

THE HIGHLAND COUNCIL

**PLANNING, ENVIRONMENT AND DEVELOPMENT
COMMITTEE**

6TH NOVEMBER 2013

Agenda Item	10iii
Report No	PED 72/13

CONSULTATION RESPONSE TO DRAFT OFFSHORE MARINE ENERGY PLANS

Report by Director of Planning and Development

Summary

This report presents the recommended Highland Council response to the Scottish Government consultation on the Draft Sectoral Marine Plans for Offshore Wind, Wave and Tidal in Scottish Waters.

Within 28 modified areas of search for the three sectors (wind, wave, tidal), there is one of each most directly relevant to Highland i.e. one potential wind area in the North West Region, along with one wave and one tidal in the North Region.

1. Background

- 1.1 The Scottish Government believes that Scotland can lead the world in the development and deployment of offshore renewable energy technologies. It is estimated that Scotland has 25% of Europe's offshore wind potential, 25% of Europe's offshore tidal potential and 10% of Europe's wave energy potential. The scale of offshore renewable development therefore represents one of the biggest opportunities for sustainable economic growth in Scotland for a generation.
- 1.2 Key drivers for change are the Marine (Scotland) Act 2010 and the Marine and Coastal Access Act 2009. In addition, recent changes in energy and climate change legislation and policies require a more co-ordinated approach to marine sustainable development.
- 1.3 The Scottish Government consultation on the Draft Sectoral Marine Plans for Offshore Wind, Wave and Tidal in Scottish Waters (subsequently referred to as the "Draft Plans") recognise that ports and harbours present viable locations to service the associated construction and maintenance activities. As access to appropriate grid infrastructure represents a key challenge, these Draft Plans, along with the emerging National Marine Plan and the National Planning Framework, will serve as a basis upon which strategic planning for grid provision can take place.

2. The Draft Plans and associated documents – Purpose & Format

- 2.1 The Draft Plans provide information and assessment on strategic spatial locations considered by Scottish Ministers as suitable to progress the development of commercial scale offshore renewable energy. They are

complemented by a number of associated technical documents such as Regional Locational Guidance, Sectoral Environmental Reports, Socio-economic reports and a Habitats Regulations Assessment.

- 2.2 The Scottish Waters (0 – 200 nautical miles) are divided into six zones called Scottish Offshore Renewable Energy Regions. The final Draft Plans will align with the eleven Scottish Marine Regions once the boundaries of these regions are confirmed by Scottish Parliament.
- 2.3 Of the 28 proposed options i.e. areas of search, there are 10 for wind, 10 for tidal and 8 for wave energy (see Appendix A). Of these new sites, there is one proposed option for each sector adjacent to Highland:
 - one offshore wind option in the North West Region between Highland and the Western Isles;
 - one inshore tidal option in the North Region in the Pentland Firth off the Sutherland/Caithness coast and;
 - one inshore wave option in the North Region in the Pentland Firth between Caithness and Orkney.
- 2.4 It should be noted that these areas are additional to those already proposed or under development, of which there are several adjacent to Highland, as members will be aware.
- 2.5 The Draft Plans and their associated documents will provide useful information for the Council, particularly when involved in the Regional Marine Plans, of which there will be three in Highland.

3. Council Response

- 3.1 The full response is contained in Appendix B and summarised here:
 - We welcome the sectoral guidance as it will aid sustainable economic development and help tackle the effects of climate change by supporting jobs in the offshore renewables sectors. Our commitment to this work is demonstrated in the [Council's Programme of Administration for 2012-2017](#) (Economy Action 15) whereby we support opportunities presented by renewable energy;
 - Overall, the document would benefit from more detail up front on the rationale for choice of sites; much useful information is buried deep within the supplementary documents;
 - We suggest that reviews of the Draft Plans should be done in a similar fashion to terrestrial plans i.e. every five years;
 - Minor amendments such as additional maps and explanatory text would help improve legibility;
 - The Environmental Report (ER) is a comprehensive document. It would aid clarity of the main Draft Plans if Table 1.1 (page 7) in the ER was included in section 3.8.2 with additional explanatory text;
 - We welcome the strong emphasis placed on tackling climate change whilst maximising opportunities for economic development but feel more detail could be provided on the impacts, both positive and negative, on the

environment and existing commercial activity and this information provided up front, in a summarised form, in the Draft Plans.

4. Resource Implications

4.1 It is not anticipated that there will be any direct resource implications for the Council.

5. Equality and Climate Change/Carbon Clever Implications

5.1 It is not anticipated that there will be any equality or Climate Change/Carbon Clever implications for the Council. The Scottish Government is the responsible authority for undertaking the relevant equality and climate change assessments. However, it is worth noting that once marine renewable projects are realised, carbon savings may be achieved at national level, thus contributing to Climate Change/Carbon Clever initiatives.

6. Legal and Risk Implications

6.1 It is not anticipated that there will be any legal or risk implications for the Council. The Scottish Government is the responsible authority for assessing any legal or risk implications.

Recommendation

The Committee is asked to agree that the draft response to the Draft Sectoral Marine Plans for Offshore Wind, Wave and Tidal in Scottish Waters contained in Appendix B be submitted to the Scottish Government as the Council's response, by the deadline of 13 November 2013.

Designation: Director of Planning and Development

Date: 25/10/13

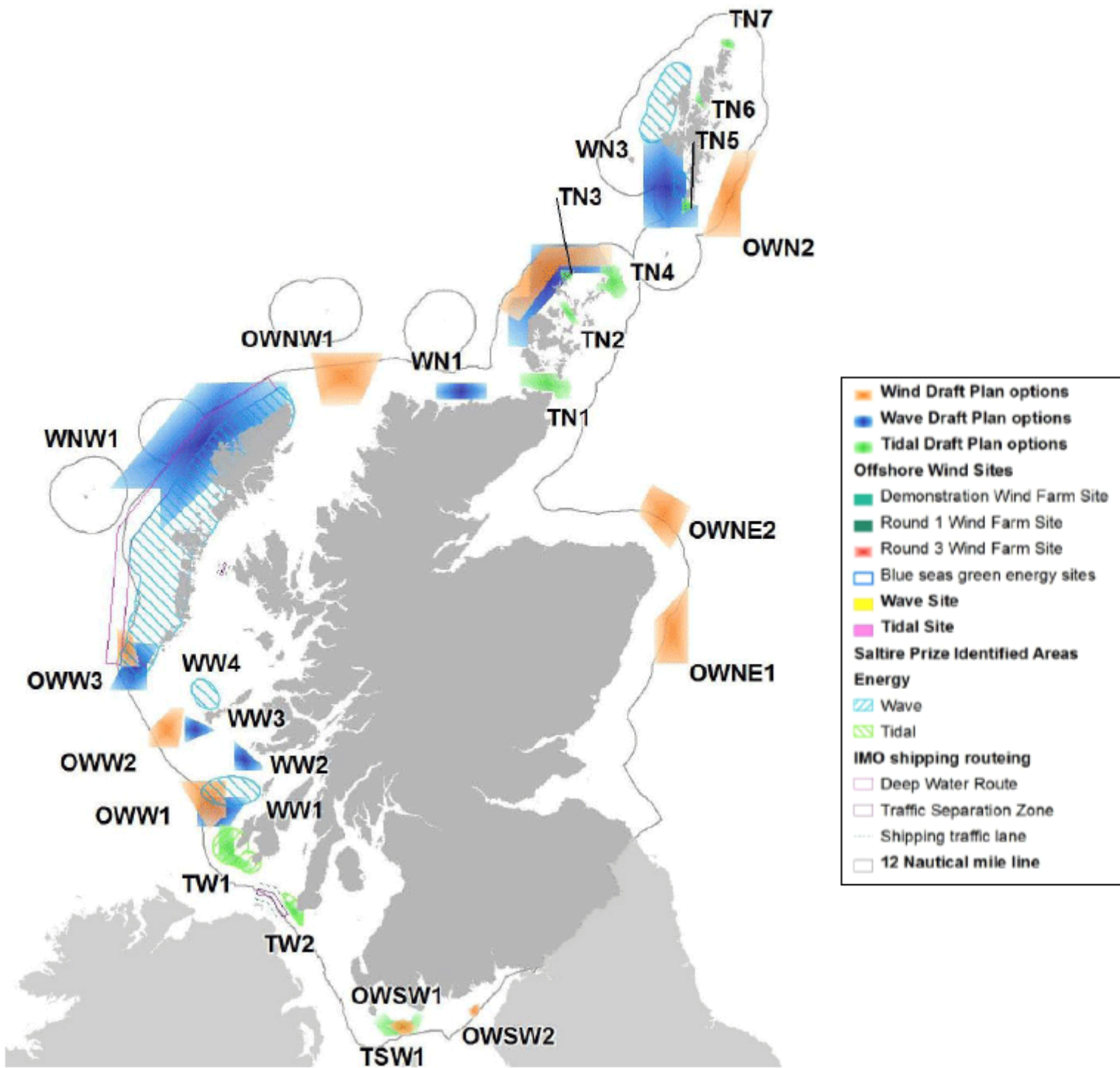
Author: Dr Shona Turnbull, Coastal Planner

Background Papers:

Draft Sectoral Marine Plans for Offshore Wind, Wave and Tidal in Scottish Water:

<http://www.scotland.gov.uk/Publications/2013/07/8702>

APPENDIX A



APPENDIX B

ANNEX B. RESPONDENT INFORMATION FORM AND CONSULTATION QUESTIONNAIRE

Draft Sectoral Marine Plans for Offshore Wind, Wave and Tidal in Scottish Water

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately



1. Name/Organisation

Organisation Name

The Highland Council (Development Plans Team)

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Turnbull

Forename

Shona

2. Postal Address

The Highland Council

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3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

CONSULTATION QUESTIONNAIRE

In order to facilitate the consultation process, readers are invited to focus their responses on the following questions. However, responses are not limited to these questions and additional comments are welcomed.

Plan Development

1. Do you agree with the approach (outlined in Section 3 of the Sectoral Marine Plans) used to develop the Plans?

Yes No

Please explain:

There is clearly a comprehensive and systematic approach to the process. We welcome the sectoral guidance as it will aid economic development and help tackle the effects of climate change by supporting jobs in the offshore renewables sectors. Our commitment to this work is demonstrated in our current work programme whereby we support opportunities presented by renewable energy.

However, much of the detail required to assess potential impacts and opportunities rely too much on cross-referencing to multiple other sections in other lengthy documents.

It would aid clarity of the potential impacts of the draft plans if the existing wind, wave and tidal developments were shown in the main document, similar to the helpful map provided in Fig. 6.1 (page 91) of the SEA.

2. Do you have any views on the findings of the Sustainability Appraisal Report? Do you think that all the social, economic and environmental effects (positive and negative) have been identified? Are there other issues that should be taking into account in the preparation of the Final Draft Plans?

We support the fact that the plan considers the three aspects of sustainability: social, economic and environmental. However, opportunities for synergy and impacts upon aquaculture, harbours' capacity and associated marine supply chain issues should be considered in more detail, particularly in the North Region (see Q. 4).

3. The SEA has identified a range of potential effects from the Draft Plans. Measures for the mitigation of these effects have been identified in the SEA environmental report. Do you have any views on these findings? Do you think that the proposed mitigation measures will be effective? Do you have any additional suggestions?

The SEA places a strong reliance on individual project level mitigation; perhaps a more detailed assessment of likely cumulative impact options would be beneficial.

4. The Socio-economics Report has identified a range of potential impacts on existing sea users. Do you have any views on these findings? Do you think that the proposed mitigation measures will be effective? Do you have any additional suggestions?

Whilst the Socio-economic Report notes that there are “particular methodological challenges” in assessing the renewables developments proposed by the Draft Plans, these cannot take place without the associated supply chain/ports and harbours work, therefore it would be helpful if some attempt was made to quantify these economic aspects.

5. Taking into account the findings from the technical assessments, do you have views on the scale and pace of development that could be sustainably accommodated in Scottish Waters??

Whilst caution will be necessary, in practise the rate of development could be limited by grid, manufacturing and deployment realities.

6. Are there aspects of the Draft Plans that you believe should be improved? Are there any aspects you believe should be taken forward differently?

Please explain any reasons for your answer and provide details of any suggested improvements:

- Improvements to the readability of the Draft Plans (e.g. keys / legends included on all plans / maps) would be welcome.
- Currently, there is a considerable amount of wasted space e.g. pages 63, 65, 67, 69; a slightly longer Draft Plan with more rationale and detail should be provided up front (e.g. see Q.s 7, 8 & 13 below), with clearer signposting within it.
- Information from the Draft RLG should be summarised in the Draft Plans to show how the proposed development options evolved from the areas of search stage (+ see Q 1 above).
- Further detail on grid issues would be helpful.
- A glossary of acronyms should be added.

7. Do you believe an appropriate balance, between tackling climate change, maximising opportunities for economic development and dealing with environmental and commercial impacts been achieved in the Draft Plans?

Yes No

Please explain:

We welcome the strong emphasis place on tackling climate change whilst maximising opportunities for economic development but feel more detail could be provided on the impacts, both positive and negative, on the environment and existing commercial activity and this information provided up front, in a summarised form, in the Draft Plans.

Draft Plan options

8. The Draft Plan for Offshore Wind Energy proposes 10 Draft Plan options. What are your views on the Offshore Wind Draft Plan options? Are they in the correct place? Are there reasonable alternatives that should be considered?

Please indicate which proposed Draft Plan option(s) you are commenting on using the relevant indicator (i.e. OWN1)

Whilst some mitigation is proposed to avoid busy shipping channels in areas such as OWNW1, it would be helpful if more detail could be provided for the rationale of site choice within the main Draft Plans. OWNW1 is also a key route for migratory species so again, signposting/additional detail in the main Draft Plans would aid clarity of understanding of the rationale for site choices without having to trawl through the many supplementary documents.

9. The Draft Plan for Wave Energy proposes 8 Draft Plan options. What are your views on the Wave Draft Plan options? Are they in the correct place? Are there reasonable alternatives that should be considered?

Please indicate which proposed Draft Plan option(s) you are commenting on using the relevant indicator (i.e. WN1)

As WN1 generally concurs with existing proposals/lease options, we have no further comment to add at this stage.

10. The Draft Plan for Tidal Energy proposes 10 Draft Plan options. What are your views on the Tidal Draft Plan options? Are they in the correct place? Are there reasonable alternatives that should be considered?

Please indicate which proposed Draft Plan option(s) you are commenting on using the relevant indicator (i.e. TN1)

As TN1 generally concurs with existing proposals/lease options, we have no further comment to add at this stage.

11. Do you believe any draft plan options be removed from the Draft Plans for Wind, Wave and Tidal Energy?

Yes No

If Yes, please indicate which proposed Draft Plan options you believe should be removed (using the relevant indicator), and explain why :

N/A

Plan Implementation and Review

12. The Plans, once implemented, will be reviewed to take account of actual development and increasing knowledge of development factors. How often do you believe should this be done and why? Who do you believe should be involved in the Plans Review Steering Group, to oversee the review process?

As stated in the draft circular '*Planning Scotland's Seas: The relationship between the statutory land use planning system and marine planning and licensing*', it is imperative that terrestrial and marine authorities engage closely with one another and that plans complement the intentions of each other. With this in mind, we would suggest that the Sectoral plans are updated as regularly as the terrestrial development plans. However, if a 5 year review approach is therefore adopted, we would suggest that an alternate process is taken whereby every other review is a full in-depth redraft of the plan and the other is more of a focused update. By updating the plan as regularly as this, it will ensure better integration with the appropriate terrestrial development plans.

We would also suggest that when such updates are undertaken, a full consultation is undertaken including key agencies, Local Planning Authorities and members of the public. Whilst review programme timing will not fit directly with every Local Development Plan timescale in Scotland, it should preferably be programmed to fit well with the timescale for updating of the National Planning Framework.

It is important that a representative of the offshore wind, wave and tidal sectors is part of the review group, as well as a representative of the local authorities, along with effective engagement and consultation.

Strategic Environmental Assessment

13. To what extent does the Environmental Report set out an accurate description of the current environmental baseline? Please also provide details of any additional relevant sources.

The ER is a comprehensive document. It would aid clarity of the main Draft Plans if Table 1.1 (page 7) in the ER was included in section 3.8.2 with additional explanatory text.

14. Do you agree with the predicted environmental effects of the plans as set out in the Environmental Report?

See Q. 15 below.

15. Do you agree with the recommendations and proposals for mitigation of the environmental effects set out in the Environmental Report?

Whilst we acknowledge it is difficult to fully assess all potential environmental impacts, there is perhaps too much reliance on individual project level mitigation, particularly in relation to cumulative effects.

16. Are you aware of any additional on-going research or monitoring that may help to fill gaps in the evidence base, particularly relating to the marine environment and its interactions with renewable energy devices? Please give details of additional relevant sources.

Pilot Pentland Firth & Orkney Waters marine spatial plan project and related Stage 2 studies.

17. Are you aware of any further environmental information that will help to inform the environmental assessment findings?

Pilot Pentland Firth & Orkney Waters marine spatial plan project and related Stage 2 studies.

Additional comments

18. Do you have any other comments you wish to make of the Plans and / or the related assessments?

The readability of the Draft Plans could be improved by making some minor amendments and inclusions, in addition to those noted in the above sections:

- All maps within the Draft Plans should have their own key/ legend to remove the need to skip back and forth through the Plans.

- It would aid clarity if Figure 20 (page 57) of the Draft Plans document was included in both the executive summary and much earlier in the document e.g. in section 3.10.
- After Figure 20, it would then be helpful to should show the existing/ approved marine developments (e.g. aquaculture, renewables, oil and gas, key shipping lanes and fishing sites) in a series of maps to highlight the complexity of considerations required and the extent of development activity.
- More detail in the Draft Plans is required to show the relationship of the text to the information provided in the supplementary documents.
- The Table of Abbreviations in the SEA ER should be entitled 'Table of Acronyms'.