



# **DRAFT SHETLAND MARINE SPATIAL PLAN – SUMMARY OF RESPONSES**

### Summary

There has been widespread interest and engagement with this consultation on the draft Shetland Marine Spatial Plan and there is no doubt that the many comments received have added significant value to the Marine Spatial Planning development process.

The Scottish Sustainable Marine Environment Initiative (SSMEI) in Shetland would like to take this opportunity to thank all of the organisations and individuals who engaged in this consultation exercise.

### Introduction

In February 2008 the SSMEI Shetland pilot published a consultation paper on the draft Shetland Marine Spatial Plan. The consultation documents were a Shetland-wide guidance to the placement of different marine developments and activities and this paper summarises comments received in relation to those documents.

29 written consultation responses were received from a very broad spectrum of individuals and organisations including: academic; local authorities; public bodies; non-governmental organisations; environmental groups; specialist groups representing different marine users; local businesses; community councils; and enterprise (the full list is provided at the end of this report). There was widespread support for Marine Spatial Planning (MSP) and it was generally welcomed that it formed an excellent basis for future Marine Spatial Planning. Respondents recognise the contribution MSP will make to sustainable development, the quality of public sector decision making, open government and environmental management.

### Next steps

Following discussion of the responses by the Local Steering Group, options for amendment will be established. It is anticipated that the final Marine Spatial Plan will be re-printed and implemented from September 2008. Its progress can be followed on the SSMEI Shetland's website: <http://www.nafc.ac.uk/SSMEI.aspx>

### Contact details and how to access full copies of the consultation responses

All responses can be viewed on request from the SSMEI Project Officer (contact details above). Should you wish further information or additional paper copies of this document please contact:-

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### Consultation methods and activities

As a first step towards a set of marine plans for the country, this consultation was of great importance to all of Scotland's marine sectors. The SSMEI Shetland wanted to ensure that we carried out as broad a public consultation as possible. To achieve this, the SSMEI Shetland pilot undertook a wide variety of consultation activities over an extensive period of time beginning in January 2006. Activities included:

- working in partnership with existing local key stakeholders to develop marine mapping and thinking on policy issues;
- face to face discussions with a variety of organisations such as: Fisheries Research Services, Government Departments; BP; RSPB; Local Authorities, Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Scotland;
- research;
- discussions with a variety of marine users including fishermen; recreational users; and community councils;
- seminars;

### Layout of this document and the methodology applied

Comments from respondents focused on the more detailed aspects of the policy and maps and all of these are discussed in the tables overleaf. Given the discursive nature of many of the comments, it was considered that statistical analysis would be neither appropriate nor helpful. The presentation of the consultation responses have therefore been extracted and suggestions for amendment / discussion given (either by the respondent or SSMEI) - its central aim is to identify where the issues for the Local Steering Group to discuss.

Given the spread of responses across a wide variety of sectors (annex A), the SSMEI Shetland is confident that the comments received are comprehensive and representative of the various sectors.

The first half of this document details the 'major' comments / suggestions for change, and these are currently being considered by the Local Steering Group.

Most suggestions for change were 'minor' detailed in the second half of this paper (please note this report does not include very minor changes such as spelling mistakes). The 'minor' changes should not imply any fundamental change, and this will be reviewed by the Local Steering Group to ensure this is the case.

This Summary Report begins with some important general feedback, and then the tables go into specific changes. Annotated notes in italic at the end of some of the comments are informal notes to guide the Local Group in the discussion process to consider the outcomes.

**“It doesn’t adopt the principles of the Ecosystem Approach”**

Both SNH and SIC (Heritage) said they did not believe that the Plan has successfully adopted the principles of the Ecosystem Approach. It was added to what extent SNH believed that the draft MSP had achieved the characteristics of the Ecosystem Approach:

Done:

- Embrace regional diversity through a regional approach

Mostly:

- Have a vision, high level principles and strategic goals
- Undertake assessment, monitoring and scientific research

Partly:

- Have regionally-based operational objectives
- Be common across all areas, all uses and all sectors, and acknowledge that people are intrinsic components of ecosystems
- Be characterised by simplicity
- Embrace principles of adaptive management as a progressive approach

Lacking:

- Set out clear limits, targets and indicators
- Set out landmarks and principle routes, with a strategy to deliver them
- Have actions with associated delivery tools
- Have pre-agreed risk management actions

***Comment:*** those ‘lacking’ are currently being tackled for the sub-area plans as it was thought more appropriate to deal with local strategy at the local level.

**“Its not future looking enough / it does not go beyond the status quo”**

SNH, National Trust and SIC (Heritage) said it wasn’t future looking enough and that the policies should provide a strategic steer to future development.

Hjaltland Sea farms agreed with this in a sense saying that whilst the Atlas is useful and should help streamline development applications “.... part one does not affect any of our company interests as it does not differ from current council or government planning policies... want to become more engaged in future area-specific plans... which will significantly affect our interests”.

“The Plan recognises that it is ‘non-prescriptive’, and thus identifies constraints only to development, both ‘advisory’ and ‘statutory’ in nature. In looking at the plan, however, these constraints seem simply to mirror the current uses of Shetland’s marine environment. As such, the status quo is automatically favoured, without consideration of whether this is the most environmentally sound, economically efficient or socially optimal use of the area.” Scottish Renewables

SNH added... “The Plan needs to differentiate between the timescales within which management measures will be implemented and the longer and more uncertain

timeframes within which ecosystems may respond.... A more effective Marine Spatial Plan should have a clear vision of what it hopes to achieve in 5, 10 or more years and how it will go about achieving this and monitoring progress. It should also take into account the changes that are already 'locked-in' to the environment as a result of past human actions. For example the recoverability of commercially exploited species and their habitats or changes resulting from climate change. These issues need to be understood and taken account of in objectives linked to effective remedial actions with, achievable success indicators developed and implemented over realistic timescales..... In order to properly monitor and review the plan, even the initial plan, needs to be assessed against suitable targets – otherwise what are we measuring against?"

**“Strategic Environmental Assessment hasn’t been done properly”**

SEPA, SIC (Heritage), and SNH said a SEA Environmental Report should have been published alongside the consultation documents.

**Comment:** SEA is intended to be an integral part of plan development and it is of concern that SEA has not been applied at this late stage. Legal advice was sought on this, and concluded that the Environmental Assessment Act 2005 and the Environmental Assessment Plans and Programmes (Scotland) Regulations 2004 does not apply to the Plan. However, we made a commitment to do SEA informally, which regrettably has not been done properly so far.

As SEA is a relatively new process, it is starting to be acknowledged that retrospective application of SEA diminishes its potential to aid delivery of more sustainable Plans.

The purpose of the assessment is to aid decision making, and also, crucially, to identify mitigation and enhancement measures and routes to their implementation. It also is intended to improve transparency in decision making, through stakeholder consultation, including formal consultation on the final Environment Report (normally run parallel with the consultation for the actual Plan – which Shetland is too late for).

The reason for not doing it properly is due to timescales and resource limitations. The Clyde SSMEI has to be praised for its efforts in the SEA process. It has to be said that their success is in having more staff and financial resources than Shetland (one extra member of staff has spent 3 days per week on the SEA process, so it is resource intensive). Further, they had to seek additional resources from the Scottish Government to undertake the SEA as it had not been allowed for in the original project proposal (as with Shetland).

**“Policies should not make reference to other policies”**

RSPB (and to some extent SNH) believed the policies should be mentioned in full.

**Comment:** It was agreed by the Local Steering Group (on the 7<sup>th</sup> October) that this would lengthen the policies considerably and that they need to be short.

**“Some policies read more like recommendations”**

RSPB and Sound of Mull SSMEI said some policies are objectives for the ‘owners’ of the plan to achieve through deciding priorities for funding and should be included as an appendix.

***Comment:** This affects 3 sections / objectives of the Plan: Page 19 policies ITG1 and ITG2 on integration; page 20 – 21 policies KN1, KN2 and KN3 re. using and improving our knowledge; page 23 policy SEN1 regarding sensitivity mapping plan.*

**“There are missing activities”**

SNH pointed out there are no policies that relate to:

- offshore aggregate extraction,
- seaweed harvesting,
- winkle picking,
- intertidal bait gathering,
- fish aggregating devices,
- artificial reefs.

Although some of these do not have, at the moment, any strict legislative controls it does not mean we should ignore them.

***Comment:** No policies exist because of the difficulty in mapping the information. However, it is accepted that just because no data exists, does not mean a policy cannot be written about it.*

**“To zone or not to zone”**

*AGAINST zoning:*

“climate change... movement of species... difficult for fishermen to plan ahead... should aim for integrated management plans rather than spatially exclusive prioritisation and zoning.... Heartening that the Plan recognises this” Seafish

*FOR zoning:*

“It would have been useful to try to identify some zones with presumption for / against certain uses within the plan to test how easily this approach can be achieved and whether there are benefits for stakeholders in having more clearly identified areas.”  
SNH

“...the lack of any zoning or identification of areas potentially suitable for certain types of future use, clearly signifies a lack of positive encouragement to development.”  
Scottish Renewables

Scottish Power and SREF said re. page 20 (filling knowledge gaps) that we should quantify the marine energy resource to see the scale to be exploited. This could be the maps the RERA study produced showing acceptable areas. Further to including this we could overlay this with the ‘constraints weighting map’ worked through by the Spatial Analysis Working Group - the two maps could be overlain as a ‘case study’.

**“The need for monitoring and surveys & updating the maps”**

SNH said “The policies encourage avoidance of important species and habitats – but it may not always be clear where these important seabed habitats occur and therefore unintended damaged may occur. There needs to be a greater effort to acquire spatial information to identify these seabed habitats and species in order to encourage the diversion of dredging outside these areas. This is also essential if we are to monitor changes in their distribution.”

“Of course, we have the predicted biotope maps – perhaps some ground truthing surveys could be promoted to give us an improved measure of the reliability of these predictions.”

“Strongly agree that resources should be found to update the data.”

***Comment:*** *A detailed proposal for the future of SSMEI Shetland, which included updating these maps, was given to the NAFC Director and the Scottish Government 06.05.08 – this needs followed up.*

**Major corrections for discussion**

These tables were designed for discussion by the Local Steering Group and as such, some comments at the end of the response may appear informal.

Page	Suggested Action	Respondent	Agree?
General	The Marine Directorate of the Scottish Government should review the Plan, voluntary though it is, to ensure that it is consistent with national objectives for the sustainable use of Scottish seas to ensure subject to national marine policy guidance.	Scottish Renewables	
	Regarding the Ecosystem Approach which entails use of the precautionary principle... “We would call for a (awaiting unfinished para in response but goes on...)...Given their (renewables) early state of development, the environmental impacts of devices and projects are still being researched. Disallowing development on the basis of uncertainty on a project’s impacts will have a serious and disproportionate impact on this emerging sector. The impacts of discouraging the sector could include a loss of important environmental and economic gains.”	Scottish Renewables	
	“There will be significant shift in land planning policy soon (currently in development) and the MSP should reflect this.”  <i>Notes: I need guidance on this because without seeing it I can’t predict what to write.</i>	SIC (Heritage)	
	Create a worked example under a couple of policies of how we see it being used by a perspective planner / regulator and a developer.	Sound of Mull SSMEI	
	Data (GIS) usability problems.  <i>Notes: tried solving with the individual – need to follow up. Not much more can be done.</i>	VT, SIC (Heritage)	
	Needs simpler language “Most folk will not read the complex reports fully”	KW	
	Potential conflicts with fishing activities are not addressed (in ref to nature conservation?).  <i>Notes: Is policy F2 (encouraging avoidance of important species and habitats) insufficient?</i>	National Trust	
	Consideration should be given to involving representation from the renewable energy sector in any further discussions regarding the plan e.g. SREF, Scottish Renewables or an individual familiar with current marine projects.  <i>Suggestions of people: David Thomson (SREF), Gareth Davies (Orkney / Scottish Renewables), Fred Gibson</i>	SREF, Scottish Power, SSE	

	<i>(Shetland Composites) business developer.</i>		
	Seasonality is missing from all the maps	SNH, LT	
	<i>Notes: could be as text on the map? Have its own section in the policy document?</i>		
	Some conflicting general concerns:  “(the plan) will do little to meet the aspirations of the Fair Isle Community or indeed of the Scottish Government in ensuring a sustainable and healthy marine environment on which a number of important economic activities depend. This should be at the heart of the plan. As currently drafted, it will do little to support it and may even undermine it.”  “conclude that the thrust of the document is more conservation led”.  “the documents make it easier to make negative assertions towards shellfish farming... “  “It is our opinion that the Plan as a whole seems overly biased against development of the Shetland marine area. We would suggest that the plan’s language is too often that of “constraints” and very rarely that of “opportunities”.	National Trust  Scottish Power, SSE  Shellfish farmer  Scottish Renewables	
	Need to mention the EIA process more (“which assesses those effects deemed likely to be significant”) as there is a perception that within many policies the burden of proof with regard to the level of acceptable effects is disproportionately weighed in favour of a ‘no acceptable effect’ policy....For most developments, a level of change is inevitable”  “The policies that relate to marine energy developments may be too restrictive. They could be re-worded or amended to allow appropriate development without compromising the valuable conservation intentions.”	SSE  SREF	
	Map more important areas for angling – important burns  <i>Notes: this shouldn’t take long – agree to map?</i>	SIC (Port & Harbour Ops), RH, SNH	
<b>8</b>	As well as the ‘Quick Guide’, use a flow chart with a worked example.	Sound of Mull SSMEI	
<b>9</b>	Write a chapter / section on data gaps - prioritise them with a view to directing future research/surveying/data extraction.	SNH	
<b>13</b>	Page 13 - The introduction to the plan refers to the development of a system for using the marine and coastal environment within the capacity of its ecological systems. However, there is no mention in the plan how	SIC (Heritage)	

	<p>the capacity of these ecological systems will be determined, as at this stage this information is not available.</p> <p><i>Notes: how do we go about determining this? An Environmental Report for SEA or something more elaborate?</i></p>		
14	<p>Page 14 – under process of the plan production, “Existing and future development and use to have regard to this Marine Spatial Plan” – Need to clarify how existing development/use is to be monitored, changed, enforced.</p> <p><i>Notes: the plan doesn’t really go beyond that of any policy / legislation so existing powers have not changed. Therefore how can we clarify this?</i></p>	SNH, SIC (Heritage)	
15	<p>Page 15 – regarding SEA... “We believe the requirement that the Plan deliver “no negative environmental effects” is unreasonable and not in line with the definition of sustainable development.... It is important that concepts of significance and acceptability are introduced into the Plan. In practice this means that the acceptability of potential significant adverse environmental impacts from any marine development should be considered by decision makers and balanced against other strategic objectives such as tackling climate change or promoting economic development.”</p>	Scottish Renewables	
	<p>Page 15 – “Who is responsible for monitoring?”</p> <p><i>In the report this is reported as SSMEI responsibility as part of the Review report due at the end of the project – is this sufficient?</i></p>	SNH	
	<p>Page 15 - “What are we going to measure against?”</p> <p><i>The National Steering Group are expected to be monitoring all pilots using the “Sustainable Development Indicators” discussed with the LSG at the beginning of the project. Does this need to be clarified here? Should I be reminding the Government / NSG of this commitment?</i></p>	SNH, SIC (Heritage)	
	<p>Page 15 – rephrase last paragraph:</p> <ol style="list-style-type: none"> <li>1. it suggests that the Review of the Plan will show no negative environmental effects which is unrealistic.</li> <li>2. it claims SEA started at the same time as preparation of the Plan when this is not the case</li> </ol> <p><i>Notes: see discussion outcome on SEA</i></p>	SIC (Heritage)	
16	<p>Page 16 - Would be useful to try to determine extent of need for sub-local marine plans (eg what % of overall area is likely to require this greater detail – implications for resource planning in other areas). Also, try to clarify</p>	SNH	



	<p>5. <i>Protect, enhance, and improve Shetland’s marine environment, whilst taking account of natural changes;</i></p> <p>Notes: This new policy links to comment from LINK “There should be an explicit objective to protect and enhance Shetland’s marine environment as detailed in the Policies section.”</p> <p>6. <i>Safeguard areas where there are internationally, nationally or locally important marine species and habitats;</i></p> <p>7. <i>Assess the sensitivities of marine wildlife and habitats to current and future uses;</i></p> <p>8. <i>Identify areas with differing priorities for sustainable use (such as fishing, aquaculture, recreation &amp; tourism, oil, nature conservation etc.);</i></p> <p>9. <i>Identify and where possible restore damaged marine habitats and ecosystems; (Mention <u>achieving?</u>)</i></p> <p>10. <i>Identify and manage development and activity to minimise conflict.</i></p> <p><i>DO THESE OBJECTIVES adequately express the ecosystem approach?</i></p>	<p>LINK</p> <p>SNH</p> <p>LINK</p> <p>SNH</p> <p>SNH</p>	
	<p>Page 17 – the objectives should be laid out in order of priority.</p> <p>Notes: <i>They were laid out in the order they appear in the report to demonstrate they have driven the development of the plan – see section heading titles. If we accept this change we would have to change the layout of the sections and write new policies for the new objectives – agree? The new objectives / policies are about involving local communities and protecting and enhancing (they are taken from the aim on the next page).</i></p>	<p>RSPB</p>	
<p><b>18</b></p>	<p>Page 18 – the 3 bullet points under policies should be included in the objectives on page 17.</p> <p>Notes: <i>If we agree to this, I suggest we bring forward the title on page 18 “policies”. Start with sentence to describe how the sections have been laid out in the report. Then make vision, aims etc a sub-heading. However there is only one bullet point for the sustainable development aim as they were taken and added to the objectives. Could try to combine the two sections somehow.</i></p>	<p>RSPB, SIC (Heritage), SNH</p>	

	The aims must encourage development to achieve national sustainability aims.	Scottish Renewables	
	Page 18 – ref to “Stakeholders should endeavour to balance these aims”, SNH cant ensure that the MSP policies are equally promoted as currently they are not all applying the ecosystem approach.  <i>Notes: Would this query about this statement be resolved by including another aim like “Recognise that development must respect environmental limits to ensure the marine environment is capable of maintaining long-term sustainable use.” But then how do we determine the environmental limits?</i>	SNH	
	Page 18 – Does the plan meet the needs of regulators? If so, we need a policy focused on integration of policy.  <i>Suggestion for new policy:</i> “	SNH	
19	The database should be further developed to include a sub-group that to which potential offshore development proposals might be directed.	Crown Estate	
20	Page 20 - This policy raises concerns that the predicted biotope map may be used as justification for improper survey methods, inadequate supporting information for licence applications, or discourage detailed survey work.  <i>Notes: the policy encourages use of the map to target the extent of a survey and this is explicit in the policy.</i>	SIC (Heritage)	
	Page 20 (and elsewhere) - it should be made clear that the Marine Spatial Plan and the predicted biotope map do not replace licensing and Environmental Impact Assessment requirements.	SIC (Heritage)	
	Page 20 – regarding the predicted map, confidence level is a concern as this suggests that 1 in 5 is inaccurate. Suggest stating how this confidence level was assessed and why this was appropriate.  <i>Notes: its made clear that this should be used with caution and how the confidence level was assessed</i>	SIC (Heritage)	
21	“As regards info on the location & extent of particular seabed habitats, Inshore Fisheries Groups (& SSMO) should have the capacity to identify gaps in this knowledge and promote survey work for this.”  <i>Notes: data from SSMO (the fishermen’s log sheets) are collected in 5 x 5 nm squares – this has limited value to the scale we are working on. We could encourage fishermen to survey for us – but getting their information is basically what we’re doing.</i>	SNH	
	Page 21 - this policy raises concerns regarding the	SIC	

	<p>anecdotal nature of this information and therefore the usefulness with regard to marine spatial planning.</p> <p><i>Notes: better data on fishing grounds does not exist so had to collect anecdotal evidence. What about other anecdotal evidence (of which there are 19 sources and this is growing with the remote isles input) – are we constantly going to be challenged on this?</i></p>	(Heritage)	
22	<p>Page 22 – policy SF1, suggest changing “impact on” to “compromise” to allow a slight, non-concerning impact</p>	SREF	
	<p>Page 22 - Policy MSP SF1 (safeguarding species and habitats), the policy should differentiate between the different levels of protection afforded to different site and species designations and should be considerable more protective of these sites and species. E.g.:</p> <p>“There will be a presumption against developments and activities that are likely to cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</p> <p>Developments and activities will not normally be permitted that damage Sites of Special Scientific Interest.</p> <p>Developments and activities will not normally be permitted that damage Statutorily protected species and habitats:....”</p>	RSPB, LINK	
	<p>Page 22 - Policy MSP SF1 (safeguarding species and habitats), should include: “d. National Scenic Areas;”</p> <p><i>Notes: the objective heading is safeguarding marine life – so this would be inappropriate here.</i></p>	RSPB, LINK	
	<p>Page 22 – policy SF1 only deals with formally protected species. Need a policy to safeguard other species or ensures the correct functioning of the marine ecosystem.</p> <p><i>Suggestion for new policy:</i></p>	LINK, National Trust, SIC (Heritage)	
	<p>Page 22 – policy SF1, in relation to map 16b regarding isolated incidences in spot surveys without full abundance or extent (of horse mussel or mearl beds)... “can lead to unwarranted survey cost... the presumption is definitely now against development based on scanty data”.</p> <p><i>Notes: Change policy to remove map 16b in this consideration?</i></p>	Shellfish farmer	
	<p>Page 22 – policy SF1, the policies and maps should be refined with information about sensitivity of different</p>	SNH	

	<p>features eg seasonal issues relating to bird interests. Certain habitats are fairly robust and can co-exist with various other uses.</p> <p><i>Notes: Could detail seasonality for different species here – birds, fish?</i></p> <p>Relates to important comment:  “no attempt to identify sensitivities and synergies between different features and uses, which could have been used to refine the maps and policies to identify sites where uses were complementary or conflicting. Without this level of detail, almost all areas are apparently subject to various constraints and could appear to be no-go areas for future use.”</p>		
	<p>Page 22 – policy SF1, “Designated sites can only be as healthy as the surrounding marine waters because of the nature of the fluid environment and biological interdependency of neighbouring communities. This fact as well as the effect of cumulative impacts need to be taken into consideration.”</p> <p><i>Notes: we say these need the strongest level of protection – what else should we add?</i></p>	SNH	
	<p>Page 22 – policy SF1, doesn’t state how protection will be achieved. Under justification, need to say what these maps will be used for. How are habitats/species going to be protected from current use?</p> <p><i>Notes: How do we proceed with this?</i></p>	SNH	
	<p>Page 22 – “policy SF1, attributes the same level of protection to both European and UK national designations. This is not consistent with existing planning policy for onshore developments. The policies should be redrafted to reflect the tired level of protection.”</p> <p><i>Notes: should we do this?</i></p>	SSE	
<b>23</b>	<p>Page 23 – policy SEN1, “this policy needs rewording, as it gives no indication as to how this will direct future development within the marine environment, or management of marine activities. It is potentially only an indicator for single species sensitivity, not taking into account potential cumulative effects.”</p> <p><i>Notes: important points made – we’re thinking of abandoning the idea of sensitivity mapping anyway so should we just re-write?</i></p>	SIC (Heritage)	
	<p>Page 23 – SEPA suggest mentioning the Shellfish Monitoring programmes by SEPA and FSAS and the two Directives relating to Shellfish.</p>	SEPA	

	<p><i>Notes: These protect and improve the water environment; however, the focus of this policy is on identifying sensitive areas – what is the linkage? Should we create a linkage?</i></p>		
24	<p>Page 24 - General development policy should take account of “implications for the needs and well-being of local communities”</p>	FIMETI	
	<p>Page 24 – change policy GD1 to be more protective of nature conservation interests:</p> <p>“Developments and activities will not normally be permitted if they are likely to have significant adverse impacts on the following:</p> <ul style="list-style-type: none"> <li>a. fishing interests (maps 1 and 2);</li> <li>b. the need to ensure that safe navigation is maintained (maps 9 and 10);</li> <li>c. any necessary shore access (map 5) or other infrastructure and potential impact on existing shore access and infrastructure;</li> <li>d. possible future fixed links (bridges or tunnels) between islands;</li> <li>e. recreational interests (map 6);</li> <li>f. sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites);</li> <li>g. Sites of Special Scientific Interest;</li> <li>h. statutorily protected species and habitats;</li> <li>i. National Scenic Areas;” <p><i>Notes: restart at (g) but needs reworded to account for change in first sentence.</i></p> </li></ul>	RSPB, LINK	
	<p>Page 24 - this policy does not outline how the factors will be taken into consideration and the potential impacts of these factors on the likelihood of development being allowed to proceed. Using the ecosystem approach would suggest taking account of factors such as the prevention of biodiversity loss. There is also the potential to include policy to gain from any potential development, particularly with regard to mitigation of any impacts.</p> <p><i>Notes: How should these factors be considered? Will it be on an application for planning permission? What about activities that don't require licences?</i></p> <p><i>How do we take account of any biodiversity loss (beyond statutorily protection)?</i></p> <p><i>What mitigation requirements do we want? Should we just say more generally that “the opportunity is left for developers to propose acceptable environmental</i></p>	SIC (Heritage)	

	<i>mitigation to balance works requirements on a case by case basis.” especially regarding the alternative to not doing works during the bird breeding season.</i>		
	<p>Page 24 – when referring to identifying the needs of other users, haven’t identified the future plans and priorities of different sectors.</p> <p><i>Notes: the maps are base maps of current use which can be worked on to identify future conflict. This was questioned at an early stage of production – why is this being challenged now? Can it be left until we do sub-area plans?</i></p>	SNH	
	<p>Page 24 – policy GD1, insert “the implications for renewable energy interests”</p> <p>Relates to: “we would like to highlight that there may be some situations where resource and infrastructure constraints are so tight that the development opportunities for renewables are very limited in space.”</p>	SSE, Scottish Renewables	Scottish Renewables
	Page 24 – policy GD1 k. omit “and assurance that the proposal does not conflict with” as this suggests that a new development cannot conflict with any other interest.	Scottish Renewables	
<b>25</b>	<p>Page 25 – policy GD3 b., “implies that all other locations must be considered before proposing a development in a NSA or SSSI. This is not consistent with the EIA process which is the most appropriate tool for evaluating a location... irrespective of the designation, if EIA process concludes that a development is acceptable then this should satisfy the requirements of any development policy.”</p> <p>“We believe that Policy GD3 should instead adhere to National Planning Policy Guideline 14: Natural Heritage, and use the following wording as replacement: “Development which would affect a designated area of national importance should only be permitted where: (a) the objectives of designation and the overall integrity of the area will not be compromised; or (b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.”</p>	SSE,  Scottish Renewables	
	Page 25 – policy GD2 is not a policy, it merely states the requirements of the Habitats & Birds Directives. Need to state how the Plan will implement the requirements. Need to mention that compensatory measures are generally required.	SNH	
	Page 25 – change title of policy GD2 to “Policy MSP GD2: Developments and activities in or near Sites with international nature conservation designations, Special	RSPB	

	<p>Protection Areas and Special Areas of Conservation (Natura 2000 Sites)”</p> <p>Change all reference to “European Site” to “Natura 2000 Site”</p> <p>1<sup>st</sup> sentence, change “European sites” to “Natura 2000 sites”.</p> <p>3<sup>rd</sup> paragraph, change “European Sites” to “Natura 2000 Sites”</p> <p>This isn’t all – check</p>		
	<p>Page 25 – policy GD3, change policy to: “Developments and activities will not normally be permitted that damage Sites of Special Scientific Interest or National Scenic Areas.”</p>	RSPB, LINK	
26	<p>Page 26 – would the process description work better as a flow diagram?</p>	Sound of Mull SSMEI	
26, 36	<p>Page 26 and 36 - Move section on ‘Infrastructure Construction Permission Framework’ and ‘Planning Application jurisdiction’ to an Annex / Appendix.</p> <p><i>Notes: a lot of responses said this section was helpful – would they still read it if it was in an Annex?</i></p>	SNH	
28, 38	<p>Page 28 &amp; 38 – policy SA1 &amp; NRG1, “...proposal is within or near a conservation area”, “This guidance is unhelpful. (re. shore access) Very often the level of infrastructure on the shore is minimal or even invisible to the eye. (re. renewables) There may be circumstances where energy developments may be able to co-exist with designated areas. The policy should ask for “no significant adverse effects” to be proven.”</p>	Scottish Power	
28	<p>Page 28 – Policy MSP SA1: (b) what is classified as ‘within’ or ‘near’? also applies to MSP CD1</p> <p><i>Notes: This is the wording of the Habitats Directive. We have to be more explicit.</i></p>	Sound of Mull SSMEI, SIC (Heritage)	
	<p>Page 28 – change Policy MSP SA1 (General Shore Access Proposals) to:</p> <p>“There will be a presumption against developments and activities that are likely to cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</p> <p>Developments and activities will not normally be permitted that damage Sites of Special Scientific Interest.</p> <p>Developments and activities will not normally be permitted that damage Statutorily protected species and</p>	RSPB, LINK	

	habitats:  Works should not be carried out during the breeding season for wading birds and terns, April – August (inclusive).”		
	Page 28 – policy SA2, insert: a. They will not cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites). b. they will not damage Sites of Special Scientific Interest. c. they will not damage Statutorily protected species and habitats:	RSPB, LINK	
	Page 28 – policy SA2, insert at end: “Works should not be carried out during the breeding season for wading birds and terns, April – August (inclusive).”  <i>Notes: we haven’t mapped wading birds</i>	RSPB, LINK	
<b>29</b>	Page 29 – policy SA3, insert: “a. They will not cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites). b. they will not damage Sites of Special Scientific Interest. c. they will not damage Statutorily protected species and habitats detailed in Policy MSP SF1.”	RSPB, LINK	
	Page 29 – policy SA3, insert at end: “Works should not be carried out during the breeding season for wading birds and terns, April – August (inclusive).”  <i>Notes: we haven’t mapped wading birds</i>	RSPB, LINK	
<b>30</b>	Page 30 – Re. construction not to be carried out during bird breeding season: this is too restrictive i.e. winter conditions may prevent work being done. This policy does not support the ecosystem approach, as very few species or habitats are covered by it in its current format.  “An AA would be more appropriate in Fair Isle”. “Could there be restrictions relating to specific sites?” “no point having a general condition unless there is a known breeding site” “The policy should be expanded to support the potential to look at the selection of appropriate design and engineering solutions and to look at ways of selecting the least damaging option, both in terms of the finished structure and the methods and timing of construction.”	FIMETI, SCC, SSE, SS, SIC (Heritage), SREF, Crown Estate  FIMETI SS SNH  SIC (Heritage)	

	<p>“Some form of support for the constraint is currently lacking” (re. impacts from laying cables &amp; pipelines)  “should be based on an individual project proposal basis”</p> <p><i>Need to include all species breeding seasons – say if they are present, seasonality conditions come into play. Links to example statement for page 50 amendment: “Developments and activities will not be permitted that cause disturbance to breeding, wintering or moulting seabirds, seals, cetaceans or otters.”</i></p>	SREF SSE	
<b>30, 32, 33, 35</b>	<p>Page 30, 32, 33, 35 – change Policy CD1, CBP1, CBP3, FL1 (coastal defence construction and demolition, placement of pipelines &amp; cables, placement of wastewater pipelines, fixed links) to include:</p> <p>“There will be a presumption against developments and activities that are likely to cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</p> <p>Developments and activities will not normally be permitted that damage Sites of Special Scientific Interest.</p> <p>Developments and activities will not normally be permitted that damage Statutorily protected species and habitats:</p> <p>Works should not be carried out during the breeding season for wading birds and terns, April – August (inclusive).”</p>	RSPB, LINK	
<b>33</b>	<p>Page 33 – justification of CBP1 is stronger than the policy and it is too restrictive – especially to renewables where the connection requirements will not necessarily occur in areas used to date.</p> <p><i>Re-word sentence to: “</i></p>	Crown Estate	
<b>33</b>	<p>Page 33 - policy CBP3, point c. insert “or a soakaway” after ‘pipeline’</p>	SNH	
<b>34</b>	<p>Page 34 – policy MO1, should also include the demonstration of need for additional/new mooring structures.</p> <p><i>Notes: Is this not the case for any development? Therefore should put something in the General Development policy</i></p>	SNH	
<b>34, 37, 38, 44, 46, 48, 49</b>	<p>Page 34, 37, 38, 44, 46, 48, 49 – change Policy MO1 (moorings), AQ1 (aquaculture), NRG1 (energy development), NC1 (nature conservation), DD1 (dredging and disposal), EX1 (extraction of sand etc), TR1 (tourism</p>	RSPB, LINK	

	<p>&amp; activities) to include:</p> <p>“There will be a presumption against developments and activities that are likely to cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</p> <p>Developments and activities will not normally be permitted that damage Sites of Special Scientific Interest.</p> <p>Developments and activities will not normally be permitted that damage Statutorily protected species and habitats:”</p>		
37	<p>Page 37 – mention conflict resolution opportunities such as the YSC SAC seal plan or Area Management Groups on the Scottish mainland and the Western Isles work to resolve deleterious interactions between farmed salmon and wild fishery interests. This might also serve to offer a means by which scope for development growth might be determined at a local level too.</p>	Crown Estate, SNH	
	<p>Page 37 - policy AQ1, needs to be stronger/clearer what this policy is actually achieving. At the moment it just states that aquaculture will be permitted if it follows the standard legislative process – status quo. We should be more proactive and look to areas where we feel will support certain types of aquaculture and design a policy that encourages relocation/amalgamation of the industry</p> <p><i>Notes: Surely strategic objectives for specific geographic areas will come when we do the sub-area plans? This is supposed to be an overarching document for the whole of Shetland.</i></p>	SNH	
	<p>Page 37 – policy AQ1, “(e) again distribution of features should include otters, seals, cetaceans”</p> <p><i>Notes: is it not debatable that aquaculture has a negative effect on these species?)</i></p>	SNH	
	<p>Page 37 - The aquaculture section should make reference to the locational guidelines.</p> <p><i>Notes: Is the reference to it in the policy AQ1 not sufficient?</i></p>	SEPA	
	<p>Page 37 – offshore aquaculture, empty seascapes are a major resource for the tourist industry – policy should address this.</p> <p><i>Notes: Does policy GD1 not sufficiently address this?</i></p>	FIMETI	
	<p>Page 37 - Policy AQ1, should include “The use of lethal methods to deter eiders from preying farmed mussels</p>	RSPB	

	is prohibited. The placement of sites should fulfill the separation distances between other aquaculture developments as detailed in the Works Licence Policy and Interim Policy for Marine Aquaculture, 2007 (1000m for finfish; 500m for shellfish)."		
38	Page 38 – policy NRG1, delete the first sentence (there should be no presumption in favour of what could be a highly damaging development).	RSPB	
	Page 38 – policy and justification should be amended to mention the national and international targets for the implementation of renewable energy production, and the policy should make consideration to Shetland’s general obligation to contribute to these targets.	SREF, Crown Estate, Scottish Renewables	
	Page 38 – policy NRG1, omit last sentence “As part of the contribution towards the Environmental Impact Assessment (Scotland) Regulations 1999, further information on seabird feeding areas and migration routes should be a requirement” as “we believe that monitoring requirements should be determined through an established framework such as EIA regulations.”	Scottish Renewables	
	Page 38 – policy NRG1, last sentence about knowledge gap of seabird feeding areas and migration routes “will be tackled through the SEA process” <i>Notes: will it? Do they mean “EIA” not “SEA”?</i>	SSE	
	Page 38 – policy NRG1, “first part places a significant survey burden without having first identified a mechanism that would determine if the work is justified (this would be the scoping process of the EIA).”  <i>Notes: should we re-phrase that we want developers to consider the distribution of features that we already know of... and that EIA will determine further survey requirements?</i>	SSE	
	Page 38 – policy NRG1, is this ‘energy’ or ‘renewable energy’?  <i>Notes: “in favour of renewable” suggests it is both - do we need to make this clearer?</i>	SNH	
	Page 38 – policy NRG1, re. the distribution of features – include otters, seals, cetaceans.  <i>Notes: policy SF1 covers these: do we need to make this clearer?</i>	SNH	
39	Page 39 - What is the relationship between Policy MSP NRG1 & Policy NRG2? NRG2 has more specific requirements than NRG1 why?  <i>Notes: policy NRG2 is supposed to be more facilitating by the exclusion of the General Development policies</i>	SNH, SSE, Crown Estate	

	<p><i>(GD1-GD3 and SF1). We would have to remove point e. of NRG2 to ensure this. Would this suffice?</i></p>		
	<p>Page 39 – under justification, paragraph 2, delete sentence 2 (that permission would be granted to enable a proper assessment of a prototype development)</p>	RSPB	
	<p>Page 39 – combine policy NRG2 (prototype energy) with NRG1.</p> <p><i>Notes: Do we not want to encourage prototypes? If so, keep NRG2.</i></p>	RSPB	
	<p>Page 39 – policy NRG2 b. “places a very constrictive condition on proposals, akin to that imposed by, for example, Natura designations, which are there to protect only the most high priority environmental assets. We would suggest again that the precautionary principle should be applied reasonably in respect of a fledgling industry.”</p> <p>Later goes on to link this constrictive policy to the flexible policy of page 28 - allowing expansion of shore access in Lerwick, Scalloway and SV and page TR1 – favouring recreational development.. “argue for consistent wording throughout the document, in relation to assessment on environmental impacts.”</p> <p><i>Notes: aren't there certain areas where we want to keep intensive infrastructure?</i></p>	Scottish Renewables	
	<p>Page 40 – Shipping, only deals with navigation side – what about proposed new shipping routes and their possible impacts on the natural heritage (eg disturbance).</p>	SNH	
<b>40</b>	<p>Page 40 – policy SH1, should we cover discharges, antifouling and other shipping maintenance issues?</p> <p><i>Notes: aren't we talking 'spatial' planning? So do we have the power to tell small vessels where they can discharge, etc. would we be going beyond legislation?</i></p>	SNH	
	<p>Policy SH1 – re. shipping need to rephrase “other uses are secondary” and “Development proposals that prejudice navigation channels to ports or the long-term operational capacity of the ferry operation will be refused.”, this is too constrictive as it does not allow for any negotiation or consideration of sharing of sea space (for instance, between deep-water tidal turbines and shipping). Further, it seems this will also apply to small-scale shipping not regulated by international agreements.</p> <p><i>“We would also seek clarity on the area in which such a restriction could potentially apply, as one would presume that all navigation channels are in some way leading to ports.”- isn't this clear? Not sure what they mean.</i></p>	Scottish Renewables	

	<p>Page 42 – policy F1 (fishing), change 1<sup>st</sup> paragraph to “All relevant organisations and stakeholders will work with the local fishing community to safeguard the future sustainability of the industry without adversely affecting marine ecosystems, including:</p> <p>a. sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</p> <p>b. Sites of Special Scientific Interest.</p> <p>c. Statutorily protected species and habitats:...”</p>	RSPB, LINK	
42	<p>Page 42 – policy F1 (and possibly elsewhere) – need to mention that “Fishing may adversely impact other interests or indeed the long-term sustainability of fishing itself.”</p>	National Trust	
	<p>Page 42 – policy F1, “...such a blanket restriction is unreasonable, particularly given the great coverage of Shetland’s inshore waters by fishing interests. We would argue that the potential for negotiation should not be discounted. Additionally, we would argue that the Policy could potentially restrict development which has <i>positive</i> effects on fishing (for instance, the introduction of a potential fish sanctuary, provided by an offshore wind farm).”</p>	Scottish Renewables	
	<p>Page 43 – policy F2 – “no reference to the need to protect the wider environment from any adverse effects of fishing.”</p>	National Trust	
43	<p>Page 43 – policy F2 (dredging near important habitats), change this policy to:</p> <p>“There will be a presumption against activities that are likely to cause significant damage to marine ecosystems, including:</p> <p>a. the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</p> <p>b. Sites of Special Scientific Interest.</p> <p>c. Statutorily protected species and habitats:...”</p>	RSPB, LINK	
	<p>Page 43 – policy F2, “very weak – what is expected to happen?”</p> <p><i>Notes: we want authorities to encourage some dredgers to avoid these important sp. and habs. We have no enforcement powers, so how can we make it stronger?</i></p>	SNH	
	<p>Page 43 – policy F2, doesn’t mention protection of habitats supporting nursery areas/juveniles, spawning grounds.</p> <p><i>Notes: Policy F1 does. In policy F2 some of the habitats listed support early life stages of fish e.g. kelp forest, is this sufficient?</i></p>	SNH	
	<p>Page 43 – “there should be a policy on other fishing like</p>	SNH	

	<p>sandeel fisheries.”</p> <p><i>Notes: Like?</i></p>		
	<p>Page 44 - Policy NC1, insert “or predicted effects” after “duration of operation”</p> <p>Relates to:                  “...”would not significantly damage the site integrity of important natural features detailed in each of the policies of this Marine Spatial Plan””.... this constitutes a blanket constraint requiring no environmental damage at any cost.... “policies should reflect tiered levels of protection for environmental assets.”</p>	<p>SSE</p> <p>Scottish Renewables</p>	
<p><b>44</b></p>	<p>Page 44 – “<i>Development is encouraged because of the benefits it can bring to the local community</i>” is a dubious statement. Modern environmental thinkers argue that development with disregard for the natural environment damages rather than benefits communities; and on Fair Isle the natural environment is the number one provider of benefits to the community.</p> <p><i>Is followed by “...local community, but it is recognised that at the same time the natural heritage must be safeguarded”. Is this response taken out of context or should it be re-worded?</i></p>	<p>FIMETI</p>	
	<p>Page 44 – policy NC1, “the need to permit development should not be the main thrust of a policy on nature conservation and certainly not couched within “identifying different priorities for sustainable use””</p> <p><i>Notes – the wording and context of the policy has been misunderstood – suggest taking notes of other comments.</i></p>	<p>National Trust</p>	
	<p>Page 44 – policy NC1, “doesn’t actually add anything to previous policies and doesn’t do anything more than what is required at the moment.”</p> <p>“This Policy should also think about protecting habitats/areas that are not designated but that may become so in the future and should include areas that are considered locally important (eg local wetlands, potential extensions to SACs, important areas for porpoises, local nature reserves etc)”</p> <p>“too much reference to what the council will do”</p> <p>“What about restoration and recovery areas?”</p> <p>“How do landscape and geology/geomorphology fit in?”</p> <p><i>Notes: this policy doesn’t mention the council, only “the</i></p>	<p>SNH</p>	

	<p><i>planning and regulatory authorities” in ref to looking at new developments. It makes reference to all the other conservation objectives in other policies (including protecting non-designated features, landscape, geology, restoration mentioned above), so yes it doesn’t add anything to previous policies – should we remove the policy seeing as it is a repeat of before OR what more can we do than going beyond what is required?</i></p>		
	<p>Page 45 – policy AR1, is “unhelpful” and “There may be circumstances where energy developments may be able to co-exist with safeguarded areas. The policy should ask for “no significant adverse effects” to be proven.”</p>	Scottish Power	
45	<p>Policy AR1 – unduly restrictive, does not allow for a balance between the importance of a particular archaeological site and the importance of, in our situation, a new renewables development.” Also it applies the same level of protection to protected and non-protected sites. “We agree that “marine archaeology...must be protected” but not that this protection should be awarded at any cost, which is what the Policy seems to imply.”</p>	Scottish Renewables	
	<p>Page 46 – policy DD1, need to mention suspension of materials and disturbance.</p> <p><i>Notes: doesn’t mentioning that ‘full consideration should be given to the distribution’ of the said species and habitats infer that the relevant authorities will then consider the impacts in proximity?</i></p>	SNH	
46	<p>Page 48 – policy EX1, “There will be a presumption against extraction of sand, gravel or shingle from beaches and dunes both above and below the Mean High Water Spring (MHWS). Where an application has been made, the proposal must be accompanied by the following information:</p> <p>a. a description of the alternatives that have been considered. This should include:</p> <ul style="list-style-type: none"> <li>(i) alternative sources (both within and out with Shetland - bearing in mind the most sustainable option may actually being sourcing material from out with Shetland);</li> <li>(ii) alternative materials;</li> <li>(iii) using dredged material; and</li> <li>(iv) doing nothing;</li> </ul> <p>b. details of how sand/gravel extraction is an essential part of the proposed project;</p> <p>c. details of the works (ancillary equipment, storage, access, use of vehicles etc);</p> <p>d. the planning application should be submitted with an</p>	SNH	

	<p>independent technical report from a coastal engineer that assesses whether the development would have knock on effects on the surrounding coastal environment. This should include information on the likely cumulative effects of this development. In particular details of the hydrographic conditions and any information on the lateral and longitudinal shifts along the beach/coastline in this area. Bearing in mind that very small changes to beach composition can lead to knock on effects and flooding risk.</p> <p>(then continue from “Proposals for extraction...”</p>		
48	<p>“Recreational users should be made aware of The Scottish Marine Wildlife Watching Code &amp; A Guide to Best Practice for Watching Marine Wildlife”</p> <p><i>Notes: so far only said for tourism operators to be aware of these – it doesn’t fit in with existing policies so should we write a new policy?</i></p>	SNH	
49	<p>Page 50 - policy TR2, “what about disturbance of people? Eg recreation in undeveloped areas”, “Justification – not strictly true that kayaks are better. Studies have shown that kayaks can cause alarm to seals at sensitive times as they can not hear them approaching and are then spooked at the close proximity. (this is why we have advised the BBC in the past not to try their filming from kayaks during seal pupping times.)”</p> <p><i>Notes: it was decided by the policy break out group (that SNH attended) that disturbance by people wasn’t required to be mentioned – is this ok with LSG?</i></p> <p><i>The mention of kayaking (and sailing) and their comparison to power boat activities was merely to point out that recreation noise / disturbance levels can vary.</i></p>	SNH	
50	<p>Page 50 – policy TR2, change this policy to “Noisy water sports (power boat activities) should not occur in areas where they:</p> <ol style="list-style-type: none"> <li>are likely to cause significant damage to the integrity of sites with international nature conservation designations, Special Protection Areas and Special Areas of Conservation (Natura 2000 Sites).</li> <li>are likely to damage Sites of Special Scientific Interest.</li> <li>are likely to damage Statutorily protected species and habitats:</li> </ol> <p>Developments and activities will not be permitted that cause disturbance to breeding, wintering or moulting seabirds, seals, cetaceans or otters.”</p> <p><i>Could we apply this statement to all developments?</i> <i>Should we include breeding seasons for fish species?</i></p>	RSPB, LINK	

	<p>Page 50 - Policy TR3 (Local Participation and Re-Use of Resources for Tourism). Should this policy be included? It is not clear what it is intended to achieve.</p> <p><i>Notes: it's trying to encourage proposals that will fulfill this objective – perhaps it should be removed but briefly mentioned in TR1?</i></p>	RSPB	
	<p>Page 50 – “policy TR3 is patronising”.</p>	SNH	
	<p>Page 52 – policy REST1, “appears to indicate that damage is likely to be confined to areas suffering cumulative impacts of many activities. In reality, most of the damaged areas are likely to be suffering from single activities.”</p>	National Trust	
<b>52</b>	<p>Are schemes in operation to identify and also to restore damaged marine habitats. If so can these be advertised to raise their profile to attract resources?</p> <p><i>Notes: I'm getting all of SEPA's data from fish farm monitoring, in the first instance, recent surveys will be transformed into biotope code for me to update the habitat map. But will have historical data too so could look into identifying any change.</i></p>	SNH	
	<p>Page 53 – justification of policy CON1, “we would argue that well-balanced decision making is just as important to the development process as well-informed development applications.”</p> <p><i>Notes: do we need another policy that gives equal weight to the entire development process (not just the application stage)? Or re-word?</i></p>	Scottish Renewables	
<b>53</b>	<p>Page 53 – under justification, the cumulative impact risk assessment for different activities around Shetland (and the scoring system used to rank impacts in terms of cumulative pressures needs to be carefully explained).</p> <p><i>Notes: we intend on using this later and this is stated. The Local Steering Group agreed this was not to be included because it was too complex for a public consultation document – still agree not to go into detail? We could show a case study in the Appendix because there's been a lot of interest from individuals when done presentations at conferences south?</i></p>	SNH	
	<p>Page 54 – a local community well-bring / satisfaction indicator should be one of the parameters for monitoring / review.</p>	FIMETI	
<b>54</b>	<p>Include the DTI map of renewable energy resources.</p> <p><i>Notes: didn't originally include because of its broadscale (9 x 11km grid squares) – this is better than nothing.</i></p>	Scottish Renewables	
<b>Atlas</b>	<p>Map 18, page 27, map rare seaweeds</p>	FIMETI	

<b>Map 18</b>	Map 6 - Entire area of Fair Isle should be an intensively used recreational / tourism area	Fair Isle WG	
<b>Map 6</b>			

**Minor Corrections**

Page	Details	Respondent
General	The sections at the end of the policies need consistency.	SNH
	Go through document to ensure the policy justifications provide justification (rather than an explanation to the background or future intentions).	SIC (Heritage), SNH
	Marine atlas comment – due to the scale, many of the maps are not useful.  <i>Notes: Agree but have to make the maps available in paper for those without internet access or GIS.</i>	SIC (Heritage), shellfish farmer
	Should provide explanation and instructions with the CD version of the marine atlas, including information on the different file types and the software that can be used to access the information.  <i>This was provided. File name: "User Guide – PLEASE READ BEFORE USING THIS GUIDE"</i>	SIC (Heritage)
	General comment – want to see maps showing: <ol style="list-style-type: none"> <li>1. locations suitable for shellfish farms perhaps advised anecdotally by shellfish farmers</li> <li>2. aquaculture sites unused for more than 3 / 5 / 10 years</li> <li>3. calculated maximum shellfish stock biomass by voe or water body</li> </ol> <i>Notes: good suggestions that were considered to be too much work at the beginning - should try to do this for the sub-area plan.</i>  "There should be significant changes to site layouts and locations. In this respect the SIC's policies towards aquaculture is unfairly skewed in favour of fin fish farming (see for example Policy S6 (of the Interim Policy for Aquaculture))"	Shellfish farmer
	Summary document – remove. Don't make reference to offshore windfarms because "Shetland has limited prospect of offshore windfarms happening within the 12nm boundary"	SREF
	It would be beneficial to all who reference the document to be made aware of the status of the policies and how the Scottish Government intends to take the pilot forward.  (A new Local Development Plan review process has begun that will make reference to the Marine Spatial Plan)	SIC (Development)
	9 Page 9 – forward, mention the future of the MSP  "national policy on managing the marine environment is in	SNH, SEPA

	a state of flux with UK and Scottish Marine Bills in preparation”	
	Page 9 – foreword, change wording of 1 <sup>st</sup> sentence of 2 <sup>nd</sup> last paragraph to “This Marine Spatial Plan is an excellent start in recognising what unique local resources we have in and around Shetland’s waters which should lead to a more comprehensive picture of the marine environment”	SNH
14	Page 14 – the planning area needs further clarification.	SNH
15	Page 15 – under Planning and Regulatory Authorities Roles and Responsibilities, “this is misleading and should be expanded to cover all relevant marine / coastal regulators. It is not just the SIC or regulators plan but the steering groups plan. There is too much reference to the Council – it is not a substitute for any Development plan that the Council is required to make.”	SNH
	Page 15 - add mention of EU Marine Strategy Framework Directive which will introduce targets for achieving Good Environmental Status in waters outwith scope of WFD	SNH
	Page 15 – Insert after 1 <sup>st</sup> sentence of 2 <sup>nd</sup> last paragraph “However, this pilot will influence future Marine Spatial Planning which is likely to be statutory and place legal duties on public bodies to ‘act in accordance’ with the Shetland Marine Spatial Plan.” Remove “However” of following sentence, and insert “current” after “implementation of the...”	SNH
16	Page 16 or somewhere – include something to say there is more information and data available on the CD version of the marine atlas than is included in the printed version.	SIC (Heritage)
17	Page 17 – what is the source for the definition of sustainable?  <i>Notes: this was the definition agreed by the Local Steering Group as referenced in the first sentence – is this clear enough?</i>	SIC (Heritage)
18	Page 18 – 1 <sup>st</sup> bullet point, insert “without adversely affecting marine ecosystems” at end	LINK
	Page 18 – Remove the aim of involving local communities in decisions because this relates to process and doesn’t seem appropriate to include here.	SNH
19	Page 19 - It needs to be made clear within this policy exactly what the purpose of marine monitoring is and the possible uses of the information collected, as this local monitoring strategy should outline indicators and standards for the information requested.	SIC (Heritage)
	Page 19 – policy ITG2, could be problematic because each individual would have to be made aware of their details being made publicly available. Requires resources to manage and keep current.	SIC (Heritage), SNH
	Page 19 – policy ITG2, would improve communication, reduce suspicion and illustrate the level of contribution to	SNH

	the scheme. Need to make clear that this would not remove the need for further intensive survey or requirements under other regulations (e.g. EIA).	
	Page 19 – move policy ITG1 to next section “using and improving our knowledge”. Reword justification as to the merits of doing this project? What is the remit and rationale of the new partnership? Have to also concentrate efforts on updating UKDMOS with survey and monitoring activity.	SNH
	Page 19 - policy ITG1, How do we plan to get this daily information into the data collection process?  <i>Notes: Already started hijacking SSMO’s meetings to get feedback from fishermen as mentioned I would on page 21. Need to think of more initiatives and consider whether we need a partnership to develop this.</i>	SNH
	Page 19 – policy ITG2, move this policy to section 8 (minimizing conflict).	SNH, Crown Estate
	Page 19 - Suggest voluntary engagement with local or visiting divers to assist with collection of site information.	Scottish Sub Aqua Club
<b>20</b>	Page 20 – regarding classification to habitat type, SEPA confirm they ask for this for licence application.	SEPA
	Page 20 – rephrase policy KN1 not all organisations will want to make data publicly available due to concerns over competitive advantage.	SIC (Heritage)
	Page 20 – rephrase policy KN1 as it still leaves scope for data of differing formats and quality to be submitted, potentially reducing its usefulness.	SIC (Heritage)
	Page 20 – policy KN1, insert “Publicly funded organisations should be directed and commercial operators should be encouraged to adopt sound data management procedures and protocols to promote further use of the data they collect “Collect once used often”. This would reduce unnecessary survey effort and increase the return of survey effort.”	SNH
	Page 20 – policy KN1, “very few surveys acquire the data required to do this”  Contradicts SEPA response: “where monitoring or surveying data is required for licencing purposes SEPA requests that it be provided with a biotopic code to EUNIS or MNCR standard”  <i>Notes: the level of biotope code / accuracy will be determined when MBA convert SEPA data</i>	SNH, SIC (Heritage)  SEPA
<b>20, 21</b>	Page 20, 21 – policies KN2 and KN3, under justification need to confirm why having these maps would be a good thing.	SNH
<b>21</b>	Page 21 – policy KN3 and ITG1, could be the same partnership so combine the two policies.	SNH
<b>22</b>	Page 22 – re. the mention of BOCC, are mallard and	FIMETI

	<p>herring gull BOCC?</p> <p><i>Mallard is a Species of Conservation Concern (not BOCC) - should we make a provision for SCC? Or do we have to remove from the list and map?</i></p> <p><i>Herring Gull is SCC, BOCC (the amber list), and medium priority importance to Shetland.</i></p>	
	<p>Page 22 – policy SF1, list of species and habitats incomplete.</p> <p><i>Notes: Didn't use SNH data on some habitats because the data could be misinterpreted (e.g. vegetated sea cliffs, an Annex 1 habitat, is practically the whole coast of Shetland). Should we still highlight the protected species and habitats even although the SSMEI Biodiversity Working Group were unable to complete such huge mapping tasks?</i></p>	SNH
	<p>Page 22 - How are changes to protected species and habitats to be updated with regard to changes in the status of BAP &amp; OSPAR etc?</p> <p><i>Notes: this is a question about the longevity of project, are we supposed to mention this here?</i></p>	SNH
23	<p>Page 23 – delete the last paragraph beginning “The Marine Life....”</p>	RSPB
	<p>Page 23 – replace last sentence of 1<sup>st</sup> paragraph.</p> <p>“Most species living on the seabed are slow-moving (or don't move at all) and therefore lend themselves to be a very reliable indicator of pollution”.</p>	SEPA, SNH
	<p>Page 23 – policy SEN1, the work done on risk assessment as part of the marine BAP process would fit in here.</p> <p><i>Notes: The Local Steering Group agreed this was too complex for a public consultation document which equated to a general mistrust in the methodology from industry.</i></p>	SNH
24	<p>Page 24 – policy GD1, insert “the implications for coastal erosion and sediment transport” and “consideration is given to habitat restoration by, for example, promoting community involvement through schools and volunteer groups.” as another point.</p>	SNH
	<p>Page 24 – re. GD1 “the following factors....” change “should” to “must”</p>	DO, PE
25	<p>Page 25 – policy GD1 (j) insert “ensuring any coastal development is in line with Scottish Planning Policy 7: Planning and Flooding” after “should be considered”</p>	SEPA
	<p>Page 25 – policy GD1 (g) insert “and any deposits of waste” after “...equipment..”</p>	SEPA
	<p>Page 25 – replace last sentence of first paragraph with “Regulated activities include aquaculture, aggregate extraction, shipping, oil and gas development, cables and</p>	SNH

	<p>pipelines, coastal defence, fisheries, recreation and increasing activity in renewable energy sites.”</p> <p><i>How mention nature conservation and historic uses / interests here?</i></p>	
	<p>Page 25 – policy GD2, make clear that it is the responsibility of the applicant/developer to undertake assessment under the Habitats Directive/Regulations. Appropriate Assessment only becomes relevant if potential effects on the relevant habitat are predicted.</p>	SIC (Heritage)
<b>26, 34</b>	<p>Page 26 &amp; 34 – under jurisdiction &amp; Process on 26, add “a Works Licence Application for a project within the area of jurisdiction of Lerwick port Authority requires an application made to Lerwick Port Authority”.</p>	Lerwick Port Authority
<b>26</b>	<p>Page 26 – need to mention the CPA, harbour revision orders, licence to disturb etc.</p>	SNH
	<p>Page 26 – move section (e) to (o) to come as a sub-section under (d)</p>	SNH
<b>28</b>	<p>Page 28 – policy SA1, insert “species such as its proximity to important seal and otter areas (map 21) and bird breeding sites (maps 22 – 24).” before “and sensitive seabed habitats.... “</p>	SNH
	<p>Page 28 – policy SA1, insert “the impact of increased access, construction noise and increased boat traffic” as another bullet point on the end of this policy</p>	SNH
	<p>Page 28 – policy SA2 a. insert “including demonstrating the need for facilities, what alternatives are, why existing facilities are inadequate” at end.</p>	SNH
	<p>Page 28 – policy SA2 c. insert “and landscape” at end</p>	SNH
	<p>Page 28 – policy SA2 d. insert “i.e. not increase erosion or substantially change sediment transportation” at end</p>	SNH
	<p>Page 28 – policy SA2 e. insert “and landscape” after ‘biodiversity’</p>	SNH
<b>28 &amp; 29</b>	<p>Page 29 – the separation of these 3 policies could be confusing.</p> <p><i>Notes: SA2 is more specific than SA1, and the separation makes it clear that increasing access is encouraged more where industry is located.</i></p>	SNH
<b>30</b>	<p>Page 30 – end of 1<sup>st</sup> paragraph, insert after Port &amp; Harbour Operations “and the Coastal Engineer, who is based within the Planning Service).</p>	SIC (Heritage)
	<p>Page 30 – policy CD1, 2<sup>nd</sup> last paragraph should begin “Permission for the demolition of...”</p>	RSPB
	<p>Page 30 - need to set out the variety of types of defence: rock armour, seawalls, groynes, gabions, soft engineering, beach recharging as they are all very different in the type, scale and longevity of effects.</p>	SNH
	<p>Page 30 – policy CD1 c. insert “shore species and habitats (maps 18 – 19) ‘after sensitive’.</p>	SNH

	<p>Page 30 – policy CD1, change 3<sup>rd</sup> last paragraph to “There should be an overall presumption in favour of soft rather than hard defences unless absolutely necessary to protect important built development where there is a significant safety risk”</p> <p>Need wording for promoting the use of managed realignment of coastal defences where appropriate.</p>	SNH
	<p>Page 30 – policy CD1, insert after “favoured”, “when it can be demonstrated that there are no adverse impacts for the environment, landscape or land use and”.</p>	SNH
	<p>Page 30 – reference to Scottish planning Policy 7 should be made preferably in the policy.</p> <p><i>Notes: If we include this in the policy, all the policies would have to be amended to include SPP’s (which are referenced at the end of every policy). The reference to fulfilling policy GD1 is sufficient?</i></p> <p>Suggest inserting the following sentence at the end of the 1<sup>st</sup> paragraph of the page “Requirements of any coastal works should be carried out in line with Scottish Planning Policy 7 ‘Planning and Flooding’.”</p>	SEPA
<b>32</b>	<p>Page 32 – suggests exclusion zone policy aim is voluntary, re-word? A voluntary agreement is not strong enough for a policy.</p>	FIMETI, SNH
	<p>Page 32 – policy CBP1, change last sentence of 1<sup>st</sup> paragraph to “Proposals to bury pipelines and cables will be favoured where this is shown to be the best environmental option. This will avoid conflict with other users.”</p>	SEPA
<b>32, 33</b>	<p>Page 32 &amp; 33 - Detail where the separation distances are recommended</p>	Sound of Mull SSMEI
<b>33</b>	<p>Page 33 – under legislation and consenting bodies, change “The Water and Resources Act, 1991” to “...for the authorization to discharge by the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) (CAR);” after “(SGMD)”. Remove ref to the urban waste water...</p> <p><i>Is part II of the control of pollution act still enforced?</i></p> <p><i>Should FRS be included to enforce the CPA?</i></p>	SEPA
	<p>Page 33 – policy CBP3, insert “There will be a general presumption against the laying of new wastewater pipelines.” Swap the 1<sup>st</sup> and 2<sup>nd</sup> part of this policy around, so c – e, then a – b, then f.</p>	SNH
<b>34</b>	<p>Page 34 – under justification, end sentence after “functions.” “This, combined with the cumulative impact of numerous mooring chains which can do substantial</p>	SNH

	damage over a wide area, is the reason that....”.	
35	Page 35 – policy FL1 c. insert “species such as otters and seals (map 21) and cetaceans (map 20) and sensitive habitats...”	SNH
	Page 35 – policy FL1, insert “d. disturbance issues, exclusion from areas, blocking sounds, changes to coastal processes, and conflicts with other users such as navigation and fishing.”	SNH
	Page 35 – policy FL1, should the policy instead be for safeguarding possible link routes from other developments?  <i>Notes: This is covered by policy GD1, and clear in the justification? Clear enough?</i>	SNH
37	Page 37 – under justification, change first paragraph to looking beyond the benefits to developers.	SNH
	Page 37 - what about conflict with other users? what about landscape impacts of aquaculture and appropriate siting and design?  <i>Notes: Are these sufficiently covered by the General Development Policy?</i>	SNH
38	Page 38 – policy NRG1, what about conflicts with other users? Landscape impacts? Associated infrastructure – cables/connections to shore, link to local/national grid, servicing etc.?  <i>Notes: These are covered by the General Development Policy</i>	SNH
	Page 38 – under justification, remove last 3 sentences, beginning tide and wave..”, “offshore development...”, and “Despite all the obvious...”	Scottish Power, SREF, SNH
40	Page 40 – include an additional policy to support the “areas to be avoided”, and include a map to show these.	RSPB
42	Page 42 – policy F1, who defines an important fishing ground – fishermen or scientists?  <i>Notes: we need a definition of “important”: “important is defined by the frequency or productivity of an area, which has been determined by the local fishermen”</i>	SNH
	Page 42 – make reference to the new inshore fisheries management framework and how it may in the future help to achieve some of the objectives of the policies. The policies should also be sure to fit in with the national objectives defined in the new framework, and in due course when regional objectives are defined in an inshore fisheries management plan for Shetland, these should be incorporated also.  <i>Notes: will this not date the plan? What if Shetland doesn’t</i>	SNH

	<i>get an IFG and gives the responsibility to the SSMO?</i>	
	Page 42 – insert following paragraph after 2 <sup>nd</sup> para (beginning fisheries in the North Sea) “An agreement between RSPB Scotland the Shetland Fishermen’s Association, SNH and the Scottish Government has been established on the management of the sandeel fishery in Shetland waters”.	RSPB
44	Page 44, para 1, not all sites on map 7 are of ‘national importance’. An amended map should show: Scheduled Monuments, Listed buildings and Properties in Care. Useful to also refer reader to <a href="http://www.pastmap.org">www.pastmap.org</a> for more detailed information on the various designations.	Historic Scotland
	Val also noted point above; but she suggested removing all the archeological data and putting in a note to say to contact the SAT on locations. Apparently the PPG makes it clear that the SMR is not only the dynamic record but also the professional officer who can interpret what this means.  <i>This removes the benefit of what we’re trying to achieve. On the flip side, if the information is wrong (or missing an update) then it defeats the purpose of the document. Having the data divided as HS suggest would be better?</i>	VT
45	Policy MSP AR1 must be amended to remove any implication that Scheduled Monument can be demolished under the ‘right’ circumstances and development permitted if the design and scale is appropriate. Scottish Ministers policy in relation to Scheduled Monument consent is set out in SHEP 4.	Historic Scotland
	Add “In granting consent to demolish, would act on the advice of the Regional Archaeology Service”	VT
	Add “there will always be a presumption in favour of preserving the archaeology”	VT
	Page 45 – under justification, remove “stronger”	SNH
	Some other buildings (such as merchant’s houses) have bods, piers and sea walls which may not be specifically mentioned in the list description but could be listed by curtilage.  <i>Need to check the data to see if this is further to the listed buildings?</i>	Historic Scotland
45 & throughout	We must make reference to Listed Buildings and Conservation Areas (a considerable amount on or near the shore) throughout the document and in policy MSP AR1.	Historic Scotland
	If including above, preferable to see a more general statement in line with planning authorities and Scottish ministers as set out in the 1997 Act which seeks to “preserve listed buildings, their setting and any features they may possess”, and the “preservation or enhancement of the character or appearance of conservation areas”.	

	Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.	
46	Page 46 – policy DD1, remove last sentence beginning “The permission” because in practice ports will not consider re-using materials for re-nourishment because they need a licence.	SNH
47	Page 47 – remove “either... or may require a Harbour Revision Order” – <b>check Vic Sandisons email</b>	Lerwick Port Authority
48	Page 48 – policy EX1, move first section (starting ‘extraction’ ending in ‘compromised’) to before the 2 <sup>nd</sup> last paragraph. Insert “also” after ‘can’ and before “be” of this paragraph.	SEPA
	<p>Page 48 – under justification, insert after 2<sup>nd</sup> sentence:                      “The quarrying of active beach material reduces the sedimentary store of the donor beach, which in turn reduces it’s capacity to respond to storm events. Research into sediment supply on open beaches suggest that a very minor fall in lateral sediment supply (e.g. 0.1% fall in sediment from adjacent sections of beach) would result in comparable rates of beach erosion as a 0.5m increase in mean sea level.</p> <p>Given the sea level changes experienced since the last ice age, Shetland has experienced rising sea levels for the last 13 thousand years. This has a profound effect on the coastline and the location of sediment stores. Unlike much of mainland Scotland which has glacially derived sediments (known as fluvi-glacial sediments) held in river terraces and other features, Shetland’s fluvi-glacial sediments are below sea level. This combined with the thousands of years of submergence mean that Shetland’s coastline has rolled back on itself, leaving very little of the ‘old’ coastal zone, where these sediments would remain. This, unfortunate chain of events for Shetland, means that the sediment stores at the coast are limited, unlikely to be replaced and currently provides a ‘natural coastal defence’ role with a dwindling asset.”</p> <p>(then continue with “If the results...”</p>	SNH
	Page 48 – policy EX1, change 1 <sup>st</sup> sentence of last paragraph to “The works should not be carried out during the breeding season for wading birds and terns, April – August (inclusive).”	
49	Page 49 – policy TR1, insert “Developments and activities will not be permitted that cause disturbance to breeding, wintering or moulting seabirds, seals, cetaceans or otters.”	RSPB
	Page 49 – policy TR1, insert at end of last sentence “use, including existing assets and facilities”.	SNH
	Page 49 – “natural history tourism” or “wildlife watching” should be added to list	FIMETI, RSPB

	Page 49 - Suggest “inclusion of sport governing bodies and other agencies in such development consultation”	Scottish Sub Aqua Club
51	Page 51 – policy TR4, change first half of last sentence to “Local marine tour operators should abide by the Scottish Marine Wildlife Watching Code and advocate the use of the Guidance Notes for... “	RSPB, LINK
	Page 51 – under justification, delete from line 4 “existing operators are not adversely affected and”	RSPB
	Page 51 – policy TR4, remove “seek to” as this could lead to a very flexible application of the Natura Directives compared to the application of this legislation to other sectors.	Scottish Renewables
53	Page 53 – policy CON1, delete last sentence.	RSPB, SNH
Atlas	Have a new design of the Atlas so that pages can be inserted / removed as updates are made available	DO
Map 2	Map 2 - Why have SSMO not made available its data for the mapping process?  <i>SSMO have made their data available (seen on map 35 – 2006 data). The reason there is no data around Fair Isle is because the island has not returned its log sheet for the past 3 years. The Orkney boat has not fished there recently and therefore no records exist for 2006.</i>	Fair Isle WG
	Map 2 - The map reflects the nature of the bottom not fishing effort. Used the problem of the Orkney boat as an example because it fished on the east and south – whereas the habitat is mapped on the north.  <i>True – we’ve used habitat for some species.</i>	Fair Isle WG
Map 1, 2	Map 1 & 2 - Insert a text box to say the fishing grounds are not complete.	LT, IN, HB
Maps 3, 4	Map 3 & 4 - show point data for fin and shellfish sites instead of intensity.	SWCC Community Council
Map 7	Map 7 - Separate the HS and RCAHMS data. Show another map (advisory constraint) to show sites of regional and local interest (including other listed structures).	HS, Fair Isle WG
Map 9	Map 9 – Broonies Taing is in disrepair – how far can restrictions apply?	SIC (Port & Harbour Ops)
Map 10	Map 10 – map summer NorthLink route and south Fair Isle channel between North America / Norway	Fair Isle WG
	Map 10 – include IMO’s ‘areas to be avoided’	SIC (Port & Harbour Ops)
	Map 10 – include red route from north entrance to Lerwick harbour (to oil fields, continent, Scandinavia).	Lerwick Port Authority
Map 11	Map 11 – include text box to say wreck sites are approximate locations & side scan sonar might be requested	VT
Map 13	Map 13 - should include all relevant SSSIs such as those for inland – nesting seabirds such as divers, skuas and	RSPB, SNH

	terns. Map 13 - has missed out SPA with red-throated divers <i>Notes: I was advised not to include RTD's because they are primarily an inland species.</i>	SNH
<b>Map 14</b>	Map 14 – shows expansion allowed in Dales Voe north of Lerwick – no such expansion allowed by LPA in this location.  Change wording – SWCC also misinterpreted this map.	Lerwick Port Authority
<b>Map 20</b>	Map 20 – map of cetaceans incomplete around Fair Isle  <i>Fair Isle WG are drawing up another map of anecdotal evidence to be included in the FI Local Marine Spatial Plan</i>	Fair Isle WG
<b>Map 21</b>	Map 21 – no seals marked for Fair Isle  <i>SMRU do not record here - Fair Isle WG will draw map for this area</i>	Fair Isle WG
<b>Map 21, 24</b>	Map 21 and 24 – otters, seals and eider in Gruting Voe  <i>Notes: Only small area's are marked for seals (Browland) &amp; eider (Gruting) in Gruting (and no otter records).</i>	SWCC Community Council
<b>Map 22</b>	Map 22 – areas missing south and north of important seabird areas  <i>Fair Isle WG to draw</i>	Fair Isle WG
<b>Maps</b>	Similar issues that we have Fair Isle gaps in knowledge with Foula	SG
<b>Map 23</b>	Map 23 - Fair Isle not included as an important site for Black Guillemot. What are the qualifying parameters? The Fair Isle population is scattered but significant in total numbers and a long-term monitored site for the species.  <i>Does Martin Heubeck monitor here?</i>	Fair Isle WG
<b>Map 24</b>	Map 24 - Fair Isle say the Eider moulting data is wrong and there should be wintering data	Fair Isle WG
<b>Map 25</b>	Map 25 - The Marine Conservation Review identified the SW corner of Fair Isle as one of the most extremely exposed sites in the North Atlantic (shared only with sites on Papa Stour and the Faeroes). The problem with BAP and other habitat designations is that they are usually decided by soothmooters – who have no conception of what special habitats we have (in some cases not replicated elsewhere). There should be some mechanism for “capturing” these.  <i>Fair Isle is going to draw up a map of notable species and habitats</i>	FIMETI, Fair Isle WG
<b>Map 26</b>	Map 26 - Fair Isle say entire island is surrounded by kelp	Fair Isle WG
<b>Map 30</b>	Map 30 – used 3 & 6 mile (not nautical mile).	IN

Draft Shetland Marine Spatial Plan - Summary of Responses Report

<b>Map 31</b>	Map 31 – remove (some of the points are wrongly marked)  <i>Notes: need to feed this back to Seazone (UKHO)</i>	IN
<b>Map 32</b>	Map 32 - Will soon have to add Uyeasound	SIC (Port & Harbour Ops)
<b>Map 35</b>	Map 35 - Update SSMO maps?	BL
<b>Map 36</b>	Map 36 – change wording to “Designated Harvesting Waters” and “Classification of shellfish areas”.	RH, SEPA
	Move map 36 to statutory constraints  Are they part of the development application stage?	SEPA
<b>Map 37</b>	Map 37 – terminology soon to be outdated. Include text box that says “The terminology used in this map is soon to become outdated – please refer to <a href="http://www.sepa.org.uk/data/classification/coastal.htm">http://www.sepa.org.uk/data/classification/coastal.htm</a> for any updates.”	SEPA
<b>CD</b>	“Some of the pictures of maps do not have legends”	SIC (Heritage)
	<i>They all have legends</i>	
<b>CD</b>	Disk – Eider is not divided by season	RSPB

## **Annex A - List of respondents by written communication**

Crown Estate	Alex Adrian
Fair Isle WG	Fair Isle Working Group
FIMETI	Nick Riddiford
Fin fish farmer	Rachel Hope, Hjaltland Seafarms
Historic Scotland	Philip Robertson
IN	Ian Napier, NAFC Marine Centre
IW	Ian Walterson, member of public
KW	Kester Wigram, member of public
Lerwick Port Authority	Sandra Laurenson
LINK's Marine Task Force	Calum Duncan
RSPB	Pete Ellis
S Community Council	Pete Ellis
Scottish Power	Debbie Harper
Scottish Renewables	Jason Ormiston
Scottish Water	Jim Conlon
Seafish Industry Authority	Philip MacMullen
SEPA	Susan Haslam
SG	Sheila Gear, Foula member of public
Shellfish farmer	Leslie Angus, Cribba Sound Ltd.
Shetland Renewable Energy Forum (SREF)	David Thomson
SIC (Development)	Suzanne Shearer
SIC (Heritage)	Kelda Hudson / Austin Taylor
SIC (Port & Harbour Ops)	Jim Dickson
Sound of Mull SSMEI	Sarah Benfield
SSE (Scottish & Southern Energy)	Robin Burnett
SW Community Council	Sandness and Walls
The National Trust for Scotland	Richard Luxmoore
The Scottish Sub Aqua Club	Andrew Murray
VT (Archaeologist)	Val Turner

## **List of respondents by verbal communication**

BL	Beth Leslie, NAFC Marine Centre
DO	Dave Okill, SEPA
HB	Hansen Black, Shetland Fishermen's Association
JD	Janet Davies, SEPA
LT	Leslie Tait, NAFC Marine Centre
MH	Martin Holmes, SIC / NAFC
RH	Ruth Henderson, Seafood Shetland
RL	Ryan Leith, Shetland Shellfish Management Organisation
SCC	Skerries Community Council
WWCC	Whiteness & Weisdale Community Council