external actors which are still relevant to a marine context. There is currently little detail on any marine planning equivalents of the various stages that inform, for example, a Local Development Plan, such as the call for evidence or the Main Issues Report. More details on these stages would clarify exactly how the marine planning system intends to recognise and respond to the numerous factors which will influence, directly or indirectly, marine planning policy and practice.</i></p>	<p>Text of chapter 2 reworded to include general text on the relationship of the Plan to other policies and regulatory frameworks (Paragraphs 2.13 – 2.14). This chapter also reworded to be clearer about the current progress of regional planning – listing the basic requirements set out in the legislation and committing to producing further guidance as the system develops (Paragraphs 2.8 – 2.11).</p>

Integration between marine and terrestrial planning

Rec 4. The NMP must give some indication that the practical considerations of marine-terrestrial integration have been fully addressed and that there are or will be formal systems designed and established to ensure meaningful integration of the two. If possible there should be some detail as to how these relationships will work in practice, and there should be some guidance as to when in the respective plan-making processes that information from one field can or will inform the other.

The section on marine planning and terrestrial planning in Chapter 2 has been expanded to give further detail (paragraphs 2.17 – 2.20) and to highlight the Draft Planning Circular.

A range of other sections have also been amended to pick up some of the more detailed aspects of alignment required:

Aquaculture: Paragraph 7.3 added to clarify the current regulatory framework, how the Plan will apply and the importance of aligning marine and terrestrial planning processes in future with a reference to the Draft Planning Circular. This is also highlighted in Chapter 2 at paragraph 2.15.

Oil and Gas: OIL AND GAS 3 amended to include a specific reference to coastal infrastructure.

Carbon Capture and Storage: Paragraphs 10.8, 10.9 & 10.22 have been added to reflect the coverage of the National Planning Framework. CCS1 has also been amended to refer to support 'through an alignment of marine and terrestrial planning processes' and the regional policy also refers to the National Planning Framework.

Renewables: Objective 3 has been modified to provide greater detail on alignment of marine and terrestrial planning. A new paragraph has also been added at 11.20 which sets out linkages to the National Planning Framework in relation to grid provision. Paragraph 11.32 has also been amended to highlight the need to align marine and terrestrial processes to address coastal issues.

Recreation and Tourism: Paragraph 12.19 has been significantly reworded and expanded to make the link to the National Planning Framework; and to highlight the importance of aligning marine and terrestrial processes and opportunities for shared infrastructure. REC AND TOURISM 3 has also been amended to refer specifically to the National Long Distance Walking and Cycle Routes.

Transport: Paragraph 13.11 has been added to refer specifically to National Developments in the National Planning Framework and to highlight the need for alignment between marine and terrestrial processes. TRANSPORT 7 has also been added to highlight the requirement to align planning systems.

Submarine Cables: CABLES 4 has been reworded to refer to local development plans as well as Scottish Planning Policy.

Clarity on timescales for implementation, delivery and review	
Rec 5. <i>Put very simply, there should be much greater detail regarding fixed or projected timescales for implementation, delivery and review of the NMP and all derived or associated documentation. Even if these are target or aspirational dates, it would at least give a sense that there is an overall scheme and that there will be sound systems established in a timely fashion at the national and regional level to manage and coordinate marine planning and ensure periodic reviews of policy and practice.</i>	Detail added at paragraph 2.5 on timescales for the National Marine Plan, and at 2.6 – 2.12 for regional marine plans.
Rec 6. <i>There should be clarification regarding the relationship between the Regional Marine Plans and the National Marine Plan and any associated timescales, with particular regard to whether there will be coordinated implementation and if the NMP will be used until any particular marine region has its own RMP approved.</i>	Covered within sections on Scottish National Marine Plan at paragraphs 2.4-2.5 and regional plans at paragraphs 2.6 – 2.12 with a specific reference on the application of the NMP where regional plans are not yet in place at paragraph 2.8. Regional policies have also been added at General Policies 4,5,7,8,9,11,15 and 16 and in each of the sector Chapters 6-16.
Consistency of terminology	
Rec 7. <i>Earlier, more prominent definitions of ‘sustainable economic growth’ and ‘sustainable development’ would improve ease of use and could arguably increase the comprehension of readers as to what is meant by these terms.</i>	These terms are now defined in the Plan’s Glossary. The General Planning Principle (GEN 1) refers to sustainable development and use and that terminology is used consistently through the Plan. The supporting text for GEN 1 has been amended to be clearer as to the scope of sustainable development and use.
Rec 8. <i>There should be clarification of what is meant by a ‘use’, as opposed to a ‘development’, and how they relate to the key phrase ‘sustainable development and use’. This may require explicit definition, so as to ensure that it is clear what marine activities would be considered sustainable. Once these categories are clearly defined, there should be careful consistency of terminology in the Plan document. Terms should not be used interchangeably if this can be avoided. Entirely new phrases should not be introduced without clear explanations of what they are understood to mean in context. All of this clarification should ensure greater understanding of the aims of policies, and exactly who and what they cover.</i>	See Rec 7.
Rec 9. <i>The exact nature of the relationship between marine and terrestrial planning should be more fully explained (see Recommendation 4), and from that position an appropriate term should be selected and consistently used, to ensure greater understanding of the way in which the two planning fields will relate to each other and avoid inaccurate assumptions about the extent of their shared identity.</i>	See Rec 4. An explanation of what is meant by the term ‘terrestrial planning’ is included at footnote 16 in Chapter 2.
Rec 10. <i>If ‘terrestrial planning’ is to be retained, then it should be explained that it is synonymous with the more familiar phrases. Its wider use in practice and documentation could be encouraged, either through interchangeable use or direct substitution for the current terminology. This should ensure greater clarity and consistency.</i>	This is done in the explanation at footnote 16 referred to above.
or	

Rec 11. <i>Replace the term ‘terrestrial planning’ with the one of the more familiar and widely-used alternatives. This should also ensure greater clarity and consistency across planning practice and documentation.</i>	See Rec 10.
Use and signposting of research and data	
Rec 12. <i>The draft plan should (and presumably will) be subject to a rigorous process of editing and fact-checking to ensuring that all uses of supporting or external data are referenced in some fashion, so that there is no content which cannot be sourced.</i>	This process has been carried out and references added where necessary.
Rec 13. <i>A more structured and consistent approach to the way in which supporting data is used and signposted in the text could result in greater clarity and understanding. This could be based in a broader redesign of the way in which policies are treated within the text.</i>	See Rec 14.
or	
Rec 14. <i>A less radical yet still more consistent approach could be to simply settle upon one approach to referencing, whereby all research and data content is referenced in-text, or footnoted, or hyperlinked etc. This would enable readers to easily follow up on the information presented in the text.</i>	Referencing has been made consistent throughout the Plan, mainly through the use of footnotes, or references to data held on National Marine Plan interactive. Key reference sections which give broader context have also been added to Chapters 6 -16.
Links between General objectives and policies and Sector objectives and policies	
Rec 15. <i>The English East Inshore and East Offshore Marine Plans document includes a table which formally cross-references individual objectives and policies, showing definite linkages between them. This could be emulated by the NMP as a means of enhancing the understanding of the connections between the objectives and policies at both General and Sector levels.</i>	The use of symbols to show the links between strategic objectives and those contained in later Chapters is retained. These symbols have also been reviewed and amended where necessary.
Balancing emerging uses of marine environment with existing economic activity	
Rec 16. <i>There should be greater detail about the potential for Regional Marine Plans to designate particular areas for preferential use by particular sectors, how these decisions will be made and for what reasons. This should ensure greater transparency and subsequently legitimacy to any subsequent designations that may disadvantage non-preferred industries or activities. This also applies to the Sectoral Marine Plans, which should detail how the interests of existing activities are to be balanced with future renewable energy developments.</i>	Paragraphs 4.16 - 4.17 and the following regional policy have been added to provide this greater detail. It should be noted that this guidance applies in the context of GEN 4 which emphasises the encouragement of coexistence.
The advantages and disadvantages of the approach to fisheries	
Rec 17. <i>The NMP should make a clear and explicit commitment to upholding the Marine Policy Statement’s support for the UK’s long history of fishing. This would strengthen the fisheries policies in the Plan and demonstrate the value accorded to the industry by marine planning.</i>	This wording is now reflected in the Fisheries chapter at paragraph 6.2 and FISHERIES 1 now contains an explicit reference to safeguarding existing fishing activity wherever possible.
Rec 18. <i>There should be greater detail regarding the creation of fisheries management plans (to be dealt with as a function of the licensing process), in particular the practical implications should the parties fail to come to an agreement.</i>	FISHERIES 3 now gives more detail on the preparation of a Fisheries Management and Mitigation Strategy and the implications of a failure to agree.

<p>Rec 19. <i>Consideration should be given to a rewording of the NMP fisheries policies reflecting those of the East Inshore and East Offshore Marine Plans. This could be in terms of both their structure (fewer, more comprehensive policies) and content (the preference for existing fisheries activities).</i></p>	<p>The number of policies in Chapter 6 has been reduced and the content consolidated. See also Rec 17 in relation to content.</p>
<p>Rec 20. <i>The NMP should give greater detail on the reasoning and justification behind the move towards a regional model of marine management, and the practical implications of this for fisheries management. This should include more information about what decision-making structures will be established, and how regional plans will relate to the duties of Marine Scotland, as a national body, to enforce management regulations.</i></p>	<p>Paragraph 2.10 highlights the involvement of Inshore Fisheries Groups and the relationship between their management plans and regional marine plans. Paragraphs 6.5 and 6.6 also discuss this relationship and set out the rationale for regional management. The interaction between regional and national decision-making is also discussed in this section.</p>
<p>Integration between sectors and conflict resolution</p>	
<p>Rec 21. <i>The future marine planning system should ensure that existing cross-sector agreements can continue to function, and should seek to complement such arrangements rather than replace them. The NMP could be used to encourage similar initiatives wherever there is the potential for conflict over shared space and/or resources.</i></p>	<p>Paragraph 2.14 encourages the continuation of existing collaborative agreements. This is also highlighted at Paragraph 4.17.</p>
<p>Protection afforded to the marine environment and opportunities for mitigation, enhancement, and adaptation to climate change</p>	
<p>Rec 22. <i>There should be clearer acknowledgement of the potential for adverse cumulative impacts in the NMP. This could be achieved through a stand-alone general policy, or through a number of policies which address the particular cumulative risks associated with specific sectors.</i></p>	<p>A policy has been added – GEN 21 – Cumulative impacts.</p>

Annex B - Summary of changes made as a result of Parliamentary scrutiny

- Format changes:
 - Detail of strategic objectives and assessment formerly in Chapter 3 moved to an Annex.
 - Sectoral chapters (Chapters 6 – 16) restructured so that the sector objectives and policies are presented together at the start of the Chapter for ease of reference.
 - Maps presented at the end of each Chapter.
 - Headings and subheadings are as consistent as possible.
- Text in Chapter 3 explaining the relationship between the General and sectoral policies has been amended to emphasise the core nature of the General policies and their universal application and to highlight the proportionate approach that should be taken to applying policies. (paragraphs 3.10 -3.12).
- Coverage of climate change has been comprehensively reviewed by Marine Scotland Science and amended where necessary to achieve a better balance between mitigation and adaptation. The symbols have also been adjusted to differentiate between mitigation and adaptation.
- Key references within each sector Chapter have been reviewed and amended where necessary.
- Map in the Chapter 11 (Offshore Wind and Marine Renewable Energy) has been changed (from the draft laid before Parliament) to ensure that areas identified under previous processes have also been incorporated.
- Text has been added CABLES 1 regarding the exemptions process for emergency repairs.
- Current position in relation to the implementation of the Smith Commission’s recommendations on the Crown Estate is reflected (paragraph 2.15, footnote 14).
- Regional policies have been added to General Policy 7 Landscape/Seascape and to General Policy 9 Natural Heritage to provide guidance on safeguarding and enhancing elements of the natural environment for regional planners.
- The text on reviewing and reporting on the Plan (paragraph 2.5) has been amended to state that the Plan will be reported on three years after adoption.

Annex C – Update on the Business and Regulatory Impact Assessment and Sustainability Appraisal

National Marine Plan Business and Regulatory Impact Assessment (BRIA)

The National Marine Plan Business and Regulatory Impact Assessment (BRIA) has been updated to take account of the changes to the Plan and policies since the consultation draft. The updated version is available at <http://www.gov.scot/Topics/marine/seamanagement/national/MPBRIA>.

The main issues raised on the consultation draft, and in discussions with businesses, are set out below, alongside a statement of how these have been addressed.

- Costs of implementation of regional marine plans and marine planning partnerships – these are not covered by the current BRIA as were explored in the BRIA for the Marine (Scotland) Act 2010. Potential difficulties related to lack of co-ordination, in relation to regional planning, National Planning Framework, the interface between marine and terrestrial areas, and potential impacts on existing licences/consents – Chapter 2 of the Plan has been modified to give more detail on the relationship between the Plan and these issues (see the Chapter-by-Chapter analysis for more detail). The BRIA acknowledges that there may be additional costs in relation to developers in terms of the preparation and assessment of applications which may only be assessed at project level.
- Potential for delays as longer/more detailed process – As above, the BRIA acknowledges that there may be additional costs in relation to developers in terms of the preparation and assessment of applications which may only be assessed at project level. However, the BRIA also identifies benefits in terms of reduction of conflict; improvement of stakeholder involvement; more efficient use of space; and greater certainty.
- Displacement of activity/fuel costs – the Plan is clear that displacement of activity should be taken into account in decision making (e.g. FISHERIES 2, TRANSPORT 1 and 6). A key concern was displacement as a result of designation of Marine Protected Areas or Plan Options within the sectoral marine planning process for offshore wind and marine renewables – these issues have been considered in relation to these separate exercises.

National Marine Plan Sustainability Appraisal

The National Marine Plan Sustainability Appraisal Plan considered the potential environmental, social and economic effects of the draft National Marine Plan. The key themes raised during the consultation are set out below, alongside a statement of how these have been addressed. The modifications to the Plan have been assessed and reported on in an Addendum to the Sustainability Appraisal report, which is available at <http://www.gov.scot/Topics/marine/seamanagement/national/MPSA>.

Respondents to the consultation commented on a number of issues regarding the Sustainability Appraisal. Many of these raised issues about the Plan itself, and these have been resolved through the modifications to the Plan described in the main body of this Modifications Report. These included:

Definition of sustainable/sustainable development/sustainable economic growth

Sustainable development and sustainable economic growth are now defined within the Glossary to the Plan. The text in support of policy GEN 1 of the Plan has also been amended to give some further detail on the application of the presumption in favour of sustainable development and use.

Incompatibility of various activities

A new section on Resolving potential competition and conflict has been added to the Plan which sets out general guidance as to how to apply the Plan. Additional text has also been added in support of policy GEN 4 which gives further detail on approaches to encouraging co-existence and providing for preferential use where co-existence is not possible.

Relationship between environmental, social and economic objectives

The environmental, social and economic objectives within the National Marine Plan set out a holistic approach which seeks to balance the competing demands placed upon the marine environment. Certain objectives (e.g. economic and environmental) can seem contradictory when considered in part. The aim of the National Marine Plan is to set out balanced strategic policies for the sustainable use of Scotland's marine resources as a whole. The National Marine Plan must be considered in totality in order to avoid such contradictions.

The Sustainability Appraisal acknowledges that economic-themed policies must be balanced by social and environmental policies. Where growth industries have been identified, growth must be aligned to the minimisation and mitigation of any adverse environmental and social impacts. As sustainability is an overarching principle, the environmental, social and economic policies of the National Marine Plan are intended to be complementary with one another as elements of sustainability.

The other key issues raised are set out below, alongside a statement of how these have been considered.

Potential effects of aquaculture/ need to assess the objectives for aquaculture in terms of environmental carrying capacity and potential effects on wild fish

Marine Scotland Science is in the last year of undertaking a 3-year project to identify areas of opportunity and constraint for both finfish and shellfish sectors. This will consider constraints from competing uses of marine space as well as environmental sensitivities and capacity, and will represent a development of current Locational Guidelines. The assessment of aquaculture in the Sustainability Appraisal assumed that aquaculture developments would be progressed using the decision-making framework provided by the general policies, and noted that the results of Marine Scotland Science's work would assist in providing additional locational guidance.

Inadequate coverage of certain aspects of marine activities identified within the Plan

For some of these activities, the Plan was providing an integrative function – the effects of these activities are not the direct effect of the Plan but an effect of other Scottish Government policies such as those on climate change, renewable energy and oil and gas policies. Some of the issues raised had already been covered by the SEA of the offshore wind and marine renewable energy sectoral plans, and it was not considered appropriate to replicate these in this Sustainability Appraisal.

Duty to enhance health of the marine environment

From an environmental perspective, the Appraisal considers the potential effects of the Plan, both positive and negative, on the following factors: biodiversity, flora and fauna; the ecological status of water bodies; water quality; air quality; climatic factors; the marine historic environment; landscape and seascape; and marine geology and coastal processes. Taken together, these are considered to contribute to the health of the Scottish marine area.

Effect of the Appraisal on the Plan – differences/improvements

The Appraisal and the preparation of the Plan were integrated processes and the Plan has been influenced by the Appraisal throughout. One example of this influence is the development of the General policies, which provide the decision-making framework within which marine development and use may take place.

Monitoring

Monitoring work needs to be on-going as changes take place over time. The monitoring of effects is a requirement of both the Environmental Assessment (Scotland) Act 2005 and the Marine (Scotland) Act 2010. Monitoring requirements will be addressed in the Post-Adoption Statement.

Potential for community conflict/lack of consideration given to safeguarding existing jobs: The potential impacts of displacement arising from marine protected areas and identifying preferred areas for development of offshore wind and marine renewables have been considered in those processes.

Cumulative effects assessment

The Sustainability Appraisal recognises that impacts must be considered in conjunction with other relevant policy agendas. The Plan is policy based and operates at a strategic level, therefore the assessment of cumulative effects has been limited to its interactions with the policies of the updated Scottish Planning Policy.

Appropriate detail of sector-specific costs and benefits

The Sustainability Appraisal is a strategic-level appraisal of national-level planning policies and sectoral objectives and policies, which broadly assesses their expected effects. The realised impact of the National Marine Plan on users of the marine environment will be defined by a combination of policy-specific, sector-specific and location-specific factors. At a national level it would not be appropriate to attempt to fully assess those costs and benefits which will likely vary on a case-by-case basis.

Miscellaneous

Finally, several respondents identified errors of fact and some gaps in the SA report. These were addressed through the Addendum to the Sustainability Appraisal Report.

Annex D - Policies Compared (Consultation draft to adopted plan)



Policy Number	Consultation Draft NMP	Change	Policy Number	Adopted NMP
Draft version			Current version	
	GEN 1: There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan.	No		GEN 1: There is a presumption in favour of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan.
	GEN 2: Sustainable developments and marine activities which provide economic benefit to Scottish communities are encouraged when consistent with the objectives and policies of the Plan.	Yes		GEN 2: Sustainable development and use which provides economic benefit to Scottish communities is encouraged when consistent with the objectives and policies of the Plan.
	GEN 3: Sustainable developments and marine activities which provide social benefits are encouraged when consistent with the objectives and policies of the Plan.	Yes		GEN 3: Sustainable development and use which provides social benefits is encouraged when consistent with the objectives and policies of the Plan.
	GEN 4: Community impact - Government, planning authorities and stakeholders should consider the need for Scenario Mapping where there is potential for development to impact on communities.	Policy removed		
	GEN 5: Development proposals which enable multiple uses of marine space are encouraged where possible in planning and decision-making processes, when consistent with policies and objectives of the Plan.	Yes		GEN 4: Proposals which enable coexistence with other development sectors and activities within the Scottish marine area are encouraged in planning and decision making processes, when consistent with policies and objectives of this Plan.
		Additional policy		Regional Policy: <ul style="list-style-type: none"> Determining sectoral incompatibilities and potential for coexistence of development and activity using appropriate mechanisms such as interactions matrices. Identifying areas for preferential use by specific sectors, where appropriate, following consultation and using appropriate mechanisms such as sustainability appraisal and scenario mapping. Taking account of cross sectoral agreements with regards to shared usage of the marine area.

GEN 6: Through integration of marine and terrestrial development plans, planning authorities should seek to facilitate appropriate access to the shore and sea and support marine and land-based components required by development and activities. <applies to inshore waters only>	Yes	GEN 15: Planning alignment A: Marine and terrestrial plans should align to support marine and land based components required by development and seek to facilitate appropriate access to the shore and sea.
	Additional policy	Regional Policy: Regional marine plans are required to be compatible with the plans for any adjoining marine region. <applies to inshore waters only>
GEN 7: Integration and compliance with other statutory plans, such as River Basin Management Plans, should also be undertaken; planners should take into account the objectives and policies of relevant non-statutory plans where appropriate to do so. <applies to inshore waters only>	Yes	GEN 16: Planning alignment B: Marine plans should align and comply where possible with other statutory plans and should consider objectives and policies of relevant non statutory plans where appropriate to do so. <applies to inshore waters only>
	Additional policy	Regional Policy: Regional marine plans should consider: relevant non statutory plans or strategies to allow for integration of policies of local relevance to be included for consultation. Examples include, but are not restricted to, shoreline management plans and integrated coastal zone management plans. <applies to inshore waters only>
GEN 8: All marine interests will be treated with fairness and transparency when decisions are being made in the marine environment.	Yes	GEN 17 Fairness: All marine interests will be treated with fairness and in a transparent manner when decisions are being made in the marine environment.
GEN 9: Early and effective engagement should be undertaken with the general public and all interested stakeholders in planning and consenting processes.	Yes	GEN 18 Engagement: Early and effective engagement should be undertaken with the general public and all interested stakeholders to facilitate planning and consenting processes.
GEN 10: Decision-making in the marine environment will be based on a sound evidence base as far as possible. Where evidence is inconclusive, reasonable efforts should be made to fill evidence gaps. Decision makers may also need to apply precaution within an overall risk based approach.	Yes	GEN 19 Sound evidence: Decision making in the marine environment will be based on a sound scientific and socio-economic evidence base.
	Additional policy	GEN 10 Invasive non-native species: Opportunities to reduce the introduction of invasive non-native species to a minimum or proactively improve the practice of existing activity should be taken when decisions are being made.
GEN 11: Development in, and use of, the marine environment must take account of the achievement or maintenance of Good Environmental Status (GES) for UK waters as it develops under the Marine Strategy Framework Directive	Policy removed.	

	Additional policy	GEN 11 Marine Litter: Developers, users and those accessing the marine environment must take measures to address marine litter where appropriate. Reduction of litter must be taken into account by decision makers.
	Additional policy	Regional Policy: Regional marine plans should consider identifying measures in place to address marine litter and demonstrating how they contribute to the Marine Litter Strategy.
GEN 12: Marine planning and decision-making authorities should ensure that development and use of the marine environment complies with legal requirements for protected areas and protected species and does not result in a significant adverse effect on the national conservation status of other habitats or populations of species of conservation concern.	Yes	GEN 9 Natural heritage: Development and use of the marine environment must: (a) Comply with legal requirements for protected areas and protected species. (b) Not result in significant impact on the national status of Priority Marine Features. (c) Protect and, where appropriate, enhance the health of the marine area.
GEN 13: Marine planning and decision-making authorities should aim to protect and, where appropriate enhance, heritage assets in a manner proportionate to their significance when progressing development and use of the marine environment.	Yes	GEN 6 Historic environment: Development and use of the marine environment should protect and, where appropriate, enhance heritage assets in a manner proportionate to their significance.
GEN 14: Marine planning and decision-making authorities should ensure that development and use of the marine environment take seascape, landscape and visual impacts into account.	Yes	GEN 7 Landscape/seascape: Marine planners and decision makers should ensure that development and use of the marine environment take seascape, landscape and visual impacts into account
	Additional policy	Regional Policy: Regional marine plans are required to be compatible with the plans for any adjoining marine region. <applies to inshore waters only>
GEN 15: Marine planning and decision-making authorities should consider air quality issues, especially relevant statutory air quality limits, when progressing development and use of the marine environment.	Yes	GEN 14 Air quality: Development and use of the marine environment should not result in the deterioration of air quality and should not breach any statutory air quality limits.
GEN 16: Marine planning and decision-making authorities should consider man-made noise sources, especially their effects on sensitive species, in the marine area, when progressing development and use of the marine environment.	Yes	GEN 13 Noise: Development and use in the marine environment should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects.
GEN 17: Developments and activities in the marine environment should be resilient to coastal change and flooding, and not adversely impact coastal processes.	Yes	GEN 8 Coastal process and flooding: Developments and activities in the marine environment should be resilient to coastal change and flooding, and not have unacceptable adverse impact on coastal processes or contribute to coastal flooding.










	Additional policy	<p>Regional Policy:</p> <p>Regional marine plans should be aligned with terrestrial development plans and reflect coastal areas likely to be suitable for development, taking into account the most recent flood risk and flood hazard maps, and forthcoming coastal erosion vulnerability mapping. Where relevant, regional marine plans should also reflect areas where managed realignment of coast may be appropriate, setting out the potential benefits such as habitat creation and new recreation opportunities.</p> <p><applies to inshore waters only></p>
GEN 18: Developments and activities should not result in a deterioration of the quality of water to which the Water Framework Directive, Marine Strategy Framework Directive or other related directives apply.	Yes	GEN 12 Water quality and resource: Developments and activities should not result in a deterioration of the quality of waters to which the Water Framework Directive, Marine Strategy Framework Directive or other related Directives apply.
GEN 19: Developers and users of the marine environment should seek to minimise emissions of greenhouse gases. Marine planning should seek to increase resilience of the marine environment to climate change impacts by reducing human pressure, safeguarding significant examples of natural carbon sinks and allowing natural coastal change where possible.	Yes	GEN 5: Climate change: Marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change.
	Additional Policy	<p>Regional Policy:</p> <ul style="list-style-type: none"> • Identify significant carbon sinks and seek to avoid colocation with potentially damaging activity; then • Assess the acceptability of any proposed partial loss or damage to natural carbon sinks (including any compensatory measures) through licensing or management of marine activities, balanced with priorities presented in this Plan and respective regional marine plans. • Explain how they have taken into account future climate change in terms of climate change adaptation <p><applies to inshore waters only></p>
	Additional Policy	GEN 20 Adaptive management: Adaptive management practices should take account of new data and information in decision making, informing future decisions and future iterations of policy.
	Additional Policy	GEN 21 Cumulative impacts: Cumulative impacts affecting the ecosystem of the marine plan area should be addressed in decision-making and plan implementation.

<p>FISHERIES 1 : Manage fishing to ensure the sustainability of fish stocks.</p>	<p>Policy removed - amalgamated in Fisheries 1</p>	
<p>FISHERIES 2 : Take account of fishing in consideration of any development in the marine environment. Local fishing interests should be consulted where appropriate.</p>	<p>Policy removed - amalgamated in Fisheries 1,2 and 5.</p>	
<p>FISHERIES 3 : Within the CFP's parameters effective marine planning should help to ensure:</p> <ul style="list-style-type: none"> • protection for vulnerable stocks (in particular of juvenile and spawning stocks through continuation of sea area closures where appropriate). • improved protection of the seabed through effective identification of high-risk areas and management measures to mitigate the impacts of fishing where appropriate. • that other sectors take into account the need to protect fish stocks and sustain healthy fisheries for both economic and conservation reasons. • delivery of Scotland's international commitments in fisheries. • effective mechanisms for managing potential conflicts between fishermen and/or between the fishing sector and other users of the marine environment. 	<p>Yes</p>	<p>FISHERIES 1 : Taking account of the EU's Common Fisheries Policy, Habitats Directive, Birds Directive and Marine Strategy Framework Directive, marine planners and decision makers should aim to ensure:</p> <ul style="list-style-type: none"> • Existing fishing opportunities and activities are safeguarded wherever possible. • An ecosystem based approach to the management of fishing which ensures the sustainable and resilient fish stocks and avoids damage to fragile habitats. • Protection for vulnerable stocks (in particular for juvenile and spawning stocks through continuation of sea area closures where appropriate). • Improved protection of the seabed and historical and archaeological remains requiring protection through effective identification of high-risk areas and management measures to mitigate the impacts of fishing, where appropriate. • That other sectors take into account the need to protect fish stocks and sustain healthy fisheries for both economic and conservation reasons. • Delivery of Scotland's international commitments in fisheries, including the ban on discards. • Mechanisms for managing conflicts between fishermen and/or between the fishing sector and other users of the marine environment.

<p>FISHERIES 4  : The following key factors should be taken into account when deciding on uses of the marine environment and the potential impact on fishing:</p> <ul style="list-style-type: none"> • the economic importance of fishing, in particular to vulnerable coastal communities; • the potential impact (positive and negative) of marine developments on the sustainability of fish and shellfish stocks and resultant opportunities for exploitation of new fishing opportunities in any given area; • the environmental impact on fishing grounds (such as nursery, spawning areas), commercially fished species, habitats and species more generally; • the potential effect of displacement activity on fish stocks; the wider environment; use of fuel; socio-economic costs to fishers and their communities; and other marine users. 	<p>Yes</p>	<p>FISHERIES 2  : The following key factors should be taken into account when deciding on uses of the marine environment and the potential impact on fishing:</p> <ul style="list-style-type: none"> • The cultural and economic importance of fishing, in particular to vulnerable coastal communities. • The potential impact (positive and negative) of marine developments on the sustainability of fish and shellfish stocks and resultant fishing opportunities in any given area. • The environmental impact on fishing grounds (such as nursery, spawning areas), commercially fished species, habitats and species more generally. • The potential effect of displacement on: fish stocks; the wider environment; use of fuel; socio-economic costs to fishers and their communities and other marine users
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<p>FISHERIES 5 ●●●: Where an impact on existing fishing activity may occur, a fisheries management plan should be prepared by the developer, involving full engagement with local fishing interests. All efforts should be made to agree the plan with those interests and it should include:</p> <ul style="list-style-type: none"> • an assessment of the potential impact of the development or use on the affected fishery or fisheries, both in socio-economic terms and in terms of sustainability. • a recognition that fishermen should be able to catch their fish quota. <p>reasonable measures to mitigate any constraints which the proposed development or use may place on existing or planned fishing activity</p>	<p>Yes</p>	<p>FISHERIES 3 ●●●: Where existing fishing opportunities or activity cannot be safeguarded, a Fisheries Management and Mitigation Strategy should be prepared by the proposer of development or use, involving full engagement with local fishing interests (and other interests as appropriate) in the development of the Strategy. All efforts should be made to agree the Strategy with those interests. Those interests should also undertake to engage with the proposer and provide transparent and accurate information and data to help complete the Strategy. The Strategy should be drawn up as part of the discharge of conditions of permissions granted.</p> <p>The content of the Strategy should be relevant to the particular circumstances and could include:</p> <ul style="list-style-type: none"> • An assessment of the potential impact of the development or use on the affected fishery or fisheries, both in socio-economic terms and in terms of environmental sustainability. • A recognition that the disruption to existing fishing opportunities/activity should be minimised as far as possible. • Reasonable measures to mitigate any constraints which the proposed development or use may place on existing or proposed fishing activity. • Reasonable measures to mitigate any potential impacts on sustainability of fish stocks (e.g. impacts on spawning grounds or areas of fish or shellfish abundance) and any socio-economic impacts. <p>Where it does not prove possible to agree the Strategy with all interests, the reasons for any divergence of views between the parties should be fully explained in the Strategy and dissenting views should be given a platform within the plan to make their case.</p>
<p>FISHERIES 6 ●●●: Ports should seek to engage with fishing stakeholders at an early stage to discuss any changes in infrastructure that may affect them. Any port developments should take account of the needs of the dependent fishing fleets with a view to avoiding commercial harm where possible. Where a port has reached a minimum level of infrastructure required to support a viable fishing fleet there should be a presumption in favour of maintaining this infrastructure, provided there is an on-going requirement for it to remain in place and that it continues to be fit for purpose.</p>	<p>Yes</p>	<p>FISHERIES 4 ●●●: Ports should seek to engage with fishing and other relevant stakeholders at an early stage to discuss any changes in infrastructure that may affect them. Any port developments should take account of the needs of the dependent fishing fleets with a view to avoiding commercial harm where possible. Where a port has reached a minimum level of infrastructure required to support a viable fishing fleet, there should be a presumption in favour of maintaining this infrastructure, provided there is an on-going requirement for it to remain in place and that it continues to be fit for purpose.</p>

<p>FISHERIES 7 ■: Inshore Fisheries Groups (IFGs) should work with recreational sea angling and other stakeholders who use the marine environment to agree joint management measures to help all those involved to realise the benefits our seas can provide.</p>	<p>Yes</p>	<p>FISHERIES 5 ■●: Inshore Fisheries Groups (IFGs) should work with all local stakeholders with an interest to agree joint fisheries management measures. These measures should inform and reflect the objectives of regional marine plans. <applies to inshore waters></p>
<p>FISHERIES 8 ●◆: Government will continue to work with stakeholders within the Clyde, stakeholders to take appropriate practical measures which contribute towards the restoration of the ecosystem through the Clyde 2020 project.</p>	<p>Yes</p>	<p>Regional Policy: Regional marine plans should consider:</p> <ul style="list-style-type: none"> • Whether they require to undertake further work on any data gaps in relation to fishing activity within their region. • The potential socio-economic impacts for the local fishing industry – and parts of the industry using their area – of any proposed activity or conservation measure. • How to include local Inshore Fisheries Groups as a key part of their planning process. • The potential consequences and impacts for other marine regions; and for offshore regions of their approach to planning for fisheries. • Taking account of on-going local initiatives, such as Clyde 2020, which may be relevant to their work.
<p>AQUACULTURE 1 ■: Marine planning and decision making authorities will seek to encourage sustainable aquaculture growth in appropriate locations.</p>	<p>Yes</p>	<p>AQUACULTURE 1 ■●◆: Marine planners and decision makers should seek to identify appropriate locations for future aquaculture development and use, including the potential use of development planning briefs as appropriate. System carrying capacity (at the scale of a water body or loch system) should be a key consideration</p>
<p>AQUACULTURE 2 ■: Terrestrial development plans and regional marine plans should identify areas which are potentially suitable for new fish farm development and sensitive areas which are unlikely to be appropriate for such development, reflecting Scottish Planning Policy and any other Scottish Government guidance on the issue (including further Marine Scotland spatial planning guidance). <applies to inshore waters></p>	<p>Yes</p>	<p>AQUACULTURE 2 ■●◆: Marine and terrestrial development plans should jointly identify areas which are potentially suitable and sensitive areas which are unlikely to be appropriate for such development, reflecting Scottish Planning Policy and any Scottish Government guidance on the issue. There is a continuing presumption against further marine finfish farm developments on the north and east coasts to safeguard migratory fish species. (Map 6)</p>

<p>AQUACULTURE 3 : Further marine finfish farm development is expected on the West Coast and islands of Scotland. There is a continuing presumption against further marine finfish farm developments on the north and east coasts to safeguard migratory fish species (over 80% of wild salmon are located on the east and north coasts of Scotland).</p>	<p>Policy removed Amalgamated in 2.</p>	
<p>AQUACULTURE 4 : Subject to licensing, in relation to nutrient enhancement and benthic impacts as set out under Locational Guidelines for the Authorisation of Marine Fish Farms in Scottish Waters, fish farm development is likely to be acceptable in Category 3 areas, subject to licensing and other criteria being satisfied. A degree of precaution should be applied to consideration of further fish farming development in Category 2 areas and there will be a presumption against further fish farm development in Category 1 areas. (Map 10 refers)</p>	<p>Yes</p>	<p>AQUACULTURE 3 : In relation to nutrient enhancement and benthic impacts, as set out under Locational Guidelines for the Authorisation of Marine Fish Farms in Scottish Waters, fish farm development is likely to be acceptable in Category 3 areas, subject to other criteria being satisfied. A degree of precaution should be applied to consideration of further fish farming development in Category 2 areas and there will be a presumption against further fish farm development in Category 1 areas. (Map 6)</p>
<p>AQUACULTURE 5 : Shellfish waters will be protected in a proportionate manner by designation. Once shellfish waters are designated there will be a presumption that future expansion of the sector should be located in designated areas.</p>	<p>Yes</p>	<p>AQUACULTURE 4 : There is a presumption that further sustainable expansion of shellfish farms should be located in designated shellfish waters if these have sufficient capacity to support such development.</p>
<p>AQUACULTURE 6 : SNH guidance on the siting and design of aquaculture in the landscape should be taken into account.</p>	<p>Yes</p>	<p>AQUACULTURE 5 : Aquaculture developments should avoid and/or mitigate adverse impacts upon the seascape, landscape and visual amenity of an area, following SNH guidance on the siting and design of aquaculture.</p>
<p>AQUACULTURE 7 : New aquaculture sites should not bridge Disease Management Areas</p>	<p>Yes</p>	<p>AQUACULTURE 6 : New aquaculture sites should not bridge Disease Management Areas although boundaries may be revised by Marine Scotland to take account of any changes in fish farm location, subject to the continued management of risk.</p>
<p>AQUACULTURE 8 : Operators and regulators should continue to utilise a risk based approach to the location of fish farms and potential impacts on wild fish and the wider environment. Guidance on harassment at designated seal haul out sites should be taken into account once developed and seal conservation areas should also be taken into account.</p>	<p>Yes</p>	<p>AQUACULTURE 7 : Operators and regulators should continue to utilise a risk based approach to the location of fish farms and potential impacts on wild fish.</p>

	Additional policy	AQUACULTURE 8 🟢: Guidance on harassment at designated seal haul out sites should be taken into account once developed and seal conservation areas should also be taken into account in site selection and operation. Seal licences will only be granted where other management options are precluded or have proven unsuccessful in deterrence.
AQUACULTURE 9 🟢: Consenting and licensing authorities should be satisfied that emergency response plans are in place should a harmful plankton or algal bloom occur.	Yes	AQUACULTURE 9 🟡🟢: Consenting and licensing authorities should be satisfied that appropriate emergency response plans are in place.
AQUACULTURE 10 🟢: Fish farm operators should carry out pre-application discussion and consultation and engage with local communities to seek their support in advance of submitting an application	Yes	AQUACULTURE 10 🟢: Operators should carry out pre-application discussion and consultation, and engage with local communities and others who may be affected, to identify and, where possible, address any concerns in advance of submitting an application.
AQUACULTURE 11 🟢🟡: Aquaculture equipment, including but not limited to installations, facilities, moorings, pens and nets must be fit for purpose for the site conditions, subject to future climate change. Where a statutory technical standard is introduced, this must be adhered to.	No	AQUACULTURE 11 🟡🟢🟡: Aquaculture equipment, including but not limited to installations, facilities, moorings, pens and nets, must be fit for purpose for the site conditions, subject to future climate change. Any statutory technical standard must be adhered to. Equipment and activities should be optimised in order to reduce greenhouse gas.
AQUACULTURE 12 🟢: Applications which promote the use of biological controls for sea lice (such as farmed wrasse) will be encouraged	Yes	AQUACULTURE 12 🟢: Applications which promote the use of sustainable biological controls for sea lice (such as farmed wrasse) will be encouraged
AQUACULTURE 13 🟡: Proposals that contribute to the diversification of farmed species will be supported, subject to other criteria being satisfied	Yes	AQUACULTURE 13 🟡🟢: Proposals that contribute to the diversification of farmed species will be supported, subject to other objectives and policies being satisfied.
	Additional policy	AQUACULTURE 14 🟡🟢🟡: The Scottish Government, aquaculture companies and Local Authorities should work together to maximise benefit to communities from aquaculture development.
	Additional policy	REGIONAL POLICY: Regional marine plans should consider the potential for sustainable growth of aquaculture in their region, taking into account the policies set out above, and working in close partnership with terrestrial planners, SEPA, Marine Scotland, SNH and other regulators.
Wild Salmon and other migratory fish Policy 1 🟢🟡🟢: The impact of development and use of the marine environment on migratory fish species should be considered in marine planning and decision making processes. Where evidence of impacts on salmon and other migratory species is inconclusive, mitigation should be adopted where possible and information on impacts on migratory species from monitoring of developments should be used to inform subsequent marine decision making	Yes	WILD FISH 1 🟡🟢🟡: The impact of development and use of the marine environment on diadromous fish species should be considered in marine planning and decision making processes. Where evidence of impacts on salmon and other diadromous species is inconclusive, mitigation should be adopted where possible and information on impacts on diadromous species from monitoring of developments should be used to inform subsequent marine decision making.

<p>OIL & GAS 1 ■◆: The Scottish Government will work with DECC and the industry to maximise and prolong oil and gas exploration and production whilst ensuring that the level of environmental risks associated with these activities are regulated. Activity should be carried out using the principles of BATNEEC (Best Available Technology Not Exceeding Excessive Cost and Best Environmental Practice (BAP). Consideration will be given to key environmental risks including impacts of noise and chemical pollution.</p>	<p>Yes</p>	<p>OIL & GAS 1 ■●◆: The Scottish Government will work with DECC, the new Oil and Gas Authority and the industry to maximise and prolong oil and gas exploration and production whilst ensuring that the level of environmental risks associated with these activities are regulated. Activity should be carried out using the principles of BAT (Best Available Technology) and Best Environmental Practice (BEP). Consideration will be given to key environmental risks including the impacts of noise, oil and chemical contamination and habitat change.</p>
<p>OIL & GAS 2 ■●: Where re-use of oil and gas infrastructure is not practicable, either as part of oil and gas activity or by other sectors such as carbon capture and storage, decommissioning must take place in line with standard practice, and as allowed by international obligations. Reuse or removal of decommissioned assets from the sea bed will be fully supported where practicable and adhering to relevant regulatory process.</p>	<p>No</p>	<p>OIL & GAS 2 ■●: Where re-use of oil and gas infrastructure is not practicable, either as part of oil and gas activity or by other sectors such as carbon capture and storage, decommissioning must take place in line with standard practice, and as allowed by international obligations. Reuse or removal of decommissioned assets from the seabed will be fully supported where practicable and adhering to relevant regulatory process.</p>
<p>OIL & GAS 3 ■: Supporting marine infrastructure for oil and gas developments, including for storage, should utilise the minimum space needed for activity.</p>	<p>Yes</p>	<p>OIL & GAS 3 ●: Supporting marine and coastal infrastructure for oil and gas developments, including for storage, should utilise the minimum space needed for activity and should take into account environmental and socio-economic constraints.</p>
<p>OIL & GAS 4 ●: All oil and gas platforms will be subject to 9 nautical mile consultation zones in line with Civil Aviation Authority guidance</p>	<p>No</p>	<p>OIL & GAS 4 ●: All oil and gas platforms will be subject to 9 nautical mile consultation zones in line with Civil Aviation Authority guidance</p>
<p>OIL & GAS 5 ■◆: Consenting and licensing authorities should have regard to the potential risks, both now and under future climates, to offshore oil and gas operations in Scottish waters, and be satisfied that installations are appropriately sited and designed to take account of current and future conditions.</p>	<p>Yes</p>	<p>OIL & GAS 5 ■◆: Consenting and licensing authorities should have regard to the potential risks, both now and under future climates, to oil and gas operations in Scottish waters, and be satisfied that installations are appropriately sited and designed to take account of current and future conditions.</p>
<p>OIL & GAS 6 ■●: Consenting and licensing authorities should be satisfied that adequate risk reduction measures are in place, and that operators should have in place sufficient emergency response and contingency strategies that are compatible with the National Contingency Plan.</p>	<p>Yes</p>	<p>OIL & GAS 6 ●: Consenting and licensing authorities should be satisfied that adequate risk reduction measures are in place, and that operators should have sufficient emergency response and contingency strategies in place that are compatible with the National Contingency Plan and the Offshore Safety Directive.</p>

	Additional policy	<p>REGIONAL POLICY: Regional marine plans should consider:</p> <ul style="list-style-type: none"> • The positive and negative impacts of any oil and gas activity in their area and the implications for other development and use. • The implications of the transition to a low carbon economy for their area including the longer-term reduction of oil and gas activity, but also incorporating opportunities to reuse existing infrastructure and promote skills transfer to support emerging industries such as renewables and CCS. <applies to inshore waters>
CCS 1 ■◆: CCS demonstration projects or developments should be supported where proposals allow timely deployment of CCS to re-use suitable existing redundant oil and gas infrastructure.	Yes	CCS 1 ■◆: CCS commercialisation projects or developments should be supported through an alignment of marine and terrestrial planning processes, particularly where proposals allow timely deployment of CCS to re-use suitable existing redundant oil and gas infrastructure.
CCS 2 ■◆: Consideration should be given to the development of marine utility corridors which will allow CCS to capitalise on current infrastructure in the North Sea including shared use of spatial corridors and pipelines	Yes	CCS 2 ■◆: Consideration should be given to the development of marine utility corridors which will allow CCS to capitalise, where possible, on current infrastructure in the North Sea, including shared use of spatial corridors and pipelines.
	Additional policy	<p>REGIONAL POLICY: Regional marine plans should consider the potential for CCS commercialisation within their area, particularly in light of the expected future activity set out in NPF3. <applies to inshore waters></p>
<p>RENEWABLES 1 ■●: There is a presumption in favour of adopted Plan Options identified through the Sectoral Marine Plan process (map 13 refers). The inclusion of these adopted Plan Options in the National Marine Plan does not imply that licences or consents will be granted, but preference will be given to proposals within these areas.</p> <p>Note: these Sectoral Marine Plans are also subject to SA and details will be provided in the relevant reports.</p>	Yes	RENEWABLES 1 ■●◆: Proposals for commercial scale offshore wind and marine renewable energy development should be sited in the Plan Option areas identified through the Sectoral Marine Plan process (Map 9). Plan Options are considered the preferred strategic location for the sustainable development of offshore wind and marine renewables. This preference should be taken into account by marine planners and decision makers if alternative development or use of these areas is being considered. Proposals are subject to licensing and consenting processes.

<p>RENEWABLES 2 ■●◆: Support the development of the Pentland Firth and Orkney Waters Marine Energy Park. The Pentland Firth and Orkney Waters were identified in the Scottish Government's Strategic Environmental Assessment as areas of high energy resource for wave and tidal power. To aid potential development and to guide development opportunities, draft Regional Locational Guidance and a Marine Spatial Plan Framework for the region have been published.</p> <p>Note: the Marine Spatial Plan Framework will be subject to SEA and details will be provided in the relevant reports.</p>	Yes	<p>RENEWABLES 2 ■●◆: Sites with agreements for lease for wave and tidal energy sites in the Pentland Firth Strategic Area must be taken into account by marine planners and decision makers if alternative use of these areas, or use which would affect access to these areas, is being considered. Proposals are subject to licensing and consenting processes. Regional Locational Guidance and the Pentland Firth and Orkney Waters Marine Spatial Plans should also be taken into account when reaching decisions.</p>
<p>RENEWABLES 3 ■●◆: There is a presumption in favour of renewable energy developments in areas identified to support the Saltire Prize. Regional Locational Guidance (RLG) has been produced to inform a further Scottish Leasing Round for wave and tidal energy projects to support The Saltire Prize.</p>	Yes	<p>RENEWABLES 3 ■●◆: Marine planners and decision makers should consider proposals for sustainable development of test and demonstration sites for offshore wind and marine renewable energy development on a case by case basis where sites are identified. This preference should be taken into account by marine planners and decision makers if alternative development or use of these areas is being considered.</p> <p>Regional Locational Guidance should be taken into account and proposals are subject to licensing and consenting process.</p>
<p>RENEWABLES 4 ■●: Applications for marine licences and consents relating to offshore renewable energy projects should be made in accordance with the guidance set out in the marine licensing manual and Marine Scotland's Licensing Policy Guidance (LPG) including the Survey, Deploy and Monitor LPG.</p>	Yes	<p>RENEWABLES 4 ■●: Applications for marine licences and consents relating to offshore wind and marine renewable energy projects should be made in accordance with the guidance set out in the marine licensing manual and Marine Scotland's Licensing Policy Guidance.</p>
<p>RENEWABLES 5 ▲: Specific impacts on species and habitats should be mitigated through appropriate design, construction and operation methods. Marine planning and decision making authorities should take these into consideration in their decision processes.</p>	Yes – see also Renewables 8.	<p>RENEWABLES 5 ■●◆: Marine planners and decision makers must ensure that renewable energy projects demonstrate compliance with Environmental Impact Assessment and Habitats Regulations Appraisal legislative requirements</p>
<p>RENEWABLES 6 ▲■●: Where new grid connections are planned, work should be undertaken with developers and Grid provider organisations within the Sectoral Marine Planning process to address environmental and socio-economic issues to help deliver reduced impacts and develop an improved regional strategy.</p>	Yes	<p>RENEWABLES 6 ■●◆: New and future planned grid connections should align with relevant sectoral and other marine spatial planning processes, where appropriate, to ensure a co-ordinated and strategic approach to grid planning. Cable and network owners and marine users should also take a joined-up approach to development and activity to minimise impacts on the marine historic and natural environment and other users.</p>
<p>RENEWABLES 7 ▲: There is a presumption that cables will be buried or rock dumped.</p>	Yes	Now incorporated in reworded CABLES 2.

RENEWABLES 8 ■: Developers should report on the effects of offshore projects and their onshore elements within a single EIA and a single HRA document.	Yes – see also Renewables 5.	RENEWABLES 5 ■◆: Marine planners and decision makers must ensure that renewable energy projects demonstrate compliance with Environmental Impact Assessment and Habitats Regulations Appraisal legislative requirements
	Additional policy	RENEWABLES 7 ■◆: Marine planners and decision makers should ensure infrastructure is fit for purpose now and in future. Consideration should be given to the potential for climate change impacts on coasts vulnerable to erosion.
RENEWABLES 9 ■●: Developers bringing forward proposals for new developments must actively engage at an early stage with existing users of the area to which the proposal relates; and of adjoining areas which may be affected.	Yes	RENEWABLES 8 ■●: Developers bringing forward proposals for new developments must actively engage at an early stage with the general public and interested stakeholders of the area to which the proposal relates and of adjoining areas which may be affected.
	Additional policy	RENEWABLES 9 ■◆: Marine planners and decision makers should support the development of joint research and monitoring programmes for offshore wind and marine renewables energy development.
RENEWABLES 10 ●: Scenario mapping should be undertaken for commercial scale development to allow local communities to fully understand the range of possible implications	Policy removed	
	Additional policy	RENEWABLES 10 ■●: Good practice guidance for community benefit from offshore wind and marine renewable energy development should be followed by developers, where appropriate.
RENEWABLES 11 ◆■: Government will work with developers to maximise economic benefit and reduce climate change impacts in Scotland.	Policy removed	
	Additional policy	REGIONAL POLICY: Regional marine plans should consider: <ul style="list-style-type: none"> • Further assessing Plan Options areas against local/updated data knowledge to identify development potential, interactions and compatibility. • Coordinating and developing a better understanding of the interactions between the sector and the environment and other users. • Ensure better alignment between marine and terrestrial planning. • Links to relevant terrestrial plans. • Grid requirements and onshore infrastructures for grid. Links to strategic grid initiatives and engagement with these e.g. the North Sea Countries Offshore • Grid Initiative could also be supported by regional marine planning. • Coordinating with the Crown Estate on leasing rounds. <applies to inshore waters>

	Additional policy	REC & TOURISM 1 ■: Opportunities to promote sustainable development of marine recreation and tourism should be supported.
<p>REC & TOURISM 1 ■●: Proposals for recreation and tourism activities or developments that are subject to marine licensing or other consents, including terrestrial planning, should take the following factors into account:</p> <ul style="list-style-type: none"> the extent to which the proposal interferes with access to the shore, the water, use of the resource for recreation or tourism purposes, existing navigational routes or navigational safety. the extent to which the proposal is likely to adversely affect the qualities important to recreational users. where significant impacts are likely, whether reasonable alternatives can be identified for the proposed activity or development. where there are no reasonable alternatives, whether mitigation through recognised measures can be achieved at no significant cost to the marine leisure or tourism sector interests. <p>Proposals supporting tourism and recreation activity will be looked upon favourably within the context of the other policies of the plan.</p>		<p>REC & TOURISM 2 ■●◆: The following key factors should be taken into account when deciding on uses of the marine environment and the potential impact on recreation and tourism:</p> <ul style="list-style-type: none"> The extent to which the proposal is likely to adversely affect the qualities important to recreational users, including the extent to which proposals may interfere with the physical infrastructure that underpins a recreational activity. The extent to which any proposal interferes with access to and along the shore, to the water, use of the resource for recreation or tourism purposes and existing navigational routes or navigational safety. Where significant impacts are likely, whether reasonable alternatives can be identified for the proposed activity or development. Where significant impacts are likely and there are no reasonable alternatives, whether mitigation, through recognised and effective measures, can be achieved at no significant cost to the marine leisure or tourism sector interests.
<p>REC & TOURISM 2 ■: Marine planning authorities should identify areas within their region that are of recreational value and where prospects for significant development exist, including more localised and/or bespoke recreational opportunities.</p>		<p>REC & TOURISM 3 ■●: Regional marine plans should identify areas that are of recreational and tourism value and identify where prospects for significant development exist, including opportunities to link to the National Long Distance Walking and Cycle Routes, and more localised and/or bespoke recreational opportunities and visitor attractions.</p>
<p>REC & TOURISM 3 ■●: Access to the marine area and appropriate facilities to enjoy recreation and tourism are protected, provided, maintained and/or improved.</p>	Removed as already covered in 2.	
<p>REC & TOURISM 4 ◆◆: Marine recreation and tourism activity should not unacceptably impact on sensitive or important habitats and species, those most vulnerable to a changing climate, or those, such as salt marsh and sea grass, which help mitigate climate change.</p>	Yes	<p>REC & TOURISM 5 ◆◆: Marine planners and decision makers should support enhancement to the aesthetic qualities, coastal character and wildlife experience of Scotland's marine and coastal areas, to the mutual benefit of the natural environment, human quality of life and the recreation and tourism sectors.</p>

<p>REC & TOURISM 5 ●: Consideration should be given to the facility requirements of marine recreation with a focus on support for participation and development in sport. Co-operation and sharing infrastructure or facilities with complementary sectors will be supported by decision makers.</p>	<p>Yes</p>	<p>REC & TOURISM 4 ■●◆: Marine and terrestrial planners, marine decision makers and developers should give consideration to the facility requirements of marine recreation and tourism activities, including a focus on support for participation and development in sport. Co-operation and sharing infrastructure and/or facilities, where appropriate, with complementary sectors should be supported, as should provision of low carbon transport.</p>
<p>REC & TOURISM 6 ●: The impact of new recreation and tourism activities or development on coastal residents should be taken into account when decisions are being made.</p>	<p>Policy removed</p>	
<p>REC & TOURISM 7 ▲: Codes of practice on invasive non-native species and Marine Wildlife Watching should be complied with.</p>	<p>No</p>	<p>REC & TOURISM 6 ■●▲: Codes of practice for invasive non-native species and Marine Wildlife Watching should be complied with.</p>
	<p>Additional policy</p>	<p>REGIONAL POLICY: Regional marine plans should consider:</p> <ul style="list-style-type: none"> • Identifying thematic links to other regions and acknowledging the different methods of travel across Scotland e.g. Great Glen route. • Identifying important areas for protection, provisions and improvements to access and facilities to support the sector. • Promoting/ensuring better engagement between sector and other marine users e.g. Inshore Fisheries Groups and sea anglers. • Aligning with Tourism Development Areas within Local Development Plans and promote marine based development strategies. • Promoting education and the use of codes of conduct and good practice guidance, including signage. • Supporting sustainable tourism including sustainable transport and green tourism. <applies to inshore waters>

<p>TRANSPORT 1 ■●: Navigational safety in relevant areas used by shipping now and in the future will be protected, respecting the rights of innocent passage and freedom of navigation contained in UNCLOS. The following factors will be taken into account when reaching decisions regarding activities and developments:</p> <p>(a) the extent to which the locational decision interferes with existing or planned shipping routes, access to ports and harbours and navigational safety.</p> <p>(b) where interference is likely, whether reasonable alternatives can be identified.</p> <p>(c) where there are no reasonable alternatives, whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organization can be achieved at no significant cost to the shipping or ports sector.</p>	<p>Yes</p>	<p>TRANSPORT 1 ■●: Navigational safety in relevant areas used by shipping now and in the future will be protected, adhering to the rights of innocent passage and freedom of navigation contained in UN Convention on the Law of the Sea. The following factors will be taken into account when reaching decisions regarding activities and developments:</p> <p>The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety.</p> <p>Where interference is likely, whether reasonable alternatives can be identified.</p> <p>Where there are no reasonable alternatives, whether mitigation through measures adopted in accordance with the principles and procedures established by the International Maritime Organization can be achieved at no significant cost to the shipping or ports sector.</p>
<p>TRANSPORT 2 ■: Marine development and activities should not be permitted where they will restrict access to ports and harbours which are nationally or regionally significant, or which are identified as National Developments in the current National Planning Framework or as priorities in the National Renewables Infrastructure Plan (map 15 refers). Regional Marine Plans should identify regionally important ports and harbours and set out criteria against which proposed activities and developments should be evaluated.</p>	<p>Yes</p>	<p>TRANSPORT 2 ■●: Marine development and use should not be permitted where it will restrict access to or future expansion of major commercial ports or existing or proposed ports and harbours which are identified as National Developments in the current National Planning Framework or as priorities in the National Renewables Infrastructure Plan (Map 11 and 12).</p> <p>Regional marine plans should identify regionally important ports and harbours, giving consideration to social and economic aspects of the port or harbour and the users of the facility subject to policies and objectives of this Plan. Regional plans should consider setting out criteria against which proposed activities and developments should be evaluated. <applies to inshore waters only></p>
<p>TRANSPORT 3 ■●: Ferry routes and maritime transport links to island and remote mainland activities provide essential connections and should be safeguarded from inappropriate marine activities and development that would significantly interfere with their operation. Developments will not be consented where they will interfere with lifeline ferry services.</p>	<p>Yes</p>	<p>TRANSPORT 3 ■●: Ferry routes and maritime transport to island and remote mainland areas provide essential connections and should be safeguarded from inappropriate marine activities and development that would significantly interfere with their operation. Developments will not be consented where they will unacceptably interfere with lifeline ferry services.</p>
<p>TRANSPORT 4 ■●: Maintenance, repair and development of port and harbour facilities in support of other sectors in the Plan, including renewables, fishing and marine tourism and recreational activities should be supported in marine planning and decision making.</p>		<p>TRANSPORT 4 ■●: Maintenance, repair and sustainable development of port and harbour facilities in support of other sectors should be supported in marine planning and decision making. <applies to inshore waters only></p>

<p>TRANSPORT 5◆: Port and harbour operators should take into account future climate change and sea level projections, and where appropriate take the necessary steps to ensure their ports and harbours remain viable and resilient to a changing climate. Climate and sea level projections should also be taken into account in the design of any new ports and harbours, or of improvements to existing facilities.</p>	<p>No</p>	<p>TRANSPORT 5◆: Port and harbour operators should take into account future climate change and sea level projections, and where appropriate take the necessary steps to ensure their ports and harbours remain viable and resilient to a changing climate. Climate and sea level projections should also be taken into account in the design of any new ports and harbours, or of improvements to existing facilities.</p> <p><applies to inshore waters only></p>
<p>TRANSPORT 6◆: Increased emissions caused by longer shipping journeys should be taken into account in considering proposals for marine activity and development that would result in increased existing shipping route length.</p>	<p>Yes</p>	<p>TRANSPORT 6◆: Marine planners and decision makers and developers should ensure displacement of shipping is avoided where possible to mitigate against potential increased journey lengths (and associated fuel costs, emissions and impact on journey frequency) and potential impacts on other users and ecologically sensitive areas</p>
<p>TRANSPORT 7◆: Statutory notices for the merchant shipping sector on ship to ship transfers of oil as cargo must be adhered to.</p>	<p>Policy removed</p>	
	<p>Additional policy</p>	<p>TRANSPORT 7◆: Marine and terrestrial planning processes should:</p> <ul style="list-style-type: none"> • Provide coordinated support to ports, harbours and ferry terminals to ensure they can respond to market influences and provide support to other sectors with necessary facilities and transport links. • Consider spatial co-ordination of ferries and other modes of transport to promote integrated and sustainable travel options.
<p>TRANSPORT 8◆: Marine planning authorities and decision makers should ensure that decisions comply with maritime law. International Maritime Organisation (IMO) regulations for ship recycling and IMO best practice recommendations for Ballast Water Management should be adhered to.</p>	<p>Policy removed</p>	
	<p>Additional policy</p>	<p>REGIONAL POLICY: Regional marine plans should consider identifying regionally important ports and harbours and set out criteria against which proposed activities and developments should be evaluated. <applies to inshore waters></p>

<p>TELECOMMUNICATION CABLES 1 ●●: Network owners and marine users should take a joined up approach to development and activity to minimise impacts on the environment.</p>	<p>Yes</p>	<p>CABLES 1 ■●●: Cable and network owners should engage with decision makers at the early planning stage to notify of any intention to lay, repair or replace cables before routes are selected and agreed. When making proposals, cable and network owners and marine users should evidence that they have taken a joined-up approach to development and activity to minimise impacts, where possible, on the marine historic and natural environment, the assets, infrastructures and other users. Appropriate and proportionate environmental consideration and risk assessments should be provided which may include cable protection measures and mitigation plans.</p> <p>Any deposit, removal or dredging carried out for the purpose of executing emergency inspection of repair works to any cable is exempt from the marine licensing regime with approval by Scottish Ministers. However, cable replacement requires a marine licence. Marine Licensing Guidance should be followed when considering any cable development and activity.</p>
<p>TELECOMMUNICATION CABLES 2 ●●: Consideration should be given to creation of cable corridors to protect cables from damage by other marine users and where possible routed around obstacles to avoid displacement or disturbance. Proposals for co-location with other sectors such as shared use of spatial corridors and pipelines should be supported.</p>	<p>Yes, also incorporates former RENEWABLES 7</p>	<p>CABLES 2 ■●●: The following factors will be taken into account on a case by case basis when reaching decisions regarding submarine cables development and activities:</p> <ul style="list-style-type: none"> • Cables should be suitably routed to provide sufficient requirements for installation and cable protection. • New cables should implement methods to minimise impacts on the environment, seabed and other users where operationally possible and in accordance with relevant industry practice. • Cables should be buried to maximise protection where there are safety or seabed stability risks and to reduce conflict with other marine users and to protect the assets and infrastructure. • Where burial is demonstrated not to be feasible, cables may be suitably protected through recognised and approved measures (such as rock or mattress placement or cable armouring) where practicable and cost-effective and as risk assessment direct. • Consideration of the need to reinstate the seabed, undertake post-lay surveys and monitoring and carry out remedial action where required.

<p>TELECOMMUNICATION CABLES 3 ●●: A risk based approach should be applied to the removal of redundant submarine cables with consideration given to cables being left in situ minimising environmental impact.</p>	<p>Yes</p>	<p>CABLES 3 ■●: A risk based approach should be applied by network owners and decision makers to the removal of redundant submarine cables, with consideration given to cables being left in situ where this would minimise impacts on the marine historic and natural environment and other users.</p>
<p>TELECOMMUNICATION CABLES 4 ●◆: When seeking locations for land-fall of telecommunications equipment and cabling, marine developers and decision makers should consider the policies pertaining to flooding and coastal protection in Chapter 4 of the NMP, as well as those outlined in SPP.</p>		<p>CABLES 4 ■◆: When selecting locations for land-fall of power and telecommunications equipment and cabling, developers and decision makers should consider the policies pertaining to flooding and coastal protection in Chapter 4, and align with those in Scottish Planning Policy and Local Development Plans.</p>
	<p>Additional policy</p>	<p>REGIONAL POLICY: Regional marine plans should consider identifying suitable areas for land fall of submarine cables and integrate with spatial priorities for submarine cables within Local Development Plans. <applies to inshore waters></p>

<p>MOD 1●: To allow the MOD to maintain operational effectiveness in Scottish waters used by the armed services by managing activity and development in these areas:</p> <p>(i) Naval areas including bases and ports (Map 16): Safety of navigation and access to naval bases and ports will be maintained. The extent to which a development or use interferes with access or safety of navigation, and whether reasonable alternatives can be identified will be taken into account by consenting bodies. Development proposals should be discussed with the MOD at an early stage in the process.</p> <p>(ii) Firing Danger Areas (Map 16): Permanent infrastructure is unlikely to be compatible with the use of Firing Danger Areas by the MOD. Permitted activities may have temporal restrictions imposed. Proposals for development and use should be discussed with the MOD at an early stage in the process.</p> <p>(iii) Exercise Areas (Map 16): Within Exercise Areas, activities may be subject to temporal restrictions. Development that either individually or cumulatively obstructs or otherwise prevents the defence activities supported by an exercise area may not be permitted. Development proposals should be discussed with the MOD at an early stage in the process.</p> <p>(iv) Communications: Navigations and surveillance including radar: Development which causes unacceptable interference with radar and other systems necessary for national defence may be prohibited if mitigation cannot be determined. Proposals should be discussed with the MOD at an early stage in the process.</p>	<p>Yes</p>	<p>DEFENCE 1●: To maintain operational effectiveness in Scottish waters used by the armed services, development and use will be managed in these areas:</p> <ul style="list-style-type: none"> • Naval areas including bases and ports: Safety of navigation and access to naval bases and ports will be maintained. The extent to which a development or use interferes with access or safety of navigation, and whether reasonable alternatives can be identified will be taken into account by consenting bodies. Development proposals should be discussed with the MOD at an early stage in the process. • Firing Danger Areas (Map 14): Development of new permanent infrastructure is unlikely to be compatible with the use of Firing Danger Areas by the MOD. Permitted activities may have temporal restrictions imposed. Proposals for development and use should be discussed with the MOD at an early stage in the process. • Exercise Areas (Map 14): Within Exercise Areas, activities may be subject to temporal restrictions. Development and use that either individually or cumulatively obstructs or otherwise prevents the defence activities supported by an exercise area may not be permitted. Proposed development and use should be discussed with the MOD at an early stage in the process. • Communications: Navigations and surveillance including radar: Development and use which causes unacceptable interference with radar and other systems necessary for national defence may be prohibited if mitigation cannot be determined. Proposals should be discussed with the MOD at an early stage in the process.
<p>MOD 2●: Where required for the purposes of national defence, the MOD may establish bye-laws for exclusions and closures of sea areas. In most areas this will mean temporary exclusive use of areas by the MOD. Where potential for conflict is identified, appropriate mitigation will be identified and agreed with the MOD, prior to planning permission, a marine licence, or other consent being granted.</p>	<p>Yes</p>	<p>DEFENCE 2■●◆: For the purposes of national defence, the MOD may establish bye-laws for exclusions and closures of sea areas. In most areas this will mean temporary exclusive use of areas by the MOD. Where potential for conflict is identified, appropriate mitigation will be identified and agreed with the MOD, prior to planning permission, a marine licence, or other consent being granted.</p>

MOD 3 ■●: The established code of conduct for managing fishing and military activity detailed in the documents 'Fishing Vessels operating in Submarine Exercise Areas' and 'Fishing vessel avoidance: The UK Code of Practice Fishing Vessel Avoidance' will be adhered to.	No	DEFENCE 3 ■●: The established code of conduct for managing fishing and military activity detailed in the documents 'Fishing Vessels operating in Submarine Exercise Areas' and 'Fishing vessel avoidance: The UK Code of Practice Fishing Vessel Avoidance' will be adhered to.
	Additional policy	REGIONAL POLICY: Regional marine planners and defence interests should engage on a proactive basis to ensure that the operational requirements of defence are taken into account in the development of marine plans. <applies to inshore waters>
AGGREGATES 1 ■: Impacts of development or activity on identified marine aggregate sites should be considered, including whether the development / activity would inhibit future aggregate or mineral exploitation.	Yes	AGGREGATES 1 ■●: Marine planners and decision makers should consider the impacts of other development or activity on areas of marine aggregate or mineral resource. Where an interaction is identified, consideration should be given to whether there are permissions for aggregate or mineral extraction and whether they require any degree of safeguarding.
AGGREGATES 2 ■●◆: Consenting and licensing authorities should ensure all the necessary environmental issues are considered and safeguards are in place, including that sediment removal will not significantly adversely interfere with coastal processes and thus alter local rates of coastal erosion which could exacerbate the predicted effects of a changing climate.	Yes	AGGREGATES 2 ■◆: Decision makers should ensure all the necessary environmental issues are considered and safeguards are in place when determining whether any proposed marine aggregate dredging is considered to be environmentally acceptable and is in accordance with the other policies and objectives of this Plan.
	Additional policy	REGIONAL POLICY: Regional marine plans should consider if areas of aggregate or mineral resource require any degree of safeguarding. <applies to inshore waters>.

Key

- Economic ■
- Social ●
- Marine Ecosystem ◆
- Climate Change ◆