

**ABERDEEN
CITY AND
SHIRE**

*Strategic Development
Planning Authority*

Scottish Marine Regions Consultation

Submitted electronically:

marineconsultation@scotland.gsi.gov.uk

Contact: David Jennings
DJennings@aberdeencityandshire-sdpa.gov.uk

Phone: 01224 628210

Our ref:

Your ref:

Date: 16 February 2011

Dear Sir / Madam,

Scottish Marine Regions Defining their boundaries – a consultation

The Aberdeen City and Shire Strategic Development Planning Authority (SDPA) was established under the Planning etc. (Scotland) Act 2006 primarily to prepare and keep under review a strategic development plan for the North East of Scotland. The SDPA therefore welcomes the publication of this consultation document and the opportunity to comment at this stage.

It is understood that under the Marine (Scotland) Act 2010, regional marine plans (RMPs) must take account of strategic development plans (SDPs). In December 2010 the SDPA responded to the Scottish Government consultation on amendments to the development planning regulations stressing the importance of the relationship between these two documents and the benefit of having a reciprocal relationship.

A detailed response to the current consultation is contained in Annexe 1 to this letter. The response concentrates on those issues directly related to the interests of the SDPA. I trust that the enclosed comments are helpful and look forward to hearing the results of the consultation exercise. This response should be treated as provisional pending approval by the SDPA at its meeting on 25 March 2011.

If you have any questions or require clarification on any of the points made, please contact David Jennings at the address above.

Yours sincerely,

Councillor Peter Argyle
Chair, Aberdeen City and Shire Strategic Development Planning Authority



Aberdeenshire
COUNCIL



Archibald Simpson House,
27 - 29 King Street, Aberdeen. AB24 5AA
T 01224 628210 | F 01224 640517
E-mail team@aberdeencityandshire-sdpa.gov.uk
www.aberdeencityandshire-sdpa.gov.uk

Annexe 1 – Aberdeen City and Shire SDPA response

Where our response relates to a specific question posed in the consultation, this has been identified, with other comments at the end.

Q1. Do you believe that Scottish Marine Regions (SMRs) should be created for the purposes of marine planning?

The SDPA believes that marine regions should be created for the purposes of regional marine planning. However, in our opinion it is challenging and perhaps premature to attempt to determine these without having seen even a draft of the Scottish national marine plan and the issues and priorities this establishes. Similarities can be drawn with the City Regions Boundaries Study (2002), as the boundaries of SMRs need to be determined in light of what the plans are trying to achieve (and the challenges they face) rather than finding an existing boundary to work to.

At present, our assumptions are based on commercial, administrative and physical characteristics along with regional priorities; this may change following publication of the national plan.

Q5. What are the practical implications of any of the marine boundaries not being aligned?

Although not a marine boundary, failure to align with LA boundaries will mean some LAs (and by extension development plans) having to engage with a number of RMPs. Attempts should be made to minimise the number of plans that planning authorities have to engage with.

Q7. Do you support Option 1?

The SDPA does not support option 1. Deficiencies in option 1 are the extent of the Moray Firth region into Aberdeenshire; in particular dividing Fraserburgh and Peterhead into two marine regions and the size of the East Coast region, which may involve too many stakeholders.

Q8. Do you support Option 2? If so, should SMR boundaries be aligned with existing IFG or AAG boundaries?

The SDPA does not support Option 2, as the only logic to the use of AAG boundaries, would be administrative. The IFG boundary affecting the north-east coast at Rattray Head should not be used but the SDPA consider a southern boundary based on the IFG / LA East Coast option workable.

Q9. Do you support Option 3? If so, should SMR boundaries be aligned with existing AAG or IFG/LA boundaries?

The SDPA believes that Option 3 offers the most potential and would overcome the establishment of overly large regions. However, in the north the SDPA believes that Rattray Head is not the correct boundary, but that Fraserburgh and Peterhead Ports should be within the same region. For this reason, the SDPA would propose the use of

Kinnaird Head, or a point directly west of Fraserburgh. In the south, point Y should align with the IFG / LA boundary to allow the Firth of Tay and Firth of Forth to remain together.

The SDPA understands the desire to have regional marine plans that are coherent with adjacent on and offshore plans, this again points to the boundary between Aberdeenshire and Angus as a logical point. Here, land use planning at the strategic and the local level is done by different authorities north or south of this point; Aberdeen City & Shire SDPA / Aberdeenshire Council to the north or two SDPAs and several local authorities to the south.

Other comments:

In terms of the seaward limit of marine region boundaries, 3 or 6 nautical miles are proposed in the consultation document and 12nm has also been suggested at a number of consultation events. The SDPA does not have a strong preference for the east coast, although it would appear beneficial if the system and powers of the marine planning partnerships extend into areas where large operators and significant activity takes place. However, it will also be important not to burden the partnerships with substantial requirements if no additional resource is available.

With regard to para. 4.7, the SDPA is keen to ensure that, however the limits of SMRs are measured, there is clarity about any overlap between marine and terrestrial planning systems at the landward limit. Currently, the jurisdiction of planning authorities for planning purposes generally extends to the mean low water mark of ordinary spring tides. Although not defined in legislation, this has been established through case law.