

RURAL ECONOMY AND CONNECTIVITY COMMITTEE

ISLANDS (SCOTLAND) BILL

SUBMISSION FROM SCOTTISH NATURAL HERITAGE

We agreed to provide examples of how communities could have more influence on what happens in on their islands and in their local seas. The context for this request was our suggestion that, rather than creating an extra layer of marine licensing powers, local influence on marine decision-making could be improved through existing provisions within the Marine (Scotland) Act 2010 and the Community Empowerment (Scotland) Act 2015. The devolution of the management of Crown Estate assets may also enable community influence.

Focussing on marine issues, community engagement and empowerment can work at different levels: from individual licensing decisions, to the designation and management of protected sites, and community input to strategic plans that steer decisions. Below are selected examples for each of these levels; some are hypothetical but based on the intent of existing legislation.

Licensing of marine developments

The Marine (Scotland) Act 2010 requires a basic level of public consultation for all marine licensing decisions. Nevertheless, opportunities for better local engagement exist.

- Enhanced community input sometimes takes place for large marine infrastructure proposals (e.g. SSE's replacement sub-sea electricity cables programme; some offshore wind proposals). Although this community liaison is typically delivered by the applicants, there can be involvement from local authorities, Marine Scotland, SNH and other public bodies. SNH have an interest in maintaining good relations with communities of place and interest, particularly where they play an important role in protecting the local environment (as is often the case on islands).
- There may be opportunities for improving community engagement / consultation on marine licensing decisions. One means of doing so would be through community councils, community planning partnerships or other community bodies. In order to enhance their role and influence, Local Authorities could provide a facilitation role for local consultation.
- The Community Empowerment (Scotland) Act 2015 includes a provision for 'Participation Requests'. These allow a community body to request dialogue with a public body about local issues, in order to improve outcomes delivered by a public service. Marine Scotland is not listed in the Act as a public body to whom this applies, but local authorities can receive participation requests. Providing

local authorities with a formal role in facilitating local public consultation on marine licences would provide a route for community bodies to request involvement.

Strategic planning to influence decisions

Legislation has recently been passed to enable both regional marine planning and community planning. Both could provide opportunities for community groups, individuals and others to have considerable influence on plans used by public bodies in carrying out their functions.

- The emerging system of regional marine planning involves establishing partnerships that can receive powers for plan-making (decisions for plan-implementation remain with existing authorities). Shetland is the region of Scotland with most experience of preparing regional marine plans. They have successfully delivered extensive local consultation and influence on the content of their plans, through community councils and targeted engagement with communities of interest (e.g. marine recreation clubs) and other members of the public.
- Prior to the adoption of the National Marine Plan, Marine Scotland prepared a draft Sectoral Plan for the identification of prospective offshore wind energy lease sites in Scottish waters. As a consequence of concerns raised during community input, some sites were removed from the plan. We would expect public participation in both national and regional marine planning to have similar influence in identifying suitable (or unsuitable) areas for marine developments.
- Social impact assessment could become a more common part of the planning process. Social research involving members of the public can be used to understand and map community values. Marine Scotland previously co-funded a project “A two way conversation with the people of Scotland on the social impact of offshore renewables”. If integrated with regional marine planning & community planning, and if broadened to consider other sectors, this sort of work could be used to build community perspectives into plans that inform decision-making.
- Community Planning Partnerships (CPPs) are required to publish Local Outcomes Improvement Plans (LOIPs) and, at a finer spatial scale, Locality Plans. For CPPs that include islands, these existing mechanisms could be adapted to ensure the marine interests of communities are addressed and that there is proper integration of this with regional marine planning.

MPA conservation, designation and management

- In partnership with Marine Scotland, SNH previously engaged many communities through a series of local events (including on many islands) on designation and

management of Marine Protected Areas (MPAs). Input from individuals and community groups had a considerable bearing on the locations, boundaries, protected features and management measures for MPAs. The Marine (Scotland) Act 2010 also made provision for 3rd parties to submit proposals. A number of communities have done this, with SNH and Marine Scotland helping to facilitate and assess the proposals (including the now designated Fair Isle Demonstration & Research MPA).

- Ongoing dialogue informs monitoring & management strategies, signposts volunteering opportunities and seeks to enable community contribution to and access of marine data. We are also actively pursuing participatory monitoring approaches for MPAs, working with local conservation groups and local fishing stakeholders.
- Next year, in partnership with Marine Scotland, Comhairle nan Eilean Siar and WWF, we are aiming to start a project on the co-production of Regional MPA Management Plans with local stakeholders. Community input will be key to this process, informing how their values and needs can be incorporated in to the management of MPAs across the region. The aim is to help ensure that sites are well-managed, including through identifying and enhancing the wider benefits that protected sites can have for local communities.
- We are supporting the Coastal Communities Network, a collaboration of locally-focused community groups across Scotland which aims to establish a strong communication and action platform for building the community voice within marine conservation and management in Scotland.

Scottish Natural Heritage
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