

## **Written submission from the Scottish Salmon Producers' Organisation**

### **Introduction**

SSPO has made consultation responses to the earlier drafts of 'Scotland's National Marine Plan'. However, those submissions do not 'align' with the revised document currently presented to the Scottish Parliament. Therefore we believe that our most useful contributions to the RACCE Committee's discussions will be to provide the selective comments on the current plan, which are given below.

### **General comments**

Firstly, we should say that although the present version of Scotland's National Marine Plan (NMP) has some shortcomings, it is more fully developed than that for any other region of the EU, and represents a significant achievement. Secondly, EU/UK/Scottish policies have moved on during the period when the plan has been in preparation, so in several areas the NMP is being overtaken by events. We recognise the challenges of developing a plan against a changing policy background but, from an industry perspective, the importance of the plan being relevant to the contemporary situation cannot be overstated.

Two specific examples of the changing position are as follows.

### ***Smith Commission Recommendations***

The Smith Commission has made very significant recommendations about the future of the functions and roles currently undertaken by the Crown Estate, namely.

- 'Responsibility for the management of the Crown Estate's economic assets in Scotland, and the revenue generated from these assets, will be transferred to Scottish Parliament. This will include the Crown Estate's seabed, urban assets, rural estates, mineral and fishing rights, and the Scottish foreshore for which it is responsible.
- Following this transfer, responsibility for the management of those assets will be further devolved to local authority areas such as Orkney, Shetland, Na h-Eilean Siar or other areas who seek such responsibilities. It is recommended that the definition of economic assets in coastal waters recognises the foreshore and economic activity, such as aquaculture.
- The Scottish and UK Governments will draw up and agree a Memorandum of Understanding to ensure that such devolution is not detrimental to UK-wide critical national infrastructure in relation to matters such as defence & security, oil & gas and energy, thereby safeguarding the defence and security importance of the Crown Estate's foreshore and seabed assets to the UK as a whole.'

Assuming they are implemented, these recommendations will establish a situation where Local Authorities become the 'proprietors' and economic beneficiaries of the sea bed as well as the Planning Authorities responsible for seabed development. Thus leasing policies, rents and planning policies may be determined and implemented at a local level.

Over the past decade major efforts have been made to try to establish consistent policies and procedures for aquaculture planning development across the whole of Scotland and there are understandable industry concerns that the progress achieved should not be lost as a result of administrative disaggregation of the existing systems.

In the light of the Smith Committee recommendations, we believe the NMP arrangements for the proposed Regional Planning Partnerships and the implementation of planning policies and procedures by the Local Authorities needs further consideration. A clear and transparent framework of governance is required to ensure that local policies do not become detached from national policies and economic interests. Likewise, the proposed roles of Local Authorities as proprietors of the seabed and as Planning authorities, needs detailed consideration and a robust governance framework.

### ***Multi-Year Plans for Aquaculture Development***

The EU has recognised the key strategic role of aquaculture in safeguarding EU fish supplies and in redressing the massive 65% importation of fish into the European Community. All Member States have therefore been asked to submit multi-year plans setting out their proposals for aquaculture development.

The UK's development plan (representing a bringing together of development policies by each UK country) has been prepared. We believe the RACCE Committee should recognise this as an important policy statement underpinning the NMP. Scotland is one of the largest aquaculture producers in the EU and the largest producer of Atlantic salmon. In regard to food security in fish supplies Scottish aquaculture should be recognised as part of the country's 'national infrastructure'.

### **Presumption in support of sustainable development**

We wholly support of the principles of scientific, evidence-based approaches to marine planning which are set out in Chapters 3 and 4 of the NMP. However, we believe that it is important not only to set out a clear presumption in favour of sustainable development (as it does in GEN 1, page 20) but more clearly to support that presumption in the textual tone and details of the later sections of the NMP.

Scotland has substantial potential as a global player in marine resource use. However, a genuine national commitment to development is required to ensure that the required national and international investment is attracted and potential economic and social benefits are fully secured for the Scottish people.

We are therefore disappointed to observe that successive NMP drafts appear to have become less positive in their 'developmental tone'; and in some instances, the adoption of evidence-based standards has been compromised. For example, the final paragraph of page 59, correctly makes the point that 'some tourism interests are concerned about the visual impact of aquaculture infrastructure on landscape and seascape'. However, the section fails to mention that both the quoted SARF study of Nimmo & Cappell (2009) and a later SARF study by Nimmo (2011) found that the great majority of tourists indicated that fish farming had no effect (positive or negative) on their willingness to visit an area or on their key recreational activities.

## **Development of aquaculture on the north and east coast**

Aquaculture is the fastest growing food production technology in the world and its expansion in Scotland (not confined to salmon farming) is referred to at several points in the NMP. We therefore find the NMP's 'continuing presumption against marine fish farm development on the north and east coasts to help safeguard migratory fish species' (page 59, 7.18, bullet point 1) quite astonishing.

For the avoidance of doubt, this presumption was initially introduced as a result of a precautionary recommendation of the Nickson Report (1997) which was specifically concerned with the development of salmonid farming in the (then) absence of any marine planning system. We recognise the NMP's sensitivity about changing that presumption for salmonid farming until the lack of important impacts of farmed salmon on wild salmon has been unequivocally established by research. However, it appears wholly unjustified scientifically to adopt the same presumption against development of farming for all non-salmonid fish species.

We note that the Scotland's National Marine Plan Modifications Report (page 28, paragraph 5) states as follows:

'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.'

However, this statement simply compounds the apparent illogicality of the NMP's position and fails to address either the scientific or the planning questions that it raises. If Scotland accepts the planning principle that non-salmonid marine developments in fish farming cannot go ahead on the north and east coasts until a lack-of-impact-on-migratory-fish-species has been scientifically established, how can it possibly be justifiable for all other forms of marine development, including in oil exploration, renewable energy etc, to be permitted developments? Additionally, if the planning assumption is that proposals for non-salmonid fish farm developments will be considered on a case by case basis by the Planning Authorities, what is the basis for setting down a presumption against such developments on the north and east coasts in the first place?

We should make clear that this issue is a national planning barrier to the development of fish farming on the north and east coasts (it does not represent any change for salmon farmers). However, we believe it is unrealistic to anticipate commercial investment in new aquaculture initiatives on the north and east coast so long as the national presumption against fish farm development continues to apply.