



Scottish Sustainable
Marine Environment
Initiative

Sound Of Mull Marine Spatial Plan

Strategic Environmental Assessment (SEA) Environmental Report



SCOTTISH
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SCIENCE

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1. Non-Technical Summary

The purpose of this non-technical summary is to provide a summary of the purpose, approach and assessment results of the Strategic Environmental Assessment of the Sound of Mull Marine Spatial Plan

1.1 Strategic Environmental Assessment (SEA)

The legal framework of Strategic Environmental Assessment is contained in the Environmental Assessment (Scotland) Act 2005. An SEA is required to provide a high level assessment of the potential environmental impacts or issues from certain plans or programmes. The SEA process should provide a mechanism for identifying and assessing environmental effects and ensuring that these are fully considered and that, where necessary, appropriate mitigation measures are detailed to offset any significant adverse effects.

The environmental assessment contained in the SEA is considered under a number of SEA Themes. These include

- Biodiversity Flora and Fauna
- Population and Human Health
- Water
- Soil
- Air
- Climate
- Historic and Cultural Environment
- Landscape
- Material Assets

SEA themes are chosen to reflect the scope of the Plan under assessment. Details on selected topics of SEA of the Sound of Mull Marine spatial Plan can be found below.

1.2 Scottish Sustainable Marine Environment Initiative

In 2002, the Scottish Sustainable Marine Environment Initiative was established by the Scottish Government. The overarching objective of the Initiative is to improve sustainable management of the Scottish marine environment and its natural resources through the development of new and innovative approaches to marine planning. The area of the Sound of Mull was chosen as a SSMEI pilot project along with the Firth of Clyde, Shetland Islands and the Berwickshire coast. Each pilot area will develop and assess different approaches to marine resource management. The Scottish Government will carry out a full evaluation of all the pilot projects in order to produce a set of recommendations that will contribute to future marine spatial planning and management throughout Scotland.

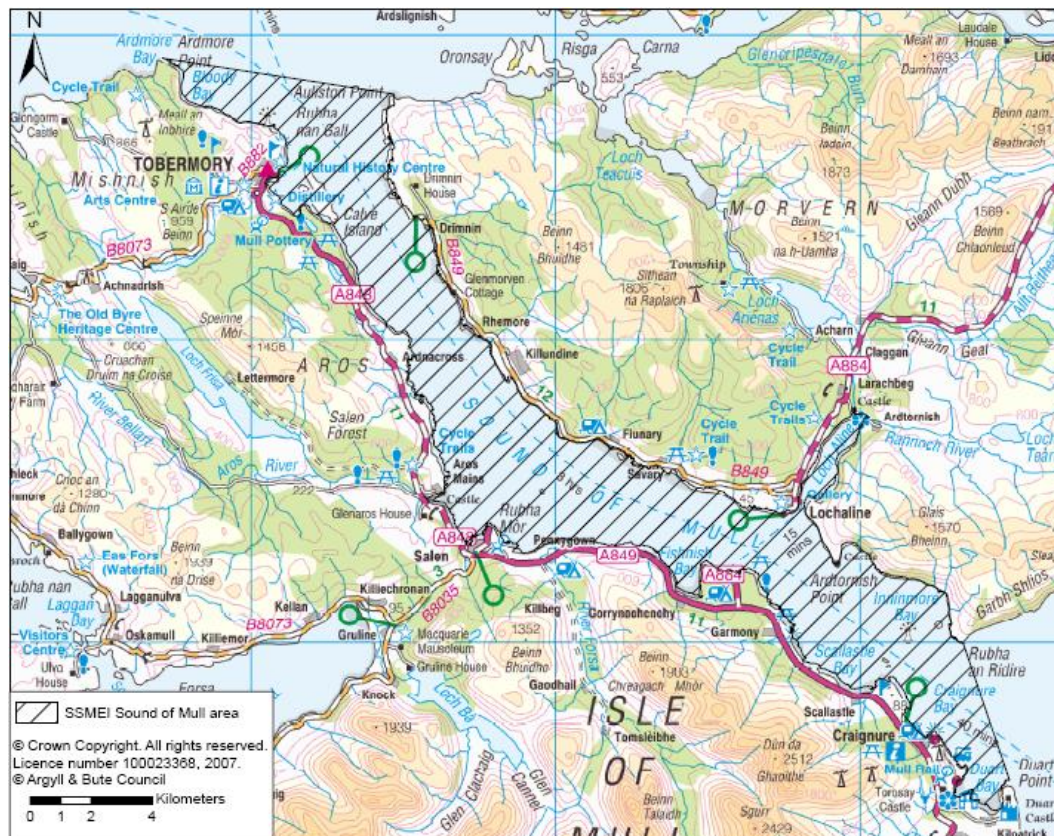
1.3 Sound of Mull Marine Spatial Plan

The Sound Mull was chosen as a pilot project area as it was seen to represent a small area ideally placed to utilise local stakeholder involvement. The area represents a boundary between local authorities Argyll and Bute Council on the Isle of Mull and

Highland Council on the Morvern coast. The area offers a mix of remote mainland coastal and island communities, with a diverse range of marine activities (such as sailing, diving, wildlife watching) and resource users (fishing, aquaculture, transport, and shipping).

The Sound of Mull SSMEI pilot aims to promote a more integrated and sustainable approach to marine and coastal management that is ‘sensitive to local needs’. The high level, long term vision for the project states that *‘The Sound of Mull will be a healthy and productive marine and coastal environment that will support a rich variety of habitats and species, a diverse and sustainable economy and be of benefit to the communities inhabiting its coasts’*¹.

The pilot is guided by a locally developed SSMEI Sound of Mull Working Group, including representatives from local stakeholder groups and resource users. A number of focused liaison groups have also been established which acts as a means to gather information and data on particular areas, which is then fed into the working group. The liaison groups also provide a forum for the general public to participate in the process.



The area covered by the Sound of Mull marine Spatial Plan

The objectives of the Sound of Mull Marine Spatial Plan are;

1. To provide guidance and recommendations to assist future planning and management of marine and coastal activities in the Sound of Mull.

¹ Argyll and Bute Council <http://www.argyll-bute.gov.uk/content/planning/developmentprojects/marineandcoastaldevunit/ssmeihp/>

2. Encourage a diverse balanced mix of sectors to operate and develop sustainably with consideration of other interests and the natural and historic environment.
3. Recognise, promote and help safeguard areas important for marine and coastal wildlife, habitats and historic heritage.
4. Enable a better understanding of the socio-economics of the area and incorporate this into management and planning.
5. Provide an example of best practice to contribute to marine spatial planning development and ICZM nationally.

The Plan is supported by two main policies, Policy SOM G1 *Community* and Policy SOM G2 *Development and Activity*. The ‘*Development and Activity*’ policy provides an overall guidance for all developments and resource use in the area and safeguards a sustainable approach across all sectors. The ‘*Community*’ policy aims to ensure that the needs of the local community, stakeholders and businesses are taken into account and promoting viable and sustainable growth within the area.

There are seven targeted sectors, each including a sector description, a ‘Development and Activity’ policy, which augments Policy SOM G1, and a ‘Voluntary/Statutory Management’ Policy. The Technical Annex (TA) provides information on relevant interactions between sectors and a list of hard and soft constraints. The Plan also provides several sub- area based sections that focus on specific spatial areas. Each sub-area provides several relevant opportunities.

1.4 Policy Context

As part of the SEA process the relationship between the draft plan and other relevant plans, programmes and policies must be considered. The Plan and this Environmental Report will be informed by and comply with a range of international, European Union, national and regional treaties and legislative instruments. UK policy and regulation on the marine environment takes place within a complex framework of international, EU, national and devolved legislation. This framework:

- Sets regulatory and policy objectives for the management and sustainable use of the marine environment
- Establishes regulatory boundaries on the actions that the UK can take in terms of marine resource development
- Provides policy guidance on opportunities and approaches to managing the marine environment, including marine spatial planning.

A brief overview of the key aspects of the plans and programmes relevant to the Sound of Mull Marine Spatial Plan (SoMMSP) is outlined in Section 3 below. Full details of all relevant treaties, agreements and legislation are presented in Appendix A.

1.5 Environmental Baseline

A key component of the SEA is to describe the current environmental baseline of the plan area. The current state of the environment is key to identifying the environmental issues relevant to the plan area and was considered under a number of environmental

topics. Data for each topic area was gathered from relevant sources, including the SoM MSP itself, where appropriate. Full details of the environmental baseline data are provided in Appendix B and a list of relevant environmental issues is provided in Appendix C.

1.6 Assessment approach

The SEA process requires that any plan, programme or strategy is assessed against a range of relevant environmental topics. All environmental topics were considered and then included in the SEA in order to reflect those topics relevant to the nature of the Sound of Mull MSP. This was done through careful consideration of likely environmental effects the Plan may have on all of the 12 topics. Through this process the following topics were selected as being relevant to the Plan;

- Biodiversity, flora and fauna
- Population and human health
- Water
- Climate
- Historic and cultural heritage
- Material assets
- Landscape/seascape

Within each topic area a number of SEA objectives were formulated that would provide effective means of assessing the Plan. A series of questions were devised to aid assessment of each of the SEA objectives. The selected SEA objectives and questions are listed in Table I. The elements of the Plan were assessed against the SEA topics and associated objectives in order to determine the potential environmental effects resulting from implementation of the Plan. The potential environmental effects were categorised as, significantly positive, positive, neutral (or not applicable), negative, significantly negative.

Table I. SEA Topics, Objectives and Questions.		
SEA Topic	SEA Objective	SEA Questions
Biodiversity, fauna and flora	<ul style="list-style-type: none"> • Protect threatened and/or protected species and habitats • Maintain and where appropriate enhance biodiversity • Promote opportunities for people to come into contact with and appreciate the natural environment 	<ul style="list-style-type: none"> • Does the Plan provide protection for Internationally (SPA's and SAC's) and Nationally (SSSI's) designated and protected sites, habitats and species? • Does the Plan provide protection and consideration for locally important species and habitats? • Does the Plan provide guidance on enhancing the biodiversity and natural environment of the area?
Population and human health	<ul style="list-style-type: none"> • To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development 	<ul style="list-style-type: none"> • Does the Plan provide guidance on appropriate development and activities within the SOM, addressing the needs of the local and tourist community balanced with the need to protect the nature and integrity of the local environment. • Does the Plan promote opportunities for outdoor recreation • Does the Plan contribute to long-term viability of the SoM communities

Table I. SEA Topics, Objectives and Questions.		
SEA Topic	SEA Objective	SEA Questions
Water	<ul style="list-style-type: none"> • Reduce water pollution within the Plan area • Maintain and/or restore the water environment and key ecological processes 	<ul style="list-style-type: none"> • Does the Plan take account of the Water Framework Directive? • Does the plan give adequate protection to the water environment of the SOM? • Does the Plan provide adequate guidance to stakeholders and communities on the protection of key ecological processes?
Climate	<ul style="list-style-type: none"> • Reduce vulnerability to the effects of climate change (e.g. sea level rise, coastal erosion, flooding) 	<ul style="list-style-type: none"> • Does the Plan provide adequate advice and protection from coastal flooding or erosion?
Historic and Cultural Heritage and Landscape/Seascape	<ul style="list-style-type: none"> • Protect and, where appropriate, enhance marine and coastal historic and cultural sites • Protect and enhance landscape/seascape qualities of the area 	<ul style="list-style-type: none"> • Has the Plan made an adequate assessment of the historic environment and the landscape qualities of the SOM • Does the Plan provide adequate protection for the historic and cultural environment of the SOM? • Does the Plan provide adequate protection of the landscape and seascape qualities of the SOM
Material Assets	<ul style="list-style-type: none"> • Protect maintain and enhance important coastal infrastructure • Promote efficient use of marine and coastal infrastructure 	<ul style="list-style-type: none"> • Does the Plan take full account of important marine and coastal material assets in SOM? • Does the Plan encourage the efficient resource sharing of infrastructure

The detailed assessment tables in Section 5 provide comments and recommendations to support the outcomes of the assessment. Through the assessment process appropriate monitoring and mitigation measures were suggested. The monitoring measures provide a measure of the success of the Plan in terms of environmental performance and its success in reaching relevant stakeholders, resource users and local communities of SoM. Mitigation measures are included where negative effects were identified or where it was judged that the Plan could be improved.

1.7 Assessment of Sound of Mull Marine Spatial Plan

On the whole the Plan is expected to have a positive impact across the Sound of Mull (Table II). Effects on Biodiversity, Flora and Fauna were judged to be positive. The Plan provides a comprehensive guide to the natural and historic environment, including relevant interactions and a very useful guide to sensitivity. The performance has been improved by having a dedicated policy to further safeguard relevant interests in the natural and historic environment sector.

The effects on Population and Human Health theme were assessed as significantly positive. The Plan promotes sustainable business development along side community consultation and a desire to respond to the needs of the community. Excellent spatial information will provide guidance to stakeholders and resource users as well as the provision of a range of development opportunities that will contribute to providing business and employment to local communities. The detailed information on interactions and the guidance provided on how competitive interactions and

incompatible interactions should be dealt with will enable the communities to grow and develop within a sustainable business framework.

The environmental performance of the Plan with regard to the water environment was deemed to be positive. Despite having no dedicated section on the water environment and associated sensitivities, there is a general appreciation of the water environment is obvious across the Plan as a whole. In addition, the Plan aims to comply with the River Basin Management Plan (RBMP) for the area. The Plan does recognise the threat to water quality (and other interests) from pollution and the issue of marine litter. The Plan also recognises that development in some sector may lead to impacts on water quality and there is some guidance on negative interactions should be handled. However, no measures are detailed for monitoring the water environment, such as pollution incidence or shellfish hygiene compliance, during implementation of the Plan.

The Plan encourages development to take account of climate change related issues such as flooding and coastal erosion. However, no guidance as to the areas at risk from coastal flooding and such information would be useful to developers and regulators. In addition, existing coastal infrastructure may be at risk under some climate related changes. Climate related issues may also be affected by an increase in tourism to the area which could increase greenhouse gas emissions. Although difficult to manage at the local level, it is essential that, where possible, measures are devised and implemented to reduce potential impacts.

The historic and cultural environment is reasonably well represented with good spatial information on relevant sites. A guide to sensitivities would also be useful for developers, stakeholders and regulators. Landscape and seascape issues have been included in the Plan and some of the interactions with respect to visual amenity are recognised. As part of the construction of the Plan a dedicated landscape study was commissioned and has been used to inform some of the development opportunities highlighted in the Plan (particularly for the aquaculture sector).

The Marine Renewable Policies were deemed to have a positive effect. It was difficult to assess the sector given that there are no current installations in the area that could aid evaluation of environmental performance as is relevant to the Sound of Mull, however the interactions and constraints for this sector have good basic information for potential developers and stakeholders on how the sector might be expected to interact with the environment and other active sectors.

1.8 Mitigation

The SEA process requires that measures should be suggested to offset any potential adverse effects as a result of implementation of a plan or programme or where it is judged that environmental performance could be improved.

Assessment of the Plan indicates that there are unlikely to be any adverse effects resulting from implementation of the Plan. Overall, the policies of the Plan were assessed to have a positive impact on the environment. The following measures (Table III) are suggested as a means of improving performance of the Plan in some areas.

Table III. Suggested mitigation measures for the SOM MSP			
No.	SEA Topic	Mitigation details	Sectors
1	Biodiversity Flora and Fauna	More data and research on impacts of mobile gear on vulnerable life stages of UK BAP species common skate <i>Dipturus batis</i>	Inshore Fishing and other sectors where benthic habitats are disturbed
2	Biodiversity Flora and Fauna	Revision of constraint between mobile fishing gear and sensitive benthic species and habitats	Inshore Fishing
3	Biodiversity Flora and Fauna	Threat to designated, protected and sensitive sites, species and habitats from damage and disturbance through human activity. Ensure public are made aware of codes of conduct and sensitivity of natural history interests	Recreation and Tourism
4	Biodiversity Flora and Fauna	All sub-areas should safeguard all threatened and/or sensitive species occurring in the area	All Sub-areas
5	Historic and Cultural Environment, Landscape and Seascape	Description of historic and cultural environment sensitivities	Natural and Historic Environment, but would inform all sectors
6	Historic and Cultural Environment, Landscape and Seascape	Description of landscape and seascape sensitivities	Natural and Historic Environment, but would inform other sectors
7	Climate	Provide spatial information of areas at risk from coastal flooding – when this information is made available for use to the Plan's Responsible Authority	Coastal and Marine Infrastructure, Aquaculture, Recreation and Tourism, Shipping and Transport
8	Water	Description of water environment and relevant sensitivities	Natural and Historic Environment, but would inform all sectors
9	Material Assets	Consider the impact of climate related issues on existing coastal and marine infrastructure and devise appropriate actions /recommendations	Coastal and Marine Infrastructure, but may have implications for other sectors

1.9 Monitoring recommendations

Monitoring provides a means to assess the success and performance of the Plan following implementation. Monitoring results should be fed back into the Plan and used to update and improve the Plan. Several monitoring options are suggested for this sector and are summarised in Table IV.

Relevant authorities, such as SEPA, SNH, Historic Scotland and FSAS, are responsible for monitoring several parameters (i.e. shellfish harvesting monitoring, site condition monitoring of designated natural environmental and historic interests and pollution incidents). This Environmental Report suggests that data for relevant parameters is centrally collated by the Plan's Responsible Authority, in co-ordination with the relevant authority. This should enable the Responsible Authority to have an overarching view of the state of the environment and could provide a means to identify emerging environmental. This will also provide useful information on future iterations of the Plan

Table IV. Recommended Monitoring measures for the SOM MSP			
No	SEA Topic	Monitoring details	Sectors affected
1	Biodiversity, Flora and Fauna	Applications where designated and protected sites, habitats and species affected	All sectors
2	Biodiversity, Flora and Fauna	Applications where local or BAP interests are affected	All sectors
3	Biodiversity, Flora and Fauna	Collation of data on status/condition of designated and protected interests, e.g. through site condition monitoring – in conjunction with relevant authorities	All sectors
4	Biodiversity, Flora and Fauna	Collation of data on status of BAP interests or achievement of BAP targets	All sectors
5	Biodiversity, Flora and Fauna	Collation of data on status of local commercial stocks – in conjunction with relevant authorities	Inshore Fishing
6	Biodiversity, Flora and Fauna	Collation of data on cetacean activity and population numbers	Shipping and Transport, Recreation and Tourism, Marine and Offshore Renewables
7	Population and Human Health	Impact of the Plan and policies on local communities through population, employment, business and SIMD data	All sectors
8	Population and Human Health	Number of applications that consider the needs of the local community and involve community consultation	All sectors
9	Population and Human Health	Tourism numbers	Recreation and Tourism, Coastal and Marine Infrastructure
10	Water	Number of applications where water quality may be impacted	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport
11	Water	Monitor achievement of WFD 'good' ecological status for RBMP area in conjunction with relevant authority	
12	Water	Collation of data on pollution events affecting area – in conjunction with relevant	Coastal and Marine Infrastructure, Recreation and

		authority	Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables, Inshore Fishing
13	Water	Collation of data on compliance of shellfish harvesting areas should shellfish opportunities be taken up – in conjunction with relevant authorities	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture
14	Climate	Number of applications that consider the impacts of climate change (coastal flooding, erosion and sea level rise)	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport
15	Climate	Number of applications where micro-renewables are built in to the development	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture
16	Historic and Cultural Heritage, Landscape and Seascape	Number of applications where historic, cultural and archaeological sites and interests are affected	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables
17	Historic and Cultural Heritage, Landscape and Seascape	Number of applications where the landscape and seascape quality of the area is affected	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables
18	Material Assets	Number of applications where coastal and marine infrastructure is affected	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables
19	Material Assets	Number of applications where resource sharing of infrastructure and space is built in	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables

1.10. Contact Information

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Timeframe

Launch of the draft Plan and draft SEA Environmental Report – 1st Dec 2009
Consultation period - 1st December to 28th February 2010
Publication of revised draft Plan and Environmental Report – September 2010
SEA Statement date – 3rd September 2010

2. Introduction

2.1. Purpose of this Environmental Report and key facts

2.1.1 Legal Aspects of the Strategic Environmental Assessment

The current SEA framework in Scotland was established by the Environmental Assessment (Scotland) Act 2005. This act is the primary legislation responsible for implementation of the EU strategic environmental assessment Directive 2001/42/EC, which requires ‘certain’ plans, and policies to facilitate a ‘high level of protection of the environment’. The SEA process ensures that all relevant and significant environmental effects of a particular Plan, Programme or Strategy (PPS) is collated and made available to relevant decision makers during preparation and adoption of the plan. The process facilitates more informed and transparent decision-making and should strengthen environmental sustainability of public PPS.

In accordance with the Environmental Assessment Act (Scotland) 2005, the objectives of the SEA are;

- to provide a systematic means of identifying, describing, evaluating and reporting on the environmental effects of PPS.
- to require that Responsible Authorities (i.e. plan, programme or policy-makers) prepares a report on the likely significant environmental effects of their PPS and its reasonable alternatives.
- to prevent, reduce and offset negative environmental effects. The enhancement of positive effects may also benefit from the SEA process.
- to ensure wide consultation and engagement with the statutory Consultation Authorities, such other bodies as the Responsible Authority considers appropriate (e.g. health), and the public at an early and effective stage of the PPS preparation.
- to deliver a public statement demonstrating how the results of the environmental assessment and the opinions expressed during the SEA consultation process have been taken into account in a final adopted PPS.
- to ensure that Responsible Authorities monitor the significant environmental effects of implementing their PPS, enabling them to also identify unforeseen adverse effects at an early stage and to take appropriate remedial action where necessary².

The SEA process requires a number of stages in accordance with the Environmental Assessment (Scotland) Act 2005. The SEA stages are:

- **Screening:** determining whether the PPS is likely to have significant environmental effects and whether an SEA is required
- **Scoping:** deciding on the scope and level of detail of the Environmental Report, and the consultation period for the report – this is done in consultation with Scottish Natural Heritage, The Scottish Ministers (Historic Scotland) and the Scottish Environment Protection Agency

² Strategic Environmental Assessment Toolkit: Natural Scotland (Scottish Government) 2006

- **Environmental Report;** preparing the environmental report, including description of baseline data, assessment of the likely environmental effects of the PPS and reasonable alternatives
- **Consultation of draft PPS and Environmental Report**
- **Post-Adoption:** how the consultation responses and the results of the Environmental Report were taken into consideration during the preparation of the PPS
- **Monitoring:** enables additional unforeseen effects to be identified and measures the effectiveness of the mitigation measures set out in the Environmental Report.

2.2 Key Facts relating to the Sound of Mull Marine Spatial plan

The key facts relating to SSMEI Sound of Mull Marine Spatial Plan are set out below.

Name of Responsible Authority: SSMEI Sound of Mull pilot Working Group (acting on behalf of the Scottish Government Marine Management Division).

Title: SSMEI Sound of Mull Marine Spatial Plan

What prompted the SSMEI Sound of Mull Marine Spatial Plan? The SSMEI was designed to build upon and complement existing UK marine initiatives. The project aims to gain an understanding of the nature, value and management needs of Scotland's marine environment and to identify alternative management approaches with a view to ensuring new management initiatives and possible future legislation result in a truly sustainable framework. The SSMEI has now entered its third and final phase, pilot project implementation and the delivery of a MSP for the Sound of Mull pilot area.

Subject: The creation and establishment of a more rational organisation of the use of marine space and the interactions between its uses, to balance demands for development with the need to protect the environment, and to achieve social and economic objectives in an open and planned way.

Period covered by SSMEI Sound of Mull Marine Spatial Plan: 2009 – 2014, dependant on future funding.

Frequency of updates: A 5 yearly review is proposed, dependant on future funding.

Area covered by SSMEI Sound of Mull Marine Spatial Plan: The area is delineated by a line drawn from the northern end between Auliston Point (Grid ref 154684, 758044), to Ardmore Point (Grid ref 147080, 759222) and to the southern end by a line drawn between Rubha an Ridire (173353, 739996) and Duart point (Grid ref 174892, 735453). The eastern boundary is defined by the mean high water mark on the Movern peninsula between Auliston Point and Rubha an Ridire, the western boundary by the mean high water mark on the Isle of Mull between Ardmore Point and Duart Point. This area is represented in Figure 1.

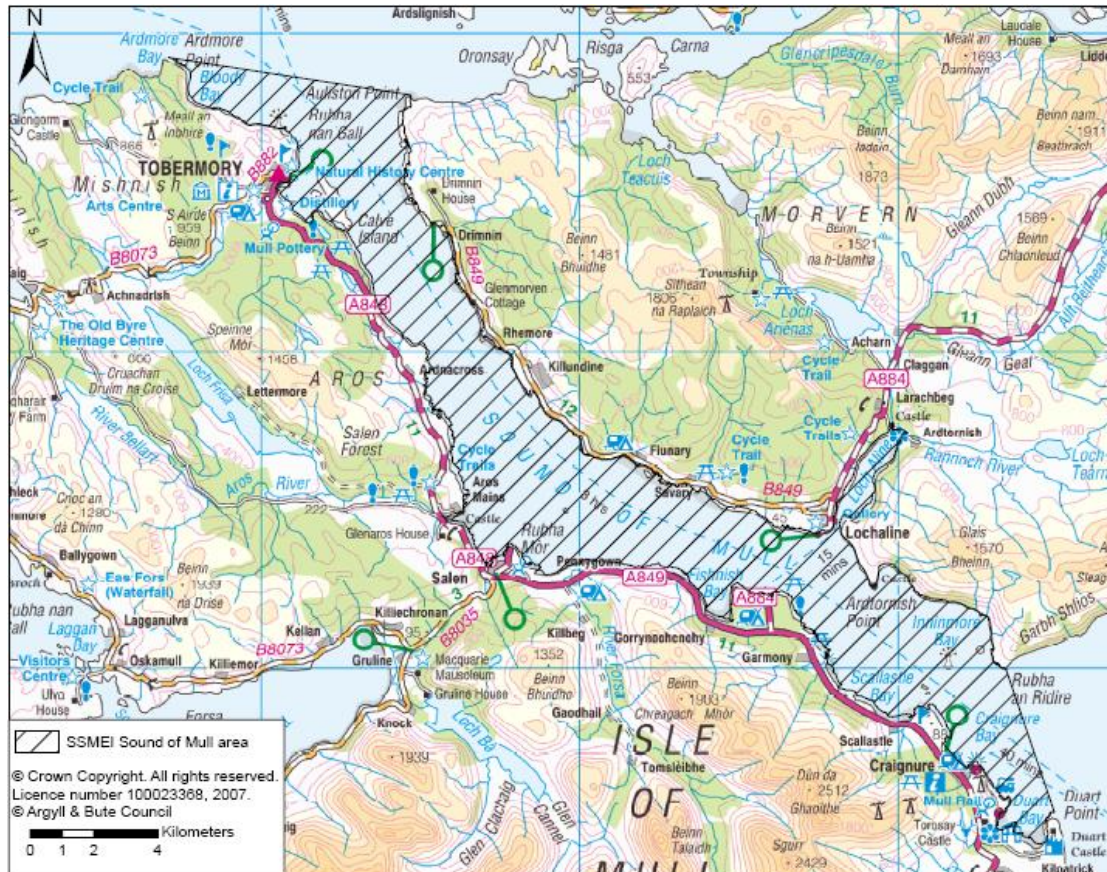


Figure 1. The area covered by the SSMEI Sound of Mull Marine Spatial Plan.

2.2.1 Purpose and/or objectives of SSMEI Sound of Mull Marine Spatial Plan

The purpose of the SSMEI Sound of Mull Marine Spatial Plan

1. To provide guidance and recommendations to assist future planning and management of marine and coastal activities in the Sound of Mull.
2. Encourage a diverse balanced mix of sectors to operate and develop sustainably with consideration of other interests and the natural and historic environment.
3. Recognise, promote and help safeguard areas important for marine and coastal wildlife, habitats and historic heritage.
4. Enable a better understanding of the socio-economics of the area and incorporate this into management and planning.
5. Provide an example of best practice to contribute to marine spatial planning development and ICZM nationally.

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Throughout this report the SSMEI Sound of Mull Marine Spatial Plan will be referred to as the 'Plan', or the SoMMSP.

2.2.2 SEA and the Sound of Mull Plan

As a public plan the SoMMSP is subject to the SEA process. This Environmental Report forms part of the SEA of the SoMMSP. With respect to the Plan this SEA aims to:

- integrate environmental factors into SoMMSP preparation and decision-making;
- identify, describe and assess the likely significant effects of the SoMMSP, including cumulative effects
- improve the SoMMSP and enhance environmental protection;
- provide an early and effective opportunity for the Consultation Authorities and the public to offer views on any aspect of this Environmental Report.

2.2.3 SEA activities to date

The key stages that have been undertaken during this SEA process include;

- **Screening** to make a preliminary assessment to determine if the Plan is likely to have any significant environmental effects.

The screening process was completed by **December 2008**.

- **Scoping** study to decide on the scope and level of detail required to assess the environmental performance of the SoMMSP. This included a consultation period where the proposed scope and detail was assessed through the statutory Consultation Authorities (Scottish Natural Heritage, SNH; Scottish Environmental Protection Agency, SEPA; Historic Scotland). The response and actions resulting from the comments of the Consultation Authorities on the SoMMSP (the 'Plan') Scoping Report can be found in Appendix D.

The consultation period began in **March 2009** and was completed by **April 2009**.

- **The Environmental Report** provides an assessment of the environmental performance of the Plan. The report takes into consideration the current environmental baseline, environmental issues relevant to the Plan area and the relationship the Plan has with other plans, policies and programmes (PPS). The report has taken the comments from the Consultation Authorities on the Scoping Report into full consideration and the detail of the report amended where appropriate (see Appendix D for the response to the comments).

The Environmental Report was constructed between **July and November 2009**, with a public consultation period taking place between December 1st 2009 and 28th February 2010. The response and actions resulting from the comments of the Consultation Authorities on the SoMMSP (the 'Plan') Environmental Report can be found in Appendix E.

- **SEA statement.** This statement will provide detail on how the final version of the Plan has been revised following the assessment process. It will also detail the comments from the Consultation Authorities on the Environmental Report and how those comments have been subsequently dealt with.

SEA Statement Date – 3rd September 2010.

3. Context

3.1. Outline and objectives of SSMEI Sound of Mull Marine Spatial Plan

3.1.1 Scottish Sustainable Marine Environment Initiative (SSMEI)

In 2002, the Scottish Sustainable Marine Environment Initiative was established by the Scottish Government. The overarching objective of the Initiative is to improve sustainable management of the Scottish marine environment and its natural resources through the development of new and innovative approaches to marine planning. The Initiative has several aims including:

- Promote more holistic and integrated approaches that embrace the key principles of marine management
- Link and integrate existing management instruments
- Employ effective mechanisms to increase awareness and appropriate communication between resource users and other stakeholders
- Enable the development and evaluation of innovative management approaches, including promotion of techniques to assist users to better manage their resources
- Ensure consistency with International, UK and Scottish Government commitments and obligations³

As part of that initiative a number of pilot projects areas were established in the SoM, the Firth of Clyde, Shetland Islands and the Berwickshire coast. Each pilot are will develop and assess different approaches to marine resource management. The Scottish Government will carry out a full evaluation of all the pilot projects in order to produce a set of recommendations that will contribute to future marine and coastal spatial planning and management throughout Scotland.

3.1.2 Sound of Mull SSMEI pilot

The Sound of Mull was chosen as a pilot project area as it was seen to represent a small area ideally placed to utilise local stakeholder involvement. The area crosses local authority boundaries, with Argyll and Bute Council the responsible authority on the Isle of Mull and Highland Council the responsible authority on the Morvern coast. The area offers a mix of remote mainland coastal and island communities, with a diverse range of marine activities (such as sailing, diving, wildlife watching) and resource users (fishing, aquaculture, transport, and shipping).

Through the development, and subsequent implementation, of a Marine Spatial Plan, the Sound of Mull SSMEI pilot aims to promote a more integrated and sustainable approach to marine and coastal management that is ‘sensitive to local needs’ . The high level, long term vision for the project states that *‘The Sound of Mull will be a healthy and productive marine and coastal environment that will support a rich variety of habitats and species, a diverse and sustainable economy and be of benefit to the communities inhabiting its coasts’*⁴.

³ Scottish Government - <http://www.scotland.gov.uk/Topics/Environment/16440/SSMEI/>

⁴ Argyll and Bute Council <http://www.argyll-bute.gov.uk/content/planning/developmentprojects/marineandcoastaldevunit/ssmeihp/>

The pilot is guided by a locally developed SSMEI Sound of Mull Working Group, including representatives from local stakeholder groups and resource users. A number of focused liaison groups have also been established which acts as a means to gather relevant information and data on particular areas, which is then fed into the working group. The liaison groups also provide a forum for the general public to participate in the process.

3.1.3 Objectives and Structure of the Plan

The objectives of the Plan are;

1. Provide guidance and recommendations to assist future planning and management of marine and coastal activities in the Sound of Mull.

To help achieve this objective the plan will provide the following:

An overview of the current status of the Sound of Mull for each sector/interest

- Description – activity/interest and areas used
- Current management measures
- How the sector/interest interacts with and is affected by other interests

Future management

- Recommendations for additional measures and/or improvements to current management for interactions where required for each sector/interest
- Interaction zones – where multiple activities or interactions (competitive/incompatible) within an area of the Sound of Mull creation of zone and recommendations accordingly to address.

Opportunities, constraints and areas for development

- SWOT analysis and outline of constraints to development (those that can/not be mapped) for each sector
- Outline potential development opportunities
- Identify preferable development locations where feasible for each sector using information on constraints and interactions

2. Encourage a diverse, balanced mix of sectors to operate and develop sustainably with consideration of other interests and the natural and historic environment.

To help achieve this objective the plan will provide the following:

An overview of the current status of the Sound of Mull for each sector/interest

- Description – activity/interest and areas used
- Current management measures
- How the sector/interest interacts with and is affected by other interests

Future management

- Recommendations for additional measures and/or improvements to current management for interactions where required for each sector/interest
- Interaction zones – where multiple activities or interactions (competitive/incompatible) within an area of the Sound of Mull creation of zones and recommendations accordingly to address issues.

Opportunities, constraints and areas for development

- SWOT analysis and outline of constraints to development (those that can/not be mapped) for each sector
- Outline potential development opportunities
- Identify preferable development locations where feasible for each sector using information on constraints and interactions

3. Recognise, promote and help safeguard areas important for marine and coastal wildlife, habitats and historic heritage

To help achieve this objective the plan will provide the following:

An overview of the current status of wildlife, habitats and historic heritage

- Identify and map important locations for marine and coastal species, habitats and historic heritage, especially those sensitive to disturbance using existing information and stakeholder input

Awareness raising

- Promote important locations by making maps and information available to relevant and interested parties through plan, website etc.
- Identify opportunities and improvements to current provision to enable people to come into contact with and more fully appreciate marine and coastal wildlife, habitats and historic heritage

Safeguarding

- Raise awareness of the interactions between activities and marine and coastal wildlife, habitats and historic heritage
- Recommendations for additional measures and/or improvements to current management for interactions where required for each sector/interest

4. Enable a better understanding of the socio-economics of the area and incorporate this into management and planning.

To help achieve this objective the plan will provide the following:

An overview report of the socio-economics of the area

- Includes population, employment, SIMD, sector profiles (employment, business base)
- Industry profiles for key marine sectors - fishing, aquaculture, marine tourism, recreation, shipping and transport

Inclusion in management and planning

- Outline contribution of each marine related sector to the local area

- Prioritisation of sectors/interests and associated areas for development/safeguarding where these are economically/socially important

5. Provide an example of best practice to contribute to marine spatial planning development and ICZM nationally.

The plan itself will provide a case study for marine spatial planning at a local scale and the integration with ICZM e.g. interaction management and consideration of other sectors/interests.

The Plan is supported by two main policies, *Policy SOM G1 Development and Activity* and *Policy SOM G2 Community*. The ‘*Development and Activity*’ policy provides an overall guidance for all developments and resource use in the area and safeguards a sustainable approach across all sectors. The ‘*Community*’ policy aims to ensure that the needs of the local community, stakeholders and businesses are taken into account and promoting viable and sustainable growth within the area.

The Plan covers seven sectors relevant to the SoM, as well as six sub-areas as follows;

Sectors	Sub-areas
Inshore Fishing	North
Aquaculture	South
Recreation and Tourism	Inninmore
Shipping and Transport	Tobermory
Coastal and Marine Infrastructure	Lochaline
Natural and Historic Environment	Craignure
Marine and Offshore Renewable Energy	

3.1.4 Pilot study area

The pilot study area is delineated by a line drawn at the northern end between Auliston Point and Ardmore Point and at the southern end by a line drawn between Rubha an Ridire and Duart Point. The eastern boundary is defined by the mean high water mark on the Movern peninsula between Auliston Point and Rubha an Ridire, the western boundary by the mean high water mark on the Isle of Mull between Ardmore Point and Duart Point. The area effectively includes two coastlines. To the north is Movern which comes under Highland Council jurisdiction and to the south is the Isle of Mull and falls under the jurisdiction of Argyll and Bute Council.

3.2. Relationship with other Plans and environmental objectives

The Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report considers the relevant relationships between the proposed plan and all other relevant plans, programmes and treaties and how environmental protection objectives have been taken into account during the preparation of the plan.

The development of UK policy on the marine environment takes place within a complex framework of international, EU, national and devolved legislation. This framework:

- Sets regulatory and policy objectives for the management and sustainable use of the marine environment
- Establishes regulatory boundaries on the actions that the UK can take in terms of marine resource development
- Provides policy guidance on opportunities and approaches to managing the marine environment, including marine spatial planning.

The Plan will be informed by and comply with a range of international, European Union, national and regional treaties, and legislative instruments. A brief overview of the key aspects of the legal framework of relevance to Marine Spatial Plan is outlined below. Full details of all relevant treaties, agreements and legislation are presented in Appendix A. In all more than 125 different treaties, conventions and instruments of legislation were identified as having implications for and a relationship with, the Plan. These include International, European and UK and Scottish agreements and legislation that the Plan must consider. The objectives of the Plan will be evaluated against the commitments listed in Appendix A.

3.2.1 International Commitments.

In recent decades the number and scope of international marine environmental legislation has increased and covers a range of topics from pollution, biodiversity and resource management. A range of international agreements standards are generated which are then adopted by the European Union and transposed into UK law or directly adopted at the national (UK) level. The global arena is of considerable importance for the development of the principles of environmental law, such as sustainable development and it's components such as the ecosystem approach. As part of this process a body of international law has developed concerned with marine waters, with treaties (or "conventions" or "agreements") being the pre-eminent form of international law. Details of the main treaties and agreements can be found below, but a full list of all relevant international treaties and conventions can be found in Appendix A.

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) provides the overarching international legal framework for activities in the marine environment. It allows coastal states to delimit maritime jurisdictions such as the territorial sea, exclusive economic zone and offshore continental shelf. It provides the legal framework for the protection and development of the marine environment but importantly, leaves the detail of marine management to coastal states. .

The UK is a signatory of UNCLOS that commits it to an obligation to protect and preserve the marine environment. It urges all States to co-operate on a global and regional basis in formulating rules and standards. UNCLOS covers virtually all uses of the sea including navigation and over-flight, resource exploration and exploitation including fisheries, conservation activities, pollution management, defence and security, fishing, shipping and marine science.

UNCLOS has provided the international legal basis for the international development of marine bills and is at the centre of regimes governing the world's oceans. A central concept within UNCLOS is that marine rights must be balanced by responsibilities. The Convention has 17 Parts covering 320 Articles that relate to management of the oceans and relations between States on the Seas. These articles present legal obligations at the UK level to sustainably manage the marine resource base and influence the development of instruments such as the Marine Bill.

The 1992 Convention for the Protection of the Marine Environment of the North East Atlantic (OSPAR Convention) entered into force in 1998. It aims to identify threats to the marine environment from human activity and has developed a number of programmes and measures to ensure sufficient and effective national action to control and prevent such threats. The convention has also established effective water quality monitoring and assessment programmes by setting internationally agreed ecosystem quality objectives. Marine spatial planning was included in the OSPAR biodiversity Committee's work programmes in 2003-04.

The 1992 The Convention on Biological Diversity (CBD) was adopted at the Rio Earth Summit in 1992. Its objective is the conservation of biological diversity, the sustainable use of its components and the fair and adequate sharing of benefits from the use of genetic resources, (DEFRA, 2002). In 1998 the convention adopted a programme of work aimed at the marine and coastal biodiversity. The focus for this programme of work included integrated marine and coastal area management, living resources and protected areas in marine and coastal regions, and all within the context of the Conventions ecosystem approach. The CBD describe the 'ecosystem approach to managing the environment as follows;

'The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. Thus, the application of the ecosystem approach will help to reach a balance of the three objectives of the Convention: conservation; sustainable use; and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources'.

World Summit for Sustainable Development (WSSD) in 2002 marked a decade of international negotiation on the principles and application of and integration of economic development, social quality and environmental protection. Through this a commitment was made to integrated management and sustainable development of coastal areas. This commitment has contributed to the development of MSP at both the global and European level. As well as establishing a UN system for marine monitoring by 2004 the WSSD established a number of high level policy commitments relevant to MSP, including:

- Encouraging the ecosystem approach to marine management by 2010
- Setting up representative marine protection networks by 2012
- Restoring depleted fish stocks to maximum sustainable yields by 2015.

3.2.2 European Union Commitments.

EU legislation applies to all Member States of the EU, including the UK. Under the framework for UK devolution, the Scottish Government is responsible for certain areas of marine competence. All commitments, objectives and actions resulting from

the Sound of Mull plan must be in compliance with EC directives and regulation. In addition, EU communications give important policy directions to marine management in the UK.

The SEA Directive (2001/42/EC) gives assurance that the environmental consequences of policies, plans and programmes are identified and assessed during development and before adoption. The primary objective of the SEA Directive is to “provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans”. In Scotland the primary legislative framework for the SEA Directive is the Environmental Assessment (Scotland) Act (2005). In accordance with the SEA Directive and the Environmental Assessment Act this report represents the assessment of environmental performance of the Sound of Mull MSP, including cumulative effects.

The EU Marine Strategy Framework Directive (2008/56/EC) was adopted by the European Council on May 2008, and came into force on 15th July 2008. It requires EU Member States to “take the necessary measures to achieve or maintain Good Environmental Status (GES) by the year 2020 at the latest”. Although GES is not specifically defined in the directive, Annex 1 lists the ‘descriptors’ that should be monitored in assessing GES

The overarching aim of the directive is to provide more effective protection to the marine environment. Its aims to protect the resource base upon which marine-related economic and social activities depend. Within the directive European marine regions have been established, based on geographical and environmental criteria. And member states are required to develop strategies for the marine regions in collaboration with other member states that share the marine region.

The Directive sets down a clear timetable towards achieving GES:

- Authority or authorities competent for the implementation of the Directive are to be designated by 15th July 2010, and notified to the Commission by 15th January 2011;
- An initial assessment of the current environmental status of marine waters must be completed by 15th July 2012, together with a determination of what GES will mean for the waters concerned and the establishment of a series of environmental targets and indicators towards GES.
- A monitoring programme to assess these targets must be in place by 15th July 2014.
- A programme of measures designed to achieve or maintain GES should be developed by 2015, and put into operation by 2016.

In 2007 the European Commission adopted a ‘Blue Book’ proposing an Integrated Maritime Policy (IMP) for the EU. This policy is based on the clear recognition that all matters relating to Europe’s oceans and seas are interlinked, and that sea-related policies must develop in a joined up way. This integrated inter-sectoral approach ensures stakeholder participation reinforcing co-operation and co-ordination of all sea related policies. Part of this policy is to develop a roadmap towards marine spatial planning by member states. The EU Integrated Maritime Policy is developing and

delivering a programme of work, much of which is relevant to UK and Scottish marine planning. The following projects are of particular importance and relevance to a marine plan:

- A European Maritime Transport Space without barriers
- A European Strategy for Marine Research
- National integrated maritime policies to be developed by Member States
- An European network for maritime surveillance
- A Roadmap towards maritime spatial planning by Member States
- A Strategy to mitigate the effects of Climate Change on coastal regions
- Reduction of CO₂ emissions and pollution by shipping
- An European network of maritime clusters

The European Council of March 2007 reaffirmed the EU commitment to the development of energy from renewable sources beyond 2010. Through the EU Directive on the promotion of the use of energy from renewable sources, it endorsed a mandatory target of a 20 % share of energy from renewable sources in overall Community energy consumption by 2020 and a mandatory 10 % minimum target to be achieved by all Member States for the share of biofuels in transport petrol and diesel consumption by 2020.

The main purpose of mandatory national targets is to provide certainty for investors and to encourage continuous development of technologies which generate energy from renewable sources. The directive requires that the UK establish a national renewable energy action plan including information on targets. The Directive also notes that the producers who want to exploit the potential of energy from renewable sources in the peripheral regions of the Community, in particular in island regions and regions of low population density, should, whenever feasible, benefit from reasonable connection costs to ensure that they are not unfairly disadvantaged in comparison with producers situated in more central areas. This is of consequence for production in Scotland and should be reflected in the SSMEI SoMMSP.

A number of other EU Directives have relevance to the assessment of MSP's, including, the Water Framework Directive (2000/60/EC), the Birds Directive (79/409/EEC) and the Habitats Directive (92/43/EEC). In addition, there are a number of guidelines, conventions and strategy documents addressing a wide range of issues such as sustainable development (EU Sustainable Development Strategy, SDS, 2001) and cultural heritage (Valletta Convention on the Protection of Archaeological Heritage 1992). For a full detailed list of all relevant legislation, directives conventions and guidelines see Appendix A.

3.2.3 National Commitments

In 2005 the UK Government launched the Strategic Framework on sustainable development 'One future – Different Paths' (2005) in conjunction with the UK's strategy document on sustainable development, 'Securing the Future' (2005). Scotland commitment to these measures is set out 'Choosing Our Future: Scotland's

Sustainable Development Strategy' (2005). The Scottish Government has placed five main principles at the heart of this strategy;

- Living within environmental limits
- Ensuring a strong, healthy and just society
- Achieving a sustainable economy
- Promoting good governance
- Using sound science responsibly

It provides a framework for the Scottish Governments emerging strategies on climate change, transport, renewable energy, green jobs and biodiversity.

Building on the same five principles as 'Choosing our Future', the 'Seas the Opportunity: a strategy for the long term sustainability of Scotland's coasts and seas' was launched in 2005. The document sets out the marine and coastal strategy for Scotland. A number of measures were announced to facilitate delivery of the strategy, including a system of marine spatial planning.

The Marine (Scotland) Bill was passed in 2010 and is intended to meet the demands of a wide diversity of marine users for improved managements of Scotland's seas, within the context of sustainability. The Bill introduces a framework for the sustainable management of the seas around Scotland, ensuring the need to protect our seas is integrated with economic growth of marine industries. It introduces:

- Marine planning: a new statutory marine planning system to sustainably manage the increasing, and often conflicting, demands on our seas, including statutory regional marine plans.
- Marine licensing: a simpler licensing system, minimising the number of licenses required for development in the marine environment
- Marine conservation: improved marine nature and historic conservation with new powers to protect and manage areas of importance for marine wildlife, habitats and historic monuments
- Seal conservation: improved protection for seals and a new license system to ensure appropriate management
- Enforcement: a range of enhanced powers of marine conservation and licensing

The central policy statement by the Scottish Government is *Scotland Performs*, which states the purpose of the Scottish Government as follows:-

"To focus Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth."

To achieve this, it proposes five Strategic Objectives:-

Wealthier and fairer: Enable businesses and people to increase their wealth and more people to share fairly in that wealth.

Smarter: Expand opportunities for Scots to succeed from nurture through to life long learning ensuring higher and more widely shared achievements.

Healthier: Help people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to health care.

Safer and stronger: Help local communities to flourish, becoming stronger, safer

*place to live, offering improved opportunities and a better quality of life.
Greener: Improve Scotland's natural and built environment and the sustainable use
and enjoyment of it.”*

Further information on the Scotland Performs policy statement visit the Scotland Performs' website (<http://www.scotland.gov.uk/About/scotPerforms>).

A full detailed list of relevant national policies and strategies can be found in Appendix A.

3.3. Baseline data: relevant aspects of the current state of the environment

The Environmental Assessment (Scotland) Act 2005 Schedule 3 requires that the Environmental Report includes a description of the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the SSMEI SoMMSP, and “the environmental characteristics of areas likely to be significantly affected”. This section aims to describe the environmental context within which the SSMEI SoMMSP operates and the constraints and targets that this context imposes on the SSMEI SoMMSP.

Environmental baseline data is relevant information that effectively describes or quantifies the current status of the environment. Collation and assessment of baseline data is essential to the SEA process in order to effectively assess the impact the objectives and actions of the plan are likely to have on the environment. Of course the environment is subject to continual change. Such changes can be either natural, such as annual or seasonal trends, or through human activity and may need to be taken into consideration during the assessment process. It is also essential to bear in mind that the data collated only reflects the current state of knowledge. Despite increasing interest and governance over marine and coastal regions our knowledge of these areas is far from complete and large knowledge gaps still exist. Data limitations and the resultant implications for the Plan and the SEA are dealt with later in this chapter.

During construction of the SoMMSP data was gathered from a number of sources relating to habitats, species, fishing grounds and activities, mariculture activities, recreational areas, water environment, the historical and cultural environment. In order to provide spatial context, the data was collated into a series of GIS maps and overlaid on a base map for the Sound of Mull coastline. This approach enables appreciation of resource use, interaction between sectors and potential areas of conflict. Data sources included government agencies, organisations, local associations, community council and local resource user representatives, including, but not limited to:

- SEPA
- SNH
- Historic Scotland
- West of Scotland Archaeological Service
- Crown Estate
- Argyll and Bute Council
- Highland Council
- Tobermory Harbour Authority
- Hebridean Whale and Dolphin Trust
- Mull Aquaculture and Fisheries Association
- Argyll Charter Boat Association
- Scottish Water

The approach of SoMMSP was to maximise local stakeholder involvement. This process has been achieved through formation of a Working Group and targeted

Liaison Groups. As a result, a great deal of local knowledge and detail has informed the formation of the environmental baseline for the Plan.

A list of all baseline data sources used in writing this Environmental Report can be found in Appendix B.

The early stages of construction of the plan highlighted a number of notable data gaps for the Sound of Mull area. This led to a number of small studies being carried out to address key data gaps, namely

- Socio-economic study of the Sound of Mull
- Landscape/Seascape capacity for aquaculture and coastal infrastructure
- Common skate project
- Seasearch dive survey work to confirm existing species and habitats of importance and some limited surveying of new sites

3.3.1 SoMMSP area

The Sound of Mull refers to an inshore marine area between the north shore of the Isle of Mull and Morvern. For the purposes of this study the Sound of Mull is defined as that area between Duart Point on Mull and Rubha an Ridire on Morvern to the south east and between Auliston Point on Morvern and Ardmore Point on Mull to the north west.

Both the Isle of Mull and Morvern/Arndnamurchan are largely rural regions with small populations. Much of the region is mountainous in nature and land use is dominated by low intensity agriculture and forestry. On both sides of the Sound of Mull the settlement areas are confined to the coastal fringes. On Mull the main settlement areas of relevance are Tobermory, Salen, and Craignure. The main settlement on the Morvern side is the village of Lochaline. The area experiences a significant increase in tourism activity in the summer, attracted by the natural beauty and tranquillity of the area. The region is influenced by a number of key sectors including fisheries and aquaculture, tourism and public services. Many of the socio-economic influences upon the Sound of Mull originate from outside the direct locality. This includes tourism originating from Oban, maritime traffic and industries passing through the Sound as a transport corridor.

The Sound of Mull is relatively sheltered and acts as a major through route from the inner stretches of North Argyll and the Lynn of Lorne out to the Outer Hebrides and the Atlantic. As a result it provides passage for ferries not only to Mull itself, but to the Outer Isles (Barra, South Uist, Coll and Tiree). It is also a major sailing route for yachts and charter boats. The SoM is also a major route for cetaceans and has an abundance of marine and coastal wildlife.

3.3.2 Biological Environment

Biological data utilised during construction of the plan was sourced from a number of organisations, including SNH (habitats, protected species), Hebridean Whale and

Dolphin Trust (marine mammals), Argyll and Bute Biodiversity Partnership, Marine Lab Aberdeen (seabed habitat predictive models), JNCC (habitats and protected species) and RSPB (sea eagles).

A number of sites within the Sound of Mull area are recognised as internationally important. On the coastal stretches of the Sound 3 sites are designated as Sites of Specific Scientific Interest (SSSI) for woodland interest. One SSSI is also designated for the presence of otter (*Lutra lutra*). One woodland site is also designated as a Special Area of Conservation (SAC). The islands of Glas Eileanan have been designated as a Special Protection Area under the EC Birds Directive. This small site (1.43 ha) supports the largest breeding colony of common tern (*Sterna hirundo*) in the UK⁵.

There are currently no designated marine SAC's within the area covered by the SoMMSP. However, marine SAC 'Eileanan agus Sgeiran Lois mór'⁶ is in close proximity. This site has been designated for the common seal '*Phoca vitulina*' and the population is estimated to represent approximately 2 % of the total UK population. There are several seal haul out sites within SoM and given the foraging range of the common seal (up to 50 km) it is possible that seals from the SAC utilise the waters of the Sound of Mull.

Habitats

Several habitats within the Sound have been identified under the UK Biodiversity Action Plan⁷ (UKBAP) or Local Biodiversity Action Plans (Argyll and Bute LBAP⁸ and Lochaber LBAP⁹). These include the following

- Seagrass/Eelgrass beds (*Zostera* sp)
- Horse mussel beds
- Coastal saltmarsh
- Deepwater mud habitat
- File shell beds (*Limaria hians*)
- Sea pen and burrowing megafauna communities

Near shore habitats in the Sound of Mull are dominated by *Laminaria* beds on infralittoral rock habitat or sandy sediment mixed infralittoral rock with *Laminaria*. Deeper water habitats in the middle of the Sound are dominated by muddy sediment with burrowing megafauna.

Species

A number of species occurring within the Sound of Mull are recognized at International or EU level as requiring protection. In addition to species mentioned above, marine mammals such as bottlenose dolphin and harbour porpoise frequent the Sound and are protected at EU level, while the harbour porpoise is also protected under OSPAR. Fish species such as wild Atlantic salmon (*Salmo salar*), common skate (*Dipturus batis*) and basking shark (*Cetorhinus maximus*) are all considered of

⁵ <http://www.snh.org.uk/pdfs/about/classifiedSPAs.pdf>

⁶ http://www.snh.org.uk/pdfs/about/directives/Eileanan_agus_Sgeiran_Lios_mor.pdf

⁷ <http://www.ukbap.org.uk/>

⁸ <http://www.argyll-bute.gov.uk/biodiversity/>

⁹ <http://www.highlandbiodiversity.com/>

international significance and protected under OSPAR. The UKBAP and LBAPs for Argyll and Bute and Lochaber (part of Highland biodiversity) lists a number of species that occur in the Sound including;

- Knotted wrack-*ecad mackii* (intertidal seaweed)
- Maerl (calcified red seaweed) (also recognised under OSPAR)
- Fireworks anemone
- Tall sea pen
- Northern sea fan
- White-tailed sea eagle
- Golden eagle

Potential environmental issues

The relevant potential natural environment related issues relevant to the Plan are summarised as follows

- Impacts on protected sites (SAC's, SPA's and SSSI's)
- Threats to conserved species (eg cetaceans, common skate and mearl) and habitats (eg seagrass beds and coastal saltmarsh)
- Loss of biodiversity
- Introduction of non-native or invasive species
- Overfishing
- Disturbance/destruction of species and habitat
- Increasing awareness of biodiversity

A full list of the all environmental issues relevant to the Plan can be found in Appendix C. Appendix C also gives indication as to the nature of the impact and if they have been considered by the objectives of the Plan.

3.3.3 Water

The Water Framework Directive (2000) (WFD) provides the legislative framework for the protection, improvement and sustainable use of the water environment. The WFD was translated into the Water Environment and Water Service Act, WEWS, (Scotland) in 2003, which sets out the framework for preventing deterioration of the water environment and, where possible, restoring water resources to 'good' ecological status by 2015 in accordance with WFD¹⁰. Scotland has been divided into 2 river basins – Scotland and Solway Tweed. Each district will have a river basin management plan, RBMP's (published Dec 2009) set out the management strategy required to prevent deterioration of the water environment and restore or maintain surface water and ground waters to good ecological status by 2015. The Sound of Mull forms part of the 'Scotland' river basin district and covered by the Argyll and Lochaber Area Management Plan, supplementary to the district RBMP, which will be published in 2010.

The general water environment and the water resources of the Argyll area is judged to be of high quality¹¹. Protection of its water environment is regarded as key given that much if the water resource use in the area is dependant on a pristine water

¹⁰ http://www.opsi.gov.uk/legislation/scotland/acts2003/asp_20030003_en_2

¹¹ Argyll and Lochaber Draft Area Management Plan 2009-2015

environment. Assessment of the water environment, through the RBMP, involves a classification scheme, whereby all impacts on the water environment (including water quality, engineering works, impoundments and abstraction) are taken into account. The coastal waters of the Sound of Mull have been classified as 'moderate' ecological status. This classification is largely driven by the status of the benthic invertebrate communities at the monitoring site, which is located outside the Sound of Mull in Loch Linnhe, and therefore not necessarily a reflection on the state of water environment within the Sound.

Under WEWS a register of protected areas has been established. Protected areas include bathing waters, drinking water areas, economically significant species (shellfish growing waters {Directive 79/923/EEC}, and freshwater fish {Directive 78/659/EEC}) and nature conservation sites.

Under the Shellfish Waters Directive and EU Hygiene Regulations areas used to harvest shellfish for human consumption must meet bacteriological standards. Bacteriological standards of shellfish harvesting areas (EU Hygiene Regulations) are monitored by the Food Standards Agency (Scotland) and based on *Escherichia coli* (*E. coli*) levels. Shellfish Growing Waters are monitored by SEPA for a variety of parameters including metals, dissolved oxygen, salinity, organohalogenes and faecal coliforms.

Within the Sound of Mull there is one designated shellfish harvesting area, situated in Tobermory Bay, and is designated for common mussel and pacific oyster. The site is a small area adjacent to Calve Island, and in recent years (2004 and 2005) the site has failed compliance monitoring standards for shellfish growing waters (under the Shellfish Waters Directive), including faecal coliforms standards. There are no results from 2006, but the site did comply in 2007. Since 2005 improvements to the sewerage infrastructure for Tobermory should contribute to improved microbiological conditions within the shellfish waters.

Shellfish Hygiene (under EU Hygiene Regulations) classification of shellfish harvesting areas for the Sound of Mull are as follows;

- Tobermory
 - Pacific Oysters (*Crassostrea gigas*) Classification B January to December inclusive
 - Common mussel (*Mytilus edulis*) A: November to May inclusive; B: June to October inclusive

Relevant shellfish classification details for the site are as follows;

- A. Approved for direct consumption (< 230 *E. coli* (per 100g flesh and intervalvular fluid).
- B. Must be depurated, heat treated or re-laid to meet category A (< 4600 *E. coli* (per 100g flesh and intervalvular fluid).

Pollution and marine discharges

The water environment of the Argyll and Lochaber area is generally regarded as of good quality. However the water environment is subject to a range of pressures, some of which may impact coastal waters. Pollution issues that are relevant to coastal waters such as the Sound of Mull can be point source (sewage treatment discharges, aquaculture) or diffuse (agricultural runoff, forestry runoff, coastal water transport). In particular, run off from agricultural, has been shown to have serious implications for microbiological compliance of some bathing waters and shellfish waters therefore the influence of diffuse agricultural run off should be considered where designated waters fail compliance standards. Pollution can be biological, chemical or physical (marine litter). Pollution can have serious implications for water quality as well as for human health where pollutants impact bathing, recreational and shellfish growing waters.

In the Sound of Mull SEPA (Scottish Environment Protection Agency) list 16 licensed sewage discharges. These include several public network sewage discharge points as follows:

- Tobermory
 - 1 waste water treatment works (WWTW), 1 combined sewer overflow (CSO)/emergency overflow (EO), 1 EO
- Craignure
 - 2 septic tanks
- Lochaline
 - 2 septic tanks

Given the rural and remote nature of much of the coastline of the Sound of Mull, it is possible that some domestic and small commercial properties are not be served by the public sewage network. Some properties may have a private septic tank while some older shore-side properties may discharge raw sewage directly into the coastal waters. It was not possible to collate the details of non-public network sewage discharges to the Sound of Mull within this report. Some properties will have discharge consent license, but not necessarily all properties with private facilities. SEPA will be able to provide details of properties that do hold a discharge consent license.

Potential environmental issues

The relevant potential water issues relevant to the plan are summarised as follows;

- Pollution - diffuse and point source
- Marine litter

A full list of the all environmental issues relevant to the Plan can be found in Appendix C. Appendix C also gives an indication of the potential impacts and if they have been considered by the objectives of the Plan.

3.3.4 Climate

The state of the climate has the potential to impact across the environmental conditions in any system. Directly it affects weather patterns and can impact on sea state. This has implications in the short term (for example increase in storm and flooding events) and the longer term, such as sea level rise and increases in temperature. In 2009 the latest projections for the UK climate, UK Climate

Projections 2009, were launched. Sea level projections for the UK have been estimated at 13-76 cm by 2095¹². Climate change can also affect habitat conditions and ultimately impact species distribution and biodiversity. As the environment shifts in response to climate change there may be clear implication for the economy, social wellbeing and health of the population. Impacts are, however, difficult to predict both in nature and scale.

Potential implications of climate change that may be of relevance for the Sound of Mull include, increased incidence of storms, increase in wave height, increased risk of coastal flooding, sea level rise and increased coastal erosion. How these issues will actually impact the waters and coastal fringes of the Sound of Mull cannot be accurately predicted at this time however coastal habitats, homes, infrastructure and businesses may be at risk.

Potential environmental issues

A number of climate related issues need to be considered as part of the Plan.

- Increased likelihood of coastal flooding
- Increased storm events
- Sea level rise

Appendix C gives a full indication of the relevant issues and the nature of any potential impacts. Appendix C also indicates if they have been considered by the objectives of the Plan.

3.3.5 Population

A socio-economic study of the Sound of Mull¹³ area was carried out as part of the SSMEI Sound of Mull Pilot project. The following data was extracted from that report. Full account of the socio-economics of the area can be found in the report.

Population and demographics

The resident population of the Sound of Mull was approximately 2172, according to the 2001 Census figures, a population density of approximately 3 persons/sq.km. This compares to the national average of 65 persons/sq.km. The population age structure is comparable to the national average, with slightly higher percentage in the 45-59 age group¹⁴.

There is a strong tradition of non-Scottish and non-UK nationals residing in the area. The proportion of Sound of Mull residents born outside of Scotland was significantly higher (31 % all countries, 26% from the rest of the UK) than the national (13 %) average. This may be linked to people settling in the region for work or 'quality of life' factors.

¹² <http://ukclimateprojections.defra.gov.uk/content/view/1843/518/>

¹³ Social Economic Review of the Sound of Mull. Scottish Association for Marine Science, for the SSMEI Sound of Mull Pilot Project 2009

¹⁴ For the purposes of this study the village of Kilchoan and the surrounding areas are also included in the population, employment and SIMD data. Despite being on the western peninsula of Ardnamurchan, Kilchoan has close ties to Tobermory and Mull.

Scottish Index of Multiple Deprivation

The Scottish Index of Multiple Deprivation (SIMD) compares the relative deprivation experienced by residents across Scotland. The index is compiled by combining a range of data domains including income, housing, crime, health, education, access to services, training and skills. The combined SIMD rankings for the communities in the study area all ranked in the mid range. For instance, the SIMD index for 2006 indicated that the North Mull area was ranked at 3416 out of 6505, while the Tobermory area was ranked at 4845.

In terms of the sub indices the study area did not perform well in terms of the Public Transport index and Access to Services index. Four out of 5 of the areas in the Sound of Mull were ranked in the top 5 most deprived in both indices. Various factors contribute to these results including lack of public transport, rural and remote nature of much of the study area, low population levels and limited road network.

The Crime index ranks for the study area were low, with majority of areas ranked among the 20 % least deprived in terms of recorded crime (i.e. rankings 5204 -6505). Tobermory had the highest Crime ranking at 4807. In Education, Skills and Training index and Employment index the majority of the study area was ranked in the best 30% in Scotland.

Employment

Employee figures for 2006 indicate that the Public Services sector is responsible for a significant proportion of employment in the Sound of Mull area. The Hotels and Restaurants sector is also an important sector in Sound of Mull. Nationally the Fishing and Aquaculture sector accounts for 0.2 % of employment, in contrast to 6 % in the Sound of Mull. However, the level of employment in this sector across both Argyll and Bute and Highland had fallen from 1996 figures. Please note figures on employment and workplaces for the area of the Sound of Mull can not be detailed as a result of issues of confidentiality and disclosure (see Social Economic Review of the Sound of Mull for more details).

Tourism

The natural beauty and scenic character of the west coast of Scotland, including the Sound of Mull attracts many visitors for recreation and leisure. Although accurate figures for the number of tourists visiting the Sound of Mull area are not available, in 2006 it was estimated that in the Highlands and Islands area visitor expenditure reached £750 million, with 2600 businesses involved in the tourism industry.

Marine leisure tourism is a strong sector within the Sound of Mull, with a diverse range of activities undertaken and provided for within the area. The most popular sectors are sailing, diving, wildlife watching and sea angling. The area is also frequented by leisure cruise boats with passengers disembarking at Tobermory to enjoy the local scenery and attractions of the Isle of Mull.

Potential issues affected by the plan

The Plan may impact the population of the Sound of Mull. The social and economic issues relevant to the Plan are summarised as follows;

- Increased levels of recreational water use
- Increased activity on shoreline and coastal fringes

- Increased tourism, particularly marine based tourism
- Increased water traffic
- Scale of marine and coastal based industries (eg aquaculture and fisheries)

A full list of the all social and economic issues relevant to the Plan can be found in Appendix C. Appendix C also gives indication as to the nature of the impact and if they have been considered by the objectives of the Plan.

3.3.6 Material Assets

Piers, pontoons, moorings and slipways

The Sound of Mull is a popular sailing and yachting area. The main sailing facilities are in Tobermory and managed by the Tobermory Harbour Association. The facilities include moorings and a pontoon. Other association moorings are also available in Lochaline and Salen (172 association moorings in total in Sound of Mull). There are also a number of private moorings and one commercial mooring.

There are three public piers available for public use and 8 private piers. There is also a private disused pier located in Salen. Public slipway and jetty facilities include three slipways in Craignure, two in Tobermory Bay and one in Drimnin. There is also a disused public jetty located in Salen. Private facilities are located in Scallastle Bay, Locahline, Tobermory Bay and Duart Bay.

Pipelines and cables

There are 16 licensed discharges in the Sound of Mull area. This includes 5 public sewage network pipelines. More details on sewage discharges are provided under the Water section above.

There are 3 power cables in the area (Fishnish to Lochaline, Aros to Calve Island and Lochaline north shore to Lochaline south shore)

A number of navigational aids are found throughout the area including buoys, beacons, lights and top marks. Locations of the navigational aids are given in the Plan.

Potential environmental issues

There are a number of environmental issues relevant to material assets of the area that need to be considered by the Plan;

- Efficient use of infrastructure
- Integrity of material assets
- Impacts from climate change related issues such as increased flood risk, sea level rise, increased occurrence of storms

A full list of the all environmental issues relevant to the Plan can be found in Appendix C. Appendix C also gives indication as to the nature of the impact and if they have been considered by the objectives of the Plan.

3.3.7 Historic and Cultural Heritage

The west of Scotland, including the Sound of Mull has a rich cultural heritage and has a wealth of sites, monuments, buildings and wrecks of historic significance. The Sound of Mull has 75 listed buildings and 31 scheduled monuments. Scheduled and ancient monuments are sites of national importance and are protected under the Ancient Monuments and Archaeological Areas Act 1979. Listed buildings are recognised as having special historical or architectural significance and are thus protected by law. They require special consideration during planning and any works that may change, damage or compromise listed buildings must have a listed building consent. The Scottish Planning Policy 23; Planning and the Historic Environment (2008) provides a framework for protection, conservation and enhancement of the historic environment and indicates how the planning system contributes to the delivery of the Scottish Historic Environment Policy (SHEP 2008).

Submerged coastal and marine archaeological heritage of Scotland is extensive. The Sound of Mull is no exception with approximately 24 known wreck sites. Designated historic wrecks are afforded special protection by law and the Sound of Mull has two out of total of 15 historic wrecks in Scottish waters. Such wrecks are protected from salvage, damage or removal under the protection of Wrecks Act (1973) through Historic Scotland.

It is unlikely that the Plan will have detrimental effects on the historic and cultural environment of the Sound of Mull, However, many of the scheduled monuments and listed buildings are in close proximity to the shoreline therefore protection of the historic and cultural environment must be fully considered during construction and implementation of the Plan as well as during monitoring of the performance of the Plan.

Potential environmental issues

There are a number of cultural and historic heritage issues relevant to the Plan and are summarised as follows

- Impacts on protected historic environment
- Loss or damage to coastal and marine heritage
- Increased awareness of cultural and historic environment
- Increase in tourism

A full list of historic and cultural heritage issues relevant to the Plan are listed in Appendix C. This list details the potential impacts and indicates if the impacts have been considered by the objectives of the Plan.

3.3.8 Landscape/Seascape

Landscape capacity assessments examine the degree to which a landscape character can accommodate change without significant detrimental change to the character. The capacity for change can be affected by the nature of the proposed changes¹⁵. They are particularly useful assessments in areas of natural beauty where small changes can have a significant effect of the scenic nature of an area. Coastal developments such as

¹⁵ 'Landscape Character Assessment: Guidance for England and Scotland' Swanwick, C. and Land Use Consultants, 2002

aquaculture and coastal infrastructure (eg housing development, harbours) have the potential to alter the landscape character of coastal regions.

As part of the SSMEI Sound of Mull pilot project a landscape/seascape study was carried out to assess the capacity for aquaculture and coastal infrastructure within the Sound of Mull. The aim of the study was to identify the relevant features of aquaculture and coastal infrastructure development and produce development scenarios suitable for the landscape and seascape character of the Sound of Mull. The study concluded that current coastal infrastructure and aquaculture capacity fits well with the local landscape character of the Sound of Mull. Furthermore, opportunities for coastal infrastructure development may be limited to expansion at existing infrastructure or settlement sites. The nature of the landscape and seascape attributes of the Sound provides limited opportunity for new aquaculture development, particularly large scale offshore developments. However, there may be potential for expansion of existing aquaculture sites while maintaining seascape character at those sites.

Landscape designations

Two areas in Morvern have been designated by Highland Council under ‘Area of Great Landscape Value’. Along the Mull coastline a large stretch of land adjacent to the Sound has been designated a Local Scenic Area by Argyll and Bute Council.

Potential environmental issues

A number of landscape and seascape issue are relevant for the Plan. These are summarised as follows

- Loss of scenic amenity
- Increased awareness of scenic amenity

Appendix C provides more detail on the potential landscape/seascape issues relevant to the Plan, as well as an indication of associated impacts and indicates if these have been considered by the objectives of the Plan.

3.3.9 Data Limitations

Effective management of the marine environment is dependant on adequate knowledge, information and data concerning the area to be managed. The marine and coastal environment of Scotland represents a large area. Monitoring of the marine environment is inherently more difficult than in terrestrial environments and can be prohibitively expensive. Therefore our current state of knowledge (represented by available data and information) of marine and coastal areas may not represent the complete picture. This may be of particular relevance for areas such as the Sound of Mull where few comprehensive marine studies have taken place. However, as our appreciation and recognition of the value of marine areas increases, there is better awareness of the data gaps and data limitations. Recommendations for the Irish Sea Pilot¹⁶ study point to the need for a more coherent strategy for marine data collection and organisation (JNCC 2004). Therefore it is essential that any data arising for the Plan or its monitoring measures should contribute to a better understanding of the marine environment for the wider audience.

¹⁶ <http://www.jncc.gov.uk/page-2767>

The data used to construct and implement the Plan should, of course, be made available to potential planners and developers and should be used to assist in decision-making. However, given the lack of targeted and detailed environmental data for the Sound of Mull collection of additional data may be essential for new or expanding developments as part of the regulatory process. As an example, a new aquaculture development or expansion proposal will still be subject to regulatory requirements and further data or evidence may be required for certain developments, for instance where an Environmental Impact Assessment (EIA) is required. Therefore data contained within the Plan should not be regarded as the complete dataset required for development proposals.

4. SEA Assessment Approach

This chapter sets out the approach used in this SEA to assess the potential environmental performance of the SoMMSP. As the Plan takes a holistic view of the Sound of Mull area, and as previously discussed, does not have any measurable effects of itself, the assessment matrix will focus on assessing how the objectives as laid out in the policies of the Plan, if implemented, will impact on the different SEA Topics and the associated environmental issues that have relevance to the Sound of Mull MSP (see Appendix C). Therefore, this SEA will identify and evaluate the potential environmental impacts of the policies within the Plan, including any cumulative effects. The SEA will further inform the final draft of the Plan by ensuring that, where necessary, effective mitigation measures are taken into consideration and that appropriate monitoring is established to assess the plan during implementation phase. Comments made by Consultation Authorities during the Scoping phase of the SEA have been taken into consideration in finalising the assessment approach.

The SEA will not address detailed issues associated with site specific development and does not replace the need for targeted surveys and studies which are required to assess the environmental effects of a specific development. It is recommended that the Plan develop long term monitoring arrangements and indicators to evaluate the effect of the strategy over time.

4.1 SEA Topics considered in the SEA

The Environmental Assessment Act (Scotland) 2005 specifies a range of environmental topics that should be considered as part of the environmental assessment of any plan, programme or strategy. All environmental topics were considered and then scoped in or out of the SEA in order to reflect those topics relevant to the nature and scope of the SoMMSP. This was done through careful consideration of likely environmental effects the Plan may have on all of the 12 topics. Through this process the following topics were selected as being relevant to the Plan;

- Biodiversity, flora and fauna
- Population and human health
- Water
- Climate
- Historic and cultural heritage
- Material assets
- Landscape/seascape

Environmental topics air and soil were both scoped out of this SEA as it was considered that given the marine nature of the Plan, it was unlikely to have any measurable effects on either of these topics. It was deemed that any measurable effects on the seabed would be more appropriately considered under ‘Biodiversity, Flora and Fauna’.

4.2 SEA Objectives

The development of focussed SEA objectives, under each of the scoped in topics, is a recognised way in which the relevant environmental considerations can be described, analysed and compared. As part of the scoping phase a suite of SEA objectives were devised to reflect the environmental issues relevant to the Sound of Mull and to facilitate appropriate assessment of the environmental performance of the Plan against all the SEA Topics scoped in to the assessment process (through the Scoping Report). The objectives were driven by environmental objectives established through national and international law and policy, such the Habitats Directive and OSPAR. Comments from the Consultation Authorities on the chosen objectives and indicators were fully integrated into the set of objectives finally selected for inclusion in this Environmental Report.

Table 1 shows the objectives selected as relevant to the Plan. In association with each of the objectives, a series of questions were devised in order to facilitate assessment environmental performance of the Plan against each SEA Objective. Table 1 further provides a list of details and indicators, as well as, monitoring and mitigation measures relevant to the SEA Objectives being assessed.

4.3 Assessment framework

The PPS and its alternatives have been assessed against the list of environmental issues set out in Schedule 3 of the Environmental Assessment (Scotland) Act 2005. Comments from the Consultation Authorities (SNH, SEPA and The Scottish Ministers (Historic Scotland)) have been taken into account regarding the methods, scope and level of detail in this Environmental Report.

The elements of the Plan were assessed against the SEA objectives, facilitated by the devised questions, as listed in Table 1, in order to determine the environmental effects of the Plan. Each element was assessed to ascertain whether the nature of the impact, positive, negative or neutral, the scale (highly significant to mildly significant).

A colour coding system is used to assess the objectives of the Plan and give visual identification of the most pronounced affects of the Plan as well as the cumulative effects (Table 2). Note that where Plan objectives have potential positive *and* negative effects, this will be reported as such. In the example below (Table 3), each part of the PPS has a neutral or positive overall impact (reading ‘down’), but the policies cumulatively have a significant adverse effect on climatic factors (reading ‘across’). In such a case, it is good practice to review to see whether they cannot be changed so as to reduce their joint effect. Negative and positive effects should *not* be assumed to cancel each other out.

Table 1. SEA Objectives and Indicators.			
SEA Topic	SEA Objective	SEA Questions	Relevant Indicators and monitoring measures, mitigation
Biodiversity, fauna and flora	<ul style="list-style-type: none"> • Protect threatened and/or protected species and habitats • Maintain and where appropriate enhance biodiversity • Promote opportunities for people to come into contact with and appreciate the natural environment 	<ul style="list-style-type: none"> • Does the Plan provide protection for Internationally (SPA's and SAC's) and Nationally (SSSI's) designated and protected sites, habitats and species? • Does the Plan provide protection and consideration for locally important species and habitats? • Does the Plan provide guidance on enhancing the biodiversity and natural environment of the area? 	<ul style="list-style-type: none"> • Guidance and advisory tools for relevant stakeholders, local communities and businesses. • Condition of designated sites through Site Condition Monitoring • Monitoring of achievement and status of Biodiversity Action Plan (BAP) targets • Status and extent of threatened and protected species and habitats (eg through BAP monitoring or population counts). • Highlight opportunities for interpretation development and wildlife watching • Collation of marine and wildlife tourism figures • Number of development applications with potential adverse or positive impacts on protected or threatened species, habitats or sites
Population and human health	<ul style="list-style-type: none"> • To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development 	<ul style="list-style-type: none"> • Does the Plan provide guidance on appropriate development and activities within the Sound of Mull, addressing the needs of the local and tourist community balanced with the need to protect the nature and integrity of the local environment. • Does the Plan promote opportunities for outdoor recreation • Does the Plan contribute to long-term viability of the Sound of Mull communities 	<ul style="list-style-type: none"> • Reference base for stakeholders that will facilitate appropriate and informed decision making in the Sound of Mull. • Assessment and monitoring of planning and development applications to ascertain beneficial and adverse impacts to the environment, communities or tourism potential • Highlight and encourage development opportunities that consider constraints and interactions between communities, sectors and the environment. • Population size, age structure, employment and Scottish Index of Multiple Deprivation trends in Sound of Mull communities

Table 1. SEA Objectives and Indicators.			
SEA Topic	SEA Objective	SEA Questions	Relevant Indicators and monitoring measures, mitigation
Water	<ul style="list-style-type: none"> • Reduce water pollution within the Plan area • Maintain and/or restore the water environment and key ecological processes 	<ul style="list-style-type: none"> • Does the Plan take account of the Water Framework Directive? • Does the plan give adequate protection to the water environment of the Sound of Mull? • Does the Plan provide adequate guidance to stakeholders and communities on the protection of key ecological processes? 	<ul style="list-style-type: none"> • Guidance on appropriate marine developments. • Monitoring of pollution incidents affecting Sound of Mull. • Information to support stakeholders and communities in maintenance of key ecological processes • Number of Shellfish Growing Waters passing EU mandatory and guideline bacteriological standards • Monitoring of achievement of WFD ‘good’ ecological status target
Climate	<ul style="list-style-type: none"> • Reduce vulnerability to the effects of climate change (e.g. sea level rise, coastal erosion, flooding) 	<ul style="list-style-type: none"> • Does the Plan provide adequate advice and protection from coastal flooding or erosion? 	<ul style="list-style-type: none"> • Advice on suitable areas for coastal and marine construction • Indication of areas vulnerable to coastal flooding • Number of planning applications in areas affected by flooding or coastal erosion, or where flood risk has been assessed
Historic and Cultural Heritage and Landscape/ Seascape	<ul style="list-style-type: none"> • Protect and, where appropriate, enhance marine and coastal historic and cultural sites • Protect and enhance landscape/seascape qualities of the area 	<ul style="list-style-type: none"> • Has the Plan made an adequate assessment of the historic environment and the landscape qualities of the Sound of Mull • Does the Plan provide adequate protection for the historic and cultural environment of the Sound of Mull? • Does the Plan provide adequate protection of the landscape and seascape qualities of the Sound of Mull 	<ul style="list-style-type: none"> • Advice and guidance tools for stakeholders and local communities on the protection of the historic environment and landscape/seascape of the Sound of Mull • Number of planning applications where historic or cultural sites or the seascape qualities of the area may be affected • Raising awareness of the historic environment and landscape/seascape of Sound of Mull
Material Assets	<ul style="list-style-type: none"> • Protect maintain and enhance important coastal infrastructure • Promote efficient use of marine and coastal infrastructure 	<ul style="list-style-type: none"> • Does the Plan take full account of important marine and coastal material assets in Sound of Mull? • Does the Plan encourage the efficient resource sharing of infrastructure 	<ul style="list-style-type: none"> • Guidance on important marine infrastructure and resource sharing. • Details on number and condition of accessible jetty’s, harbours and moorings sites and major infrastructure. • Number of applications where important material assets may be affected or where resource sharing is considered in the application

Table 2. Colour coding system used to assess the objectives	
Significant positive effect	
Positive effect	
Neutral or unknown effect	
Negative effect	
Significant negative effect	

Table 3. Identifying and assessing the cumulative effects of the plan across the SEA issues/topics.						
SEA topic	Part of Plan / Alternative (e.g. policy 1-7)					Potential cumulative impact of PPS
	1	2	3	4	5	
Biodiversity etc.						Positive effect
Population						Significant positive effect
Water						Neutral effect
Climatic factors						Potential significant adverse effect - suggest appropriate mitigation measures here
Material assets						Minimal negative effect – however mitigation may be required for some policies
Cultural/historic heritage						
Landscape/seascape						
Interrelationship				

cumulative effects on SEA topic can be identified by 'reading

5. Assessment of the Sound of Mull MSP

This chapter presents the results of the SEA assessment of the SoMMSP. The objectives are assessed individually and the results will be brought together to summarise the overall effects for the Plan as a whole.

5.1 General Policies

The SoMMSP provides two general policies, SOM G1 and SOM G2. These policies provide a ‘policy backbone’ to which all other policies are connected. SOM G1 is the ‘Community’ Policy and aims to ensure the needs of the community and resource users are integrated into the Plan, while maintaining and encouraging sustainable growth. SOM G2 is the ‘Development and Activity’ Policy. It provides overall guidance to all developments and activities to all sectors and resource use. The main aim of the policy is to ensure that all developments and activities are sustainable within the context of all the other sectors. The Policy safeguards the natural and historic environment, community, infrastructure and existing activities through the ‘Features of Interest’. This policy also aims to comply with both Highland and Argyll and Bute Development Plan Policies.

Assessment results for SOM G1 and SOM G2 can be found in Table 4.

5.2 Sectoral Policies

Within the Plan each Sectoral Policy (eg Inshore Fishing, Aquaculture, Recreation and Tourism etc) has a separate ‘Development and Activity’ policy (eg AQ1 is the ‘Development and Activity policy for the aquaculture sector). Each policy states that development and activity opportunities must comply with Policy SOM G2, and this has been taken into consideration as part of the sectoral policy assessments. Activities and sectors within the Sound of Mull may interact to some degree. Each sectoral policy identifies ‘soft constraints’ where there may be competitive interactions and ‘hard constraints’ where there is an incompatible interaction (i.e. where two activities cannot co-exist). The Plan actively discourages developments or activities where incompatible interactions (hard constraints) occur, while effective negotiation and mitigation is required between activities with a competitive interaction (soft constraint). Information on constraints and interactions is contained in the Technical Annex (TA). It should be noted that assessment of the policies includes the relevant information contained in the TA, as the constraints and interactions are central to the environmental performance and delivery of a plan with sustainable development at its heart. Full assessment of each sector can be found in Tables 5-11, as follows;

Inshore Fishing, IF1 and IF2 – Table 5

Aquaculture, AQ1 and AQ2 – Table 6

Recreation and Tourism, RT1 and RT2 – Table 7

Shipping and Transport, ST1 and ST2 – Table 8

Coastal and Marine Infrastructure, CMI1 and CMI2 – Table 9

Natural and Historic Environment, NHE1 – Table 10
Marine and Offshore Renewables, MR1 and MR2 – Table 11.

5.3 General comments on sectoral policy assessments

Each sector provides a good guide to current activities within the area, aided with detailed maps and, constraints and interactions information in the TA. This provides potential developers and other stakeholders with very useful information on the importance of sectors in the area and how the sectors interact with each other and the natural and historic environment. Assessment of interactions between the sectors is largely based on current low levels of competitiveness between sectors. Activities and resource use may change and this may alter the interaction between sectors. It is essential that all information on activities and interactions is kept up to date. This will maximise the effectiveness of the Plan both as a means to informing potential developers, regulators and stakeholders but also to maintain adequate protection for the environment.

5.3.1 Inshore Fishing Sector, IF1 and IF2

- The Plan prioritises support of the Mull and Small Isles Inshore Fishing Group (IFG) and its recommendations. The main purpose of the IFG is to develop management plans for inshore fishing areas and increasing sustainability of commercial stocks and this ultimately should contribute to preservation of commercial species. The Plan also prioritises encouraging schemes to reserve some local stock for local boats which will benefit local communities.
- The supporting TA provides a list of hard (incompatible) and soft (competitive) constraints). However, damage to sites, species and habitats of significance from mobile gear is not listed as a hard constraint. Designated protected wrecks are listed as a hard constraint. Other sectors list damage to sites, species and habitats of significance from chain and anchor scour as a hard constraint. This appears inconsistent in its protection of designated and protected natural history interests. Current inshore fishing activities may not occur where any such features occur, however interaction between the two sectors may change, either as a result of a change in fishing activities or a change in designation and protection of sites, species and habitats of significance. Either the wording of the Plan should be changed accordingly or the sectoral policy should recommend liaison with the local IFG to ensure that changes in fishing activity are notified.

5.3.2 Aquaculture Sector, Policy AQ1 and AQ2

- A targeted landscape /seascape capacity assessment was carried out as part of the Plan. This has given excellent, up to date information on the landscape and seascape characteristics of the area and has been used to good effect to inform opportunities, particularly within the aquaculture sector.

5.3.3 Recreation and Tourism Sector, RT1 and RT2

- Sector should encourage developments that demonstrate actions to safeguard protected or sensitive species, sites and habitats and/or those that aim to increase awareness of marine and wildlife sensitivities as part of the activity/development. Not all tourists will come into contact with wildlife or sensitive places as part of a formal tour or trip and may not be aware of voluntary codes of conduct. Interpretation points, public notice boards etc could act as a vehicle to inform the public of appropriate behaviour and recreation use within Sound of Mull.
- Developments that provide measures to mitigate impacts from increased numbers of tourists (increased litter issue, pressures on infrastructure etc) should be encouraged.
- An increase in sailing activities in the area could increase the risk of sewage discharges and possible reduction in water quality. Likewise, an increase in tourist numbers can place additional pressures on sewage infrastructure such that the discharge of sewage to the environment is increased. This can pose a risk to human health where shellfish waters are impacted. Recreational water users may also be at risk, although there are no designated bathing or recreational waters in the area. The risk to human health must be minimised and mitigation measures and guidance may be required, depending on the scale of increased tourism.

5.3.4 Coastal and Marine Infrastructure sector – Policy CMI1 and CMI2

- The Plan should consider the impact of climate related issues on existing coastal and marine infrastructure, given their importance to the local economy and populations. Appropriate actions or recommendations should be devised where existing infrastructure is at risk.

5.3.5 Natural and Historic Environment Sector and Policy NHE1

- Seabed habitat information provided in the Plan should be used as a guide only. Any development/activity disturbing or impacting the seabed is required to carry out full seabed habitat survey of area to confirm habitat type and any species of significance. This could reveal additional sensitive habitats or species and will augment current baseline information on the seabed habitats and conditions. The policy encourages projects that include mapping of known fragile species.
- An increase in interest in wildlife and the Sound of Mull landscape may put threatened species/habitats at risk of disturbance and damage. Interpretation development must safeguard wildlife and the landscape in order to protect from human activities.

- Spatial information on the historic environment provides a good guide for those using the Plan. Some guidance on the sensitivities of historic and cultural sites to certain activities, as is provided for the natural environment, could be useful to developers and regulators.

5.3.6 Marine & Offshore Renewable Energy Sector, Policy MR1 and MR2

- The sector descriptor details a site in close proximity to Sound of Mull that has been identified as having potential for tidal energy generation. Such a development (both during construction and operational phases) could have implications for mobile species such as marine mammals that frequent the Sound of Mull and surrounding waters. The constraints and interactions tables should be revised to reflect this issue.
- In the event that renewable energy initiatives come to light, either in the Sound of Mull or in close proximity, appropriate monitoring for both construction and operation of the installation must be devised. This should include monitoring of benthic impacts in the proximity of the installation as well as monitoring of sensitive species and habitats that may be affected by changes in water flow. Certainly monitoring of populations and distributions of mobile marine mammals and fish species (seals, cetaceans and common skate for example) should be considered.

5.4 General and Sectoral Policy assessment tables

Table 4. Assessment of Policies SOM G1(Community) and G2 (Development and Activity)			
SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Safeguards designated sites, protected habitats and species, and other sensitive sites, species and habitats • Safeguards UK and local BAP species and habitats, other sensitive sites, species and habitats 	<ul style="list-style-type: none"> • A feedback mechanism on the status of protected and sensitive sites, species and habitats during implementation, (through Site Condition Monitoring Reports) • Number of development applications that a) may affect protected/sensitive species, habitats and sites, b) recognise a potential impact but have made provisions to offset or mitigate predicted impacts. • Monitoring of BAP interests or achievement of UK BAP targets. Could be achieved in coordination with Local BAP Offices. See recommendations
Population and human health			
<p>To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development</p>		<ul style="list-style-type: none"> • Policies augmented with comprehensive guidance on legislation, regulations and plans as well as constraints and interactions • Safeguards community settlements and associated amenities • Safeguards public health and safety • Encourages sustainable business growth within a culture of enterprise • Recognises the important role of coastal and marine areas in the commercial activities of the area 	<ul style="list-style-type: none"> • Assessment and monitoring of planning and development applications to ascertain beneficial and adverse impacts to the environment, communities or tourism potential • Population size, age structure, employment and Scottish Index of Multiple Deprivation trends in local communities • Feed back mechanism to monitor how highlighted developments are taken up by the community or local businesses.
<p>Promote Opportunities for outdoor recreation</p>		<ul style="list-style-type: none"> • Safeguards designated sites, protected species, habitats, local biodiversity, water quality, historic environment interests and landscape/seascape quality 	<ul style="list-style-type: none"> • Monitoring of designated sites, sensitive habitats and species

Table 4. Assessment of Policies SOM G1(Community) and G2 (Development and Activity)			
SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Water			
Reduce water pollution within the Plan area Maintain and/or restore the water environment and key ecological processes		<ul style="list-style-type: none"> • Aims to comply with WFD and RBMP • Safeguards water quality of the area. • Plan would be enhanced by a description of the water environment (along the lines of the NHE section) • Plan aims to safeguard public health and safety • Provides a link to DEFRA’s indicators of Good Environmental Status 	<ul style="list-style-type: none"> • Monitoring of pollution incidents (data collated by SEPA). • Number of Shellfish Growing Waters passing EU mandatory bacteriological standards (available through FSAS) • Monitoring of achievement of WFD ‘good’ ecological status target • Number of development and planning applications where water quality may be impacted
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Aims to safeguard ecosystem function • Developments that have taken account of issues such as climate change, coastal erosion and flooding are considered more favourably developers. • Provides a link to SEPA website with flood risk guidance 	<ul style="list-style-type: none"> • Number of planning applications in areas affected by flooding or coastal erosion, or where flood risk has been assessed • Number of planning applications that have taken account of relevant climate issues – CO₂ emissions, flooding, sea level rise.
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Safeguards designated historic assets • Safeguards local historic or archaeological sites of interest • Safeguards current recreation and tourism interests 	<ul style="list-style-type: none"> • Monitor the number of planning applications that affect protected monuments, buildings or sites of archaeological interest • Guidance or reference to activities/developments to which cultural and historic sites might be sensitive.

Table 4. Assessment of Policies SOM G1(Community) and G2 (Development and Activity)			
SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Protect and, where appropriate, enhance the landscape/ seascape and character of Sound of Mull		<ul style="list-style-type: none"> • Safeguards landscape and seascape characteristics and visual amenity • Dedicated study of landscape and seascape characteristics and sensitivities. • Encourages developments that promote and utilise the natural and cultural assets of the area and its communities which make it distinct 	<ul style="list-style-type: none"> • Monitor the number of planning applications that the landscape, seascape and visual amenity
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal infrastructure		<ul style="list-style-type: none"> • Recognises the importance of coastal infrastructure • Safeguards important marine and coastal infrastructure 	<ul style="list-style-type: none"> • Number of applications where important material assets may be affected or where resource sharing is considered in the application

Table 6. Assessment of the Inshore Fisheries Sector, Policies IF1 and IF2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Provides comprehensive guide to the current fishing activities. Changes to fishing activity can change how fishing interacts with other sectors. Some mechanism is required to ensure information on fishing activities is kept up to date • List of hard constraints in relation to sites, species and habitats of significance should be consistent with the approach taken with other sectors. There is a risk to sensitive benthic species and habitats interests from mobile gear, even if current level of mobile gear activity is low • The sector prioritises support of recommendations from the local IFG which aims to provide sustainable management of commercial stocks • Designated and protected natural history interests are safeguarded through support of SOM G2 and the TA provides some detail of soft constraints with habitats and species. However, there is still potential for local impacts on seabed habitats from mobile gear. • Encourages fishermen to adopt relevant statutory management and voluntary codes of conduct • Impacts of benthic disturbance (from mobile gear activities) on vulnerable early life stages of the UK BAP species the common skate currently unknown. The Plan should provide/encourage measures to mitigate against potential damage or disturbance and increase provision of data on impacts. 	<ul style="list-style-type: none"> • Feedback mechanism, potentially involving local IFG, on fishing activities and any changing interactions with other sectors • Monitoring of stock levels, landings statistics for the area • Condition of sensitive or threatened habitats and species • Condition of BAP interests or achievement of BAP targets
Population and human health			
<p>To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development</p>		<ul style="list-style-type: none"> • Supports community consultation and development • Encourages sustainable growth in this sector • Promotes effective working relationships and positive interactions between all sectors • Prioritises support of schemes to reserve stock for local vessels 	<ul style="list-style-type: none"> • Assessment of employment and business base data to ascertain role of sector to local communities • Progress of initiatives to preserve stock for local fishermen

Table 6. Assessment of the Inshore Fisheries Sector, Policies IF1 and IF2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Promote Opportunities for outdoor recreation		<ul style="list-style-type: none"> • NA 	<ul style="list-style-type: none"> •
Water			
<p>Reduce water pollution within the Plan area</p> <p>Maintain and/or restore the water environment and key ecological processes</p>		<ul style="list-style-type: none"> • Safeguards water quality of the area through support of SOM G2. • TA recognises the need for good water quality and recognises the impact of reduced water quality on stocks and gear handling • TA recognises the impact on fishing from marine litter and accepts that some litter comes from fishing activities • Safeguards wider ecosystem function through support of SOM G2 	<ul style="list-style-type: none"> • Monitoring of pollution incidents from fishing vessels
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Policy not expected to have an impact on climate or climate related issues 	
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Safeguards designated historic sites and locally known sites through support of SOM G2 • Hard constraints recognise potential damage to protected wrecks • Fishing gear can damage marine historic interests such as wrecks, but equally damages fishing gear, therefore sites are normally avoided 	<ul style="list-style-type: none"> • Condition of designated sites – could be achieved in coordination with Historic Scotland

Table 6. Assessment of the Inshore Fisheries Sector, Policies IF1 and IF2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Protect and, where appropriate, enhance the landscape/seascape and character of SoM		<ul style="list-style-type: none"> • Fisheries activities unlikely to impact landscape and seascape of the area 	
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal infrastructure		<ul style="list-style-type: none"> • Safeguards important marine and coastal infrastructure • encourages multiple use of space and infrastructure and positive interaction with other sectors 	

Table 5. Assessment of the Aquaculture Sector Policies AQ1 and AQ2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Comprehensive guide to the aquaculture industry. • TA recognises incompatible constraints between sensitive species and habitats and damage from chain scour • TA recognise the potential impacts on benthic habitats, interactions with marine wildlife and threat from non-native species • Encourages businesses to adopt relevant statutory management and voluntary codes of practice initiatives • Industry well regulated and monitored. Legislation minimises impacts on benthic habitats, but there is still potential for localised impacts 	<ul style="list-style-type: none"> • Collation of fish escape records from finfish farms • Number of aquaculture planning applications that may affect designated or protected natural history interests • Number of aquaculture planning applications that may affect biodiversity interests
Population and human health			
<p>To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development</p>		<ul style="list-style-type: none"> • Supports community consultation and development • Encourages sustainable growth in this sector • Promotes effective working relationships between all sectors • Supports developments that interact positively with other sectors • Supports activities that enhance the viability of local communities and provide year round employment • Encourages shellfish developments in appropriate areas • Opportunities devised in recognition of comprehensive SWOT analysis • Supports appropriate expansion of existing finfish sites 	<ul style="list-style-type: none"> • Assessment of employment and business base data to ascertain role of sector to local communities • Number of development opportunities that have considered the needs of the local community or can demonstrate i) community consultation or ii) benefits for the local community
<p>Promote Opportunities for outdoor recreation</p>		<ul style="list-style-type: none"> • NA 	

Table 5. Assessment of the Aquaculture Sector Policies AQ1 and AQ2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Water			
Reduce water pollution within the Plan area Maintain and/or restore the water environment and key ecological processes		<ul style="list-style-type: none"> • Safeguards water quality of the area through support of SOM G2. • TA recognises soft constraint between aquaculture and impacts on water quality • TA recognise impact from nutrient release from fish farms • TA recognises potential problem of marine litter from aquaculture • Highlights the need for new development to comply with relevant regulations • Potential for localised impacts • Plan aims to comply with WFD and The River Basin Management Plan • Action on marine litter included in the Plan 	<ul style="list-style-type: none"> • Collation of pollution incidents data (data collected by SEPA). • Collation of Shellfish Growing/Harvesting Waters compliance data (available through FSAS) • Expansion of aquaculture sites will be subject to current regulation to safeguard water quality and seabed impacts
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Safeguards ecosystem function through support of SOM G2 	<ul style="list-style-type: none"> • Number of planning applications in areas affected by flooding or coastal erosion, or where flood risk has been assessed
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Safeguards designated historic assets through support of SOM G2 • Safeguards local historic or archaeological sites of interest through support of SOM G2 • Safeguards current recreation and tourism interests 	<ul style="list-style-type: none"> • Monitor the number of planning applications that affect protected monuments, buildings or sites of archaeological interest • Guidance or reference to activities/developments to which cultural and historic sites might be sensitive.

Table 5. Assessment of the Aquaculture Sector Policies AQ1 and AQ2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Protect and, where appropriate, enhance the landscape/seascape and character of SoM		<ul style="list-style-type: none"> • Safeguards landscape and seascape characteristics and visual amenity through support of SOM G2 • Plan included a dedicated study of landscape and seascape characteristics and sensitivities. 	<ul style="list-style-type: none"> • Monitor the number of planning applications that the landscape, seascape and visual amenity
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal infrastructure		<ul style="list-style-type: none"> • Recognises the importance of coastal infrastructure • Safeguards important marine and coastal infrastructure through support of SOM G2 • Increase in activity could place additional pressures on exiting assets • Supports multiple use of space and infrastructure 	<ul style="list-style-type: none"> • Number of applications where important material assets may be affected or where resource sharing is considered in the application • Monitor condition and use of existing infrastructure

Table 7. Assessment of the Recreation and Tourism Sector Policies RT1 and RT2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Safeguards designated/ protected species, habitats and sites, and BAP interests through support of SOM G2 • TA recognises the threat of damage to protected species, habitats and sites by mooring anchors and chain. • TA recognises the potential for damage to sensitive species and habitats from recreation activities and visitors. • Potential impacts on sensitive species from increased tourism and human activity • Prioritises encouraging local tours to include local natural history interests – but this must be done in a manner that is sensitive to the potential impacts (damage, disturbance, litter) from increased human activity • Encourages developers to adopt relevant codes of conduct 	<ul style="list-style-type: none"> • Monitoring of key sites, habitats, species and BAP interests, particularly those in close proximity to tourist hotspots. • Monitoring of cetacean activity in the area as this may be affected by increased recreational boat use • Encourage developments and activities that i) help raise awareness of natural environment issues and sensitivities ii) demonstrate measures to mitigate any impacts on natural environment from increased tourism
Population and human health			
<p>To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development</p>		<ul style="list-style-type: none"> • Supports community development and consultation through SOM G1 • Encourages developments that enhance local transport services • Encourages positive interaction and effective working relationship with other sectors • Prioritises provision of new or improved berthing facilities for recreational boat use • Encourages enhancement the use of existing attractions and facilities • Encourages developments that contribute towards lengthening the tourism season and support sustainable business development • Supports provision of environmentally friendly visitor facilities 	<ul style="list-style-type: none"> • Population and SIMD data, employment and business base data could be used to assess the status of local populations. • Number of development opportunities that have considered the needs of the local community or can demonstrate i) community consultation or ii) benefits for the local community
<p>Promote Opportunities for outdoor recreation</p>		<ul style="list-style-type: none"> • Prioritises provision of new or improved berthing facilities for recreational boat use • Encourages developments that enhance local transport services 	
Water			

Table 7. Assessment of the Recreation and Tourism Sector Policies RT1 and RT2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Reduce water pollution within the Plan area Maintain and/or restore the water environment and key ecological processes		<ul style="list-style-type: none"> • TA recognises the potential for marine litter from recreation and tourism. • Water quality and ecosystem function safeguarded through support of SOM G2, • Potential water quality impacts from increased from increased visitors and recreational activities, may occur through increased pressure on public and private sewage facilities 	<ul style="list-style-type: none"> • Collation of Shellfish Growing/Harvesting Waters compliance data (available through FSAS)
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • An increase in recreation and tourism could increase greenhouse gas emissions from increased traffic (water borne and road traffic) • The policy supports opportunities that enhance local transport services 	
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Supporting constraints and interactions recognise threat to historic sites from human activities • Safeguards historic sites from chain and anchor scour damage through constraints information • Policy safeguards protected wreck sites • Policy encourages tour operators to include local historic sites, but this has to be balanced with safeguarding the sites themselves • List of relevant statutory management and voluntary codes of conduct are provided • Potential for impacts on historic sites from increased human activity 	<ul style="list-style-type: none"> • Current and potential tourism operators should be encouraged to demonstrate measures to reduce impacts from human activity • Monitoring to assess impacts on protected historical and cultural interests. Monitoring of key sites could be done in coordination with organisations such as Historic Scotland • Monitoring number of planning applications where historic sites may be impacted

Table 7. Assessment of the Recreation and Tourism Sector Policies RT1 and RT2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Protect and, where appropriate, enhance the landscape/seascape and character of SoM		<ul style="list-style-type: none"> • Landscape and seascape safeguarded through support of SOM G2 	
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal infrastructure		<ul style="list-style-type: none"> • Sector includes map of recreation and tourism facilities in the area, including piers, jetties, slipways and harbours • Encourages developments that include environmentally friendly visitor facilities • Important infrastructure safeguarded through SOM G2 • Policy priorities includes provision of new or improved berthing facilities for sailing and recreational boats • Increased tourism and recreational activities may place additional pressures on existing activities • Encourages improved or enhanced use of existing facilities • Supports multiple use of space and infrastructure 	<ul style="list-style-type: none"> • Number of planning applications where i) infrastructure may be impacted, ii) multiple use of space is built in, iii) improvements to existing facilities are included • Monitor pressures on and use of existing material assets

Table 8. Assessment of the Shipping and Transport Sector and Policies ST1 and ST2			
SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
Protect threatened and/or protected species, habitats and sites Maintain and where appropriate enhance biodiversity Promote awareness and appreciation of the local natural environment		<ul style="list-style-type: none"> • Safeguards designated and protected species, habitats and sites, and BAP interests through support of SOM G2 • Prioritises increasing the transportation of goods by sea and fast ferry services, this could have a negative impact on mobile marine species • TA recognises the threat from oil spills, litter, grounding, introduction of pathogens and invasive species on designated and protected sites, habitats and species • TA recognises potential impact on cetaceans from ship sonar • Increased shipping could increase collision risk between vessels and mobile surface swimming species 	<ul style="list-style-type: none"> • Monitoring of key sites and species, particularly cetaceans. This could be achieved in coordination with organisations such as SNH (eg Site Condition Monitoring) and HWDT • Number of applications that impact designated and protected natural history interests or UK or local BAP interests
Population and human health			
To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development		<ul style="list-style-type: none"> • Prioritises increasing the transportation of goods by sea and fast ferry services • Encourages water based transport and cargo services • Encourages sustainable business growth • Supports community development and consultation through SOM G1 • Encourages developments that enhance local transport services • Encourages positive interaction and effective working relationship with other sectors 	<ul style="list-style-type: none"> • Population and SIMD data, employment and business base data could be used to assess the status of local populations. • Number of development opportunities that have considered the needs of the local community or can demonstrate community consultation
Promote Opportunities for outdoor recreation		<ul style="list-style-type: none"> • Improved transportation and fast ferry services may help improve public access to coastal areas 	
Water			
Reduce water pollution within the Plan area Maintain and/or restore the water environment and key ecological		<ul style="list-style-type: none"> • Safeguards water quality and ecosystem function through support of SOM G2 • TA recognises the threat of marine litter and pollution. • Potential water quality impacts from increased shipping • Plan recognises the threat from invasive species as a result of shipping and transport 	<ul style="list-style-type: none"> • Collation of pollution incidents data – data collected by SEPA

Table 8. Assessment of the Shipping and Transport Sector and Policies ST1 and ST2

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
processes			
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Sector prioritises assessing feasibility of fast ferry services for the area, this could reduce the burden on road transport and could help reduce green house emissions • Sector prioritises and increase in goods transportation by sea, again potentially reducing road traffic and greenhouse emissions 	<ul style="list-style-type: none"> • Number of shipping and transport applications where aspects of climate change have been taken into consideration
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • TA recognise threat to historic sites from pollution, grounding and litter • Safeguards protected wreck sites and local historic interest through support of SOM G2 • Policy not expected to have an impact on historic and cultural sites 	<ul style="list-style-type: none"> • Monitoring to assess impacts on protected historical and cultural interests. • Monitoring number of planning applications where historic sites may be impacted
Protect and, where appropriate, enhance the landscape/ seascape and character		<ul style="list-style-type: none"> • Landscape and seascape safeguarded through support of SOM G2 • Policy not expected to have an impact on historic and cultural sites 	<ul style="list-style-type: none"> • Monitoring of the number of applications where landscape and seascape character may be affected
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal		<ul style="list-style-type: none"> • Important infrastructure safeguarded through SOM G2 • Navigational aids and buoys safeguarded through support of SOM G2 • Encourages improved or enhanced use of existing facilities • Supports multiple use of space and infrastructure • Increased transportation and shipping in the area may place additional pressures on existing infrastructure 	<ul style="list-style-type: none"> • Number of planning applications where i) infrastructure may be impacted, ii) multiple use of space is built in, iii) improvements to existing facilities are included • Monitor condition and use of

Table 8. Assessment of the Shipping and Transport Sector and Policies ST1 and ST2

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
infrastructure			important infrastructure

Table 9. Assessment of the Coastal and Marine Infrastructure Sector Policies CMI1 and CMI2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Safeguards designated sites, habitats, species, and BAP interests through support of SOM G2 • TA recognises incompatible constraints between sensitive species and habitats and damage from chain scour • TA recognises potential impacts on sensitive species and habitats during construction • Encourages businesses to adopt relevant statutory management and voluntary codes of practice initiatives 	<ul style="list-style-type: none"> • Number of planning applications where designated and protected species, sites and habitats, and BAP interests are effected • Monitoring of designated and protected sites and species. This could be achieved in coordination with organisations such as SNH (eg through Site Condition Monitoring), HWDT and RSPB • Monitoring of key BAP interests and achievement of BAP targets. This could be done in coordination with local biodiversity offices and SNH
Population and human health			
To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development		<ul style="list-style-type: none"> • Prioritises developments that improve both public and commercial access to the area • Supports community consultation and development • Encourages sustainable business development in this sector • Promotes effective working relationships and positive interactions between all sectors • Supports improved commercial access and transportation of goods by sea 	<ul style="list-style-type: none"> • Assessment of population, SIMD, employment and business base data to ascertain role of sector to local communities and the impact of policies on the local communities • Number of development opportunities that have considered the needs of the local community or can demonstrate community consultation
Promote Opportunities for outdoor recreation		<ul style="list-style-type: none"> • Prioritises development to improve public access to the area • Prioritises development of onshore facilities that facilitate the growing leisure cruising market 	<ul style="list-style-type: none"> • Monitor capacity for leisure cruising, tourism and recreation activities
Water			

Table 9. Assessment of the Coastal and Marine Infrastructure Sector Policies CMI1 and CMI2.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Reduce water pollution within the Plan area Maintain and/or restore the water environment and key ecological processes		<ul style="list-style-type: none"> • Safeguards water quality of the area through support of SOM G2. • TA recognises interaction between the sector and the environment • Potential for short term localised water quality impacts during construction • Policy safeguards ecosystem function through support of SOM G2. 	<ul style="list-style-type: none"> • Collation of pollution incidents data (data collected by SEPA). • Collation of Shellfish Growing/Harvesting Waters compliance data (available through FSAS) • If possible some information on private sewage facilities would be useful
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Developments that have taken account of issues such as climate change, coastal erosion and flooding are considered more favourably through support of SOM G2. • Priorities to encourage developments that increase public and commercial access to the area could increase contribution to greenhouse gas emissions • Priorities to encourage developments to improve transportation by sea may help reduce greenhouse gas emissions 	<ul style="list-style-type: none"> • Number of planning applications in areas affected by flooding or coastal erosion, or where flood risk has been assessed • Number of planning applications that have taken account of relevant climate issues – CO₂ emissions, flooding, sea level rise. • Plan should consider impact of climate issues on existing coastal and marine infrastructure.
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Safeguards designated historic assets through support of SOM G2 • Safeguards local historic or archaeological sites of interest through support of SOM G2 • Development constraints recognised for protected wreck sites and for sites of historic interest during construction 	<ul style="list-style-type: none"> • Monitor the number of planning applications that affect protected monuments, buildings or sites of archaeological interest • Guidance or reference to activities/developments to which cultural and historic sites might be sensitive.
Protect and, where appropriate, enhance the landscape/ seascape and character		<ul style="list-style-type: none"> • Safeguards landscape and seascape characteristics and visual amenity through support of SOM G2 • TA recognise the potential impact on landscape/seascape from infrastructure development. 	<ul style="list-style-type: none"> • Monitor the number of planning applications that the landscape, seascape and visual amenity of the SOM

Table 9. Assessment of the Coastal and Marine Infrastructure Sector Policies CMI1 and CMI2.

Table 9. Assessment of the Coastal and Marine Infrastructure Sector Policies CMI1 and CMI2.			
SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal infrastructure		<ul style="list-style-type: none"> • Details on coastal and marine infrastructure provided • Prioritises development of new and existing infrastructure that improves commercial and public access to the area and allows for greater transportation of goods by sea • Prioritises the development of onshore facilities that help facilitate leisure cruising market • Safeguards important marine and coastal infrastructure and navigational buoys/aids through support of SOM G2 • Encourages multiple use of space and infrastructure 	<ul style="list-style-type: none"> • Number of applications where important material assets may be affected or where resource sharing is considered in the application

Table 10. Assessment of the Natural and Historic Environment Sector Policy NHE1.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Excellent guide to local natural history interests and relevant sensitivities • TA provides a guide to relevant legislation • Safeguards designated and protected species, habitats and sites, and BAP interests through support of SOM G2 • Encourages projects that will map extent of fragile species, this will improve knowledge and possibly lead to improved protection of such species and habitats • Seabed habitat map should be updated – see point above • Recommends measures to enhance visitor appreciation of local natural history 	<ul style="list-style-type: none"> • Monitoring of key sites, habitats and species. • Monitoring of key BAP species • Number of planning applications where sensitive and protected natural history interests, or biodiversity may be affected • Must ensure that increased awareness of the natural environment adequately safeguards interests from increased human activity
Population and human health			
To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development		<ul style="list-style-type: none"> • Supports community consultation and development through support of SOM G1 • Recognises the role the elements of the ecosystem play in sustainability of the area and its activities 	
Promote Opportunities for outdoor recreation		<ul style="list-style-type: none"> • Recommends measures to enhance visitor appreciation of local natural history 	
Water			
<p>Reduce water pollution within the Plan area</p> <p>Maintain and/or restore the water environment and key ecological processes</p>		<ul style="list-style-type: none"> • Safeguards water quality through support of SOM G2 • No impacts on water quality predicted • No targeted description of the water environment, should reference the RBMP • Recognises the role of ecosystem function in sustainability of the area and it activities 	<ul style="list-style-type: none"> • Provide some detail on the sensitivities of the water environment and activities that impact water quality • Provide some guidance on the activities that impact ecosystem function and processes

Table 10. Assessment of the Natural and Historic Environment Sector Policy NHE1.

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> Policy not expected to result in any impacts on climate change or climate related issues 	
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> Policy safeguards protected sites and sites of historic interest through support of SOM G2 Lists and maps historic interests in the area, it may be useful to provide a guide to relevant sensitivities Policy encourages visitor enhancement of cultural sites 	<ul style="list-style-type: none"> Monitoring of condition of key historic sites could be done in coordination with Historic Scotland Number of planning applications where historic sites may be affected
Protect and, where appropriate, enhance the landscape/ seascape and character of SoM		<ul style="list-style-type: none"> Landscape and seascape safeguarded through support of SOM G2 Maps and list of landscape designations in the area 	<ul style="list-style-type: none"> Number of planning applications where landscape and seascape character may be affected
Material Assets			
Protect maintain and enhance important coastal infrastructure		<ul style="list-style-type: none"> Important infrastructure safeguarded through SOM G2 Policy unlikely to have any impact on material assets 	
Promote efficient use of marine and coastal infrastructure			

Table 11. Assessment of the Marine and Offshore Renewable Energy Sector, MR1 and MR2			
SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Biodiversity, fauna and flora			
Protect threatened and/or protected species, habitats and sites Maintain and where appropriate enhance biodiversity Promote awareness and appreciation of the local natural environment		<ul style="list-style-type: none"> • Safeguards designated and protected sites, habitats and sites, and BAP interests through support of SOM G2 • Soft constraints recognise the potential impacts on benthic habitats, interactions with marine wildlife and threat during installation and from anchors • Recognises potential impacts from changes in water flow • Potential impacts on mobile marine species from larger in-water installations not recognised 	<ul style="list-style-type: none"> • Potential impact of marine renewable installations on mobile marine species. Potential developers should be requested to detail mitigation measures to reduce potential impacts • Number and activity of mobile marine species • Number of planning applications where designated natural history interests are affected • Condition of designated sites and habitats (i.e. through Site Condition Monitoring) and BAP interests in the vicinity of developments
Population and human health			
To promote and enhance prosperity and quality of life for the local community through the promotion of relevant and appropriate development		<ul style="list-style-type: none"> • Supports community consultation and development • Encourages sustainable growth • Promotes effective working relationships and positive interaction between all sectors • Prioritises maximising local benefits from marine renewable ventures • Prioritises an assessment of marine renewable potential • Encourages promotion of micro-renewables for existing and future development 	<ul style="list-style-type: none"> • Number of development opportunities that have considered the needs of the local community or can demonstrate i) community consultation or ii) benefits for the local community • Number of planning applications that include micro-renewables as part of the plans
Promote Opportunities for outdoor recreation		<ul style="list-style-type: none"> • NA 	<ul style="list-style-type: none"> • NA
Water			
Reduce water pollution within the Plan area Maintain and/or restore the water environment and key ecological processes		<ul style="list-style-type: none"> • Safeguards water quality and ecosystem function of the area through support of SOM G2. • TA recognises negative interaction where water quality may be affected during construction phase • Recognises potential changes in water flow 	<ul style="list-style-type: none"> • Collation of pollution incidents data (data collected by SEPA). • Monitoring of water quality parameters during construction phase

Table 11. Assessment of the Marine and Offshore Renewable Energy Sector, MR1 and MR2

SEA Objective	Assessment	Assessment comments	Suggested Mitigation and Monitoring
Climate			
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Prioritises an assessment of marine renewable potential • Encourages promotion of micro-renewables for existing and future development • Developments that have taken account of issues such as climate change, coastal erosion and flooding are considered more favourably through support of SOM G2. 	<ul style="list-style-type: none"> • Number of planning applications that include micro-renewables as part of the plans
Cultural and historic heritage, landscape and seascape			
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Safeguards designated historic assets and local historic/archaeological sites of interest through support of SOM G2 • Recognises potential impacts to wreck sites from changes in water flow • Recognises potential impacts on historic sites during construction/installation 	<ul style="list-style-type: none"> • Monitor the number of planning applications that affect protected monuments, buildings or sites of archaeological interest • Guidance or reference to activities/developments to which cultural and historic sites might be sensitive.
Protect and, where appropriate, enhance the landscape/ seascape and character of SoM		<ul style="list-style-type: none"> • Safeguards landscape and seascape characteristics through support of SOM G2 • Supporting documentation recognises the potential impact on landscape and seascape from marine renewables 	<ul style="list-style-type: none"> • Monitor the number of planning applications that the landscape, seascape and visual amenity
Material Assets			
Protect maintain and enhance important coastal infrastructure Promote efficient use of marine and coastal infrastructure		<ul style="list-style-type: none"> • Safeguards important marine and coastal infrastructure through support of SOM G2 • Safeguards navigational aids and buoys through support of SOM G2 • Encourages multiple use of space and infrastructure 	<ul style="list-style-type: none"> • Number of applications where important material assets may be affected or where resource sharing is considered in the application

5.5 Sub-Area policy guidance assessment

The sub-areas provide a detailed guide to each sub-area, complete with natural and historic environment interests, and landscape description. Spatial information on active sectors, important coastal and marine infrastructure, shipping routes and recreational activities are provided for each sub area, as well as detailed constraints information for activities and resource use.

Each sub-area further provides a list of opportunities and these are provided by sector. The opportunities have been devised in appreciation the listed constraints and the following interests;

- Designated, protected and sensitive natural environment interests
- Current recreation and tourist activities
- Sectoral interactions and constraints
- Historic and archaeological sites
- Landscape designations and historic landscape/seascape settings
- Current infrastructure

A landscape and seascape study was also carried out as part of the Plan and this has been used to inform opportunities. The opportunities highlighted have also taken into consideration the SWOT analysis for each of the sectors and indicate recognition of the needs of the local community. It is unclear if climate related issues, such as coastal flooding, were taken into consideration while devising the opportunities.

It is unlikely that the individual opportunities listed will have significant negative impacts on the environment. The opportunities for some sectors, for instance Aquaculture, also provide further guidance on the number of opportunities, appropriate scale and access points where necessary. This helps safeguard visual amenity of the local landscape and further minimises the likelihood for negative impacts. However it is advisable that the implementation of the Plan should undertake appropriate monitoring measures in order to assess any unforeseen environmental impacts or issues arising once opportunities are taken up. This will be particularly relevant in sub areas where there are numerous opportunities taken up. Any arising issues or impacts should be used to inform and improve further iterations of the Plan.

The sub area opportunities also highlight areas where there is presumption against new aquaculture developments. Most sub areas provide detail on a number of opportunities aimed at increasing recreational access to the Sound of Mull and providing or extending facilities for visitors.

Opportunities aimed at increasing awareness and interaction with natural history interests (interpretation trails and trails etc) should ensure maximum protection for protected and sensitive species, habitats and sites. This includes raising awareness of the sensitivity of such interest to the general public, who may not come into contact with the natural environment as part of organised tours.

Table 12. Assessment of spatial sub-areas and policy guidelines							
SEA Objective	Craignure	Inninmore	Lochaline	North Sub-area	South Sub-area	Tobermory	Suggested monitoring and mitigation measures
Biodiversity, fauna and flora							
Protect threatened &/or protected species, habitats & sites Maintain & where appropriate enhance biodiversity Promote awareness & appreciation of the local natural environment							<ul style="list-style-type: none"> • Monitor condition of designated and key sensitive sites, habitats and species • Number of planning applications impacting designated or sensitive interests • Ensure wildlife tours/interpretation safeguards interests from damage or disturbance • Developments may cause short term and/or localised impacts during construction. Impacts should be monitored where sensitive species or habitats are close to or in the vicinity of the construction and appropriate legislative framework adhered to. • Revise constraint between mobile fishing gear and sensitive benthic species and habitats • Need further information on impacts of mobile fishing gear dredging and vulnerable life stages of the UKBAP species, common skate <i>Dipturus batis</i> • All sub area policy guidance should safeguard all protected/sensitive/ threatened species and habitats that occur in the area
Population and human health							
Promote & enhance prosperity & quality of life for the local community through the promotion of relevant & appropriate development							<ul style="list-style-type: none"> • Monitor success and uptake of listed opportunities • Monitor impact of priorities and opportunities on local community through employment, population and SIMD data • Monitor tourism figures

Table 12. Assessment of spatial sub-areas and policy guidelines							
SEA Objective	Craignure	Inninnmore	Lochaline	North Sub-area	South Sub-area	Tobermory	Suggested monitoring and mitigation measures
Promote Opportunities for outdoor recreation							
Water							
Reduce pollution within the area of the Plan Maintain &/or restore the water environment & key ecological processes							<ul style="list-style-type: none"> Some development and activity may cause short term and/or localized impacts on water quality during construction. Appropriate regulations should be consulted as necessary. Collation of shellfish production and harvesting area compliance data for new shellfish opportunities that are taken up Some activities will require an EIA where appropriate
Climate							
Reduce vulnerability to the effects of climate change							<ul style="list-style-type: none"> Mapped Information on areas at risk from coastal flooding could not be provided in the Plan. Should this information become available to use the sub-areas should be updated accordingly Should indicate if the highlighted opportunities have taken climate change predictions into account (eg sea level rise, coastal flooding)
Cultural and historic environment and landscape / seascape							
Protect &, where appropriate, enhance marine & coastal historic & cultural sites							<ul style="list-style-type: none"> Number of applications where historic interests or landscape issues are either impacted, or have been taken into consideration Monitor impacts of developments on landscape and seascape qualities, particularly in areas where landscape interests are classed as highly sensitive
Protect &, where appropriate, enhance the landscape & seascape character							<ul style="list-style-type: none"> Monitor condition of designated sites and areas Need to safeguard visual amenity in areas where many opportunities are highlighted, particularly for aquaculture and shellfish farm

Table 12. Assessment of spatial sub-areas and policy guidelines							
SEA Objective	Craignure	Inninmore	Lochaline	North Sub-area	South Sub-area	Tobermory	Suggested monitoring and mitigation measures
							opportunities <ul style="list-style-type: none"> •
Material Assets							
Protect, maintain & enhance important coastal infrastructure							<ul style="list-style-type: none"> • Monitor use and condition of infrastructure, particularly where activity and development is increasing • Monitor applications on aspects of resource use and infrastructure needs
Promote efficient use of marine & coastal infrastructure							

5.6 Cumulative assessment of Sectoral Policies

The cumulative assessment of the Plan is detailed in Table 12. Reading across the table indicates how the plan performs under each SEA Theme, across all sectors and policies. Reading down gives an indication of the cumulative effects of individual policy or sector performs across all SEA themes.

On the whole the Plan is expected to have a positive impact across the Sound of Mull, in terms of environmental performance. Under all policies effects on Biodiversity, Flora and Fauna is positive. The Plan provides a comprehensive guide to the natural and historic environment, including relevant interactions and a very useful guide to sensitivity. All sectoral policies are linked to SOM G2 which safeguards designated and protected natural history interests as well as UK and local BAP interests.

The effects on Population and Human Health theme were assessed as significantly positive. This was driven by the excellent spatial information on all sectors and appropriate guidance to stakeholders, regulators and resource users as well as the provision of a range of development opportunities which will contribute to providing business and employment to local communities. The detailed information on interactions and the guidance provided on how competitive interactions and incompatible interactions should be dealt will enable the communities to grow and develop within a sustainable business framework. Community consultation in development and the sustainable objectives that run central to the Plan will contribute to viability of the local communities.

The environmental performance of the Plan with regard to the water environment was deemed to be largely positive. There is no dedicated section on the water environment and associated sensitivities, however it is accepted that a general appreciation of the water environment is obvious across the Plan as a whole. Water quality is safeguarded throughout the sectoral policies through support of SOM G2. For some sectors there is potential for short term water quality impacts during development construction and some activities that may cause localised water quality issues. It is essential that all activities take full regard of existing legislation, with appropriate EIA and monitoring be carried out where required. The Plan does recognise the threat to water quality (and other interests) from pollution and the issue of marine litter. The Plan does state that significant impacts on ecosystem function are discouraged although further guidance on this issue needs to be provided. The Plan also recognises that development in some sector may lead to impacts on water quality and there is some guidance on negative interactions should be handled. This may become of particular relevance should the mariculture opportunities be taken up, where water quality must meet mandatory microbiological guidelines to protect human health.

The Plan encourages development to take account of climate change related issues such as flooding and coastal erosion. Coastal areas are expected to see an increase in flooding partially as a result of increased storm incidence. At present, the Plan does not provide

guidance as to the areas at risk from coastal flooding and such information would be useful to developers and regulators. Climate related issues may also be affected by an increase in tourism to the area which could increase greenhouse gas emissions. Although difficult to manage at the local level, it is essential that, where possible, mitigations measures are devised and implemented to reduce potential impacts.

Across the board, the policies are considered to have a positive affect across the SEA Themes. Notably, the majority of the policies are judged to have significant positive effects on the Population and Human Health theme. This is driven by a number of factors such as;

- Excellent information of active sectors, activities and resource use. Information is provided in a useful spatial context. Information in the sectors is also provided at the zone level.
- Comprehensive guidance on relevant interaction within each sector that will be valuable to developers, stakeholders, regulators and resource users.
- Each policy supports efficient use of space and resources as well as positive working relationships between all sectors.
- Policies promote sustainable business development.

Table 13. Cumulative assessment of the General, Sectoral and Sub-area Policies of the Sound of Mull MSP

SEA Theme	SOM G1/G2	Inshore Fishing, IF1/2	Aquaculture, AQ1/1	Recreation & Tourism, RT1/2	Shipping & Transport, ST1/2	Coastal & Marine Infrastructure, CMI1/2	Natural & Historic Environment, NHE1	Marine Renewables, MR1/2	Spatial Sub-area Policies	Cumulative effects of all policies on each SEA Theme
Biodiversity flora and fauna										Positive
Population and human health										Significantly positive
Water										Positive
Climate										Positive
Cultural, historic heritage, landscape and seascape										Positive
Material Assets										Positive
Cumulative effects of policies across all SEA Themes	Positive	Positive	Positive	Positive	Positive	Positive	Positive	Positive	Positive	Positive

6. Assessment of Alternatives

The SEA process requires that relevant alternatives to the Plan are considered during assessment of the Plan. As part of the Scoping Report, the following options for Plan alternatives were proposed as follows.

Full implementation of the Plan - The full implementation of the Plan will be considered, where it draws together all activities operating within the Sound of Mull and linking management across the regulatory/authority boundaries of Argyll and Bute and Highland Region. With sustainable development as its main driving force the Plan will endeavour to support economic growth whilst ensuring environmental protection criteria are maintained. Assessment of full implementation of the Plan is represented in Section 5.

No change/status quo – This represents the ‘status quo’ or ‘current baseline approach. Current approach to managing the marine environment in Scotland is on a sectoral basis. Marine based industries are managed by differing agencies, with no single authority overseeing activities and expansion. For example, aquaculture is regulated by SEPA, the Local Authority and the Crown Estate through a system of consents and licensing, whereas in comparison the number and activities of marine based wildlife tour operators is largely unregulated. Through the development of the Plan it has been found that there is good co-operation between the various industries and stakeholder groups operating within the Sound of Mull, but with coastal and marine areas coming under increasing pressure, with attendant conflicts of interest, this may not always be the case. The maintenance of the status quo will be considered as an alternative to the full implementation of the plan.

Partial Implementation - As part of the scoping process ‘Partial implementation’ was considered as an alternative. However, the Plan has been developed to maximise a more holistic ‘ecosystem-based approach’, with sustainable business development at its heart and where all its policies take full regard for the need to protect the environment. One of the Consultation Authorities (SNH) was also concerned that the option to ‘cherry pick’ parts of the Plan for implementation would detract from the ecosystem approach and could lead to conflict between sectors and interests depending on those elements that were to be implemented. The alternative approach whereby only part of the Plan was implemented is unlikely to have resulted in a different assessment result as all the sectoral and sub-area policies are firmly linked to the two central policies SOM G1 (Communities) and SOM G2 (Development and Activity). SOM G2 in particular provides protection to features of interest (including designated and protected natural and historic interests, existing infrastructure, water quality etc) and provides guidance on climate related issues. Therefore if any one sector had been selected, all environment interests would have been afforded the same level of protection. Therefore, an assessment of ‘Partial Implementation’ of the Plan was not carried out for the Environmental Report.

6.1 Alternative – Status quo

6.1.1. General considerations on the status quo

The marine environment of Scotland has a wide variety of active sectors, recreational and tourism interests and resource use. In addition, Scottish coastal and marine waters have a rich natural, historic and cultural environment. Over recent decades, pressures on the marine environment have increased with expansion in some sectors, while new sectors are still emerging. This is coupled with a general increase in appreciation of the impacts human activities can have on the marine environment and that marine resources are not limitless. However, at present management of our environment is largely dominated by sectoral based legislative and regulatory frameworks. Marine Spatial Planning should allow for a more holistic approach to management of the marine environment, whereby all sectors, interests and pressures can be viewed collectively and provide an integrated framework for sustainable management of the marine environment.

6.2 Assessment of Status Quo

Here the status quo is assessed against the SEA Themes, topics and indicators as described in Section 4 above.

6.2.1 General comments on the ‘status quo’ alternative

For the full detailed assessment of the ‘status quo’ alternative see Table 14.

On the whole, much of the information contained in the Plan is available through individual sectors. This will include relevant legislation and regulatory frameworks, some spatial information, which effectively represent the ‘status quo’ or environmental baseline. More coordinated guidance documentation is available through local authority plans and structural policies, however these do not contain detailed and targeted data for all the sectors and interests at the scale required for a marine spatial plan of the Sound of Mull. One particular issue for the Sound of Mull is the fact that the area represents a border between two local authorities. The SoMMSP represents the first attempt at a holistic approach to management of this marine and coastal area. One of the strengths of the SoMMSP is that it has been built by the stakeholders, users and regulators of the area and this is reflected in the wealth of data and knowledge it contains. This has also resulted in a Plan that has focussed on the needs of the local community in terms of development opportunities while taking account of the sensitivities of the environment and the interactions between active sectors and interests.

Table 14. Assessment of ‘Status quo’ alternative to the Sound of Mull MSP

SEA Objective	Assessment	Assessment comments
Biodiversity, fauna and flora		
<p>Protect threatened and/or protected species, habitats and sites</p> <p>Maintain and where appropriate enhance biodiversity</p> <p>Promote awareness and appreciation of the local natural environment</p>		<ul style="list-style-type: none"> • Current legislation provides protection to SPA sites (Glas Eileanan) through Natura 2000 and Habitats Directive. SPA’s provide protection to wild birds and their habitats through the ‘Birds Directive’. SAC’s provide protection for rare and threatened species and habitats through the ‘Habitats Directive’. ‘Appropriate Assessment’ of plans and programmes to ascertain likely significant effects. This can also apply to plans or programmes that are outwith the protected area but where there may be significant impacts on the site. • Site protection through SSSI designation, but have a lower level of protection than SPA and SAC sites. Management plans operate within SSSI’s. Operations within the SSSI need to be sympathetic to the conservation objectives of the area, but are not prohibited. • Protection of some sites through Water Framework Directive – such as designated wildfish rivers. • Some habitats protected under OSPAR/BAP (for instance horse mussel beds, eelgrass beds, seapen habitats). However, scale and extent of impacts of some activities on seabed habitats (such as mobile fishing gear) not entirely understood or appreciated. In addition, some activities (inshore fishing) not regulated effectively. • Fisheries management, quota systems provide some mechanism for protection of commercial stocks. Stocks managed at a much larger scale than the Sound of Mull. IFG’s in place to improve management of stocks • Additional legislation that provides some protection of natural environment interests include FEPA legislation, regulation of aquaculture developments. • A number of UK and local BAP species and habitats. Some knowledge of population numbers, extent or distribution in some cases but not all. No regular monitoring of some BAP interests • Information on BAP interests available through local authority Biodiversity offices. • Additional protection of some BAP interests through SSSI and SPA’s • Information should be available through SNH, SEPA, and relevant non government organisations such as HWDT, SWT <p>Small number of initiatives have been launched to increase awareness of natural environment interests</p>
Population and human health		
<p>To promote and enhance prosperity and quality of life for the local community through the</p>		<ul style="list-style-type: none"> • Local authority Plans and structural Plans will contribute to maintaining and enhancing viability of communities but it is difficult to assess if they will have any real impact on the communities of Sound of Mull • Currently no targeted measures to highlight a detail development opportunities that have taken full consideration of all other sectors/interests in the area • Currently there is no comprehensive guide to the area, its active sectors, activities and interests available to developers,

Table 14. Assessment of ‘Status quo’ alternative to the Sound of Mull MSP

SEA Objective	Assessment	Assessment comments
promotion of relevant and appropriate development		regulators, stakeholders and resource users alike. Some information available on a sectoral basis <ul style="list-style-type: none"> • Targeted guidance on development available through local authority plans although less focus on coastal and marine areas. Little targeted information for the Sound of Mull
Promote Opportunities for outdoor recreation		<ul style="list-style-type: none"> • Some efforts from local associations and recreational sectors • SailWest Project looked at the feasibility of enhancing facilities in Lochaline, however it is not clear if improvements will go ahead
Water		
Reduce water pollution within the Plan area		<ul style="list-style-type: none"> • FEPA licensing of engineering works or deposition of materials at sea • Pollution events recorded by SEPA. Relies heavily on incidents being reported to SEPA • No coordinated information available on marine litter • The River Basin Management Plan provides the management framework for delivery of WFD river and coastal water quality commitments • Aquaculture industry controlled through existing mechanisms (EIA) and relevant organisations (SEPA, Crown Estate) • Locational guideline modelling applied to finfish farm developments to ascertain environmental sensitivity
Maintain and/or restore the water environment and key ecological processes		
Climate		
Reduce vulnerability to the effects of climate change (e.g. sea level rise, flooding and coastal erosion)		<ul style="list-style-type: none"> • Guidance on coastal planning and flooding available through Scottish Planning Policy SPP (2010) • SEPA provides maps detailing areas at risk from coastal flooding • Scale or occurrence of flooding on coastal areas not easy to predict
Historic and cultural heritage, landscape and seascape		
Protect and, where appropriate, enhance marine and coastal historic and cultural sites		<ul style="list-style-type: none"> • Protection of Scheduled Monuments and listed buildings in coastal areas (land based). • The area is renowned as a wreck diving area. However, only two wrecks in the Sound of Mull are protected under the Protection of Wrecks Act 1973. Given the popularity of these sites and the number of divers that visit the area some wrecks may be at risk of damage and disturbance. Existing diver voluntary codes of conduct may not be enough to protect the integrity of some sites

Table 14. Assessment of 'Status quo' alternative to the Sound of Mull MSP		
SEA Objective	Assessment	Assessment comments
Protect and, where appropriate, enhance the landscape/seascape and character of SoM		<ul style="list-style-type: none"> • Aquaculture planning takes landscape impacts into consideration in general terms • Landscape and seascape issues not always considered for other types of development • 'Landscape Assessment of Argyll and the Clyde' was published in 1996 • Some terrestrial landscape designated areas in Sound of Mull • Argyll and Bute Local Plan is committed to retaining and protecting historic gardens and designed landscapes
Material Assets		
<p>Protect maintain and enhance important coastal infrastructure</p> <p>Promote efficient use of marine and coastal infrastructure</p>		<ul style="list-style-type: none"> • Limited information available though Argyll and Bute Local Plan • Planning policies may provide some relevant information for some sectors • Currently no coordinated inventory of material assets, although individual associations may monitor some infrastructure facilities • No coordinated efforts to protect and maintain publicly accessible infrastructure such as slipways and jetties • Some consideration of resource sharing with regard to coastal infrastructure through the Argyll and Bute Local Plan

7. Mitigation and Monitoring

This section considers the overall assessment of the Plan and, where appropriate, mitigation measures required to offset any adverse effects of the Plan. This section will also provide a summary of the monitoring recommendations resulting from the assessment of policies and sectors as reported in Section 5 above.

7.1 Mitigation

Assessment of the Plan indicates that there is likely to be few adverse effects resulting from implementation of the Plan. Overall, the policies of the Plan were assessed to have a positive impact on the environment. The Plan shows a depth of knowledge of the environment and relevant issues and has showed appreciation for the interactions between active sectors and interests of the local environment and its communities. The Plan also provides guidance on how interactions should be dealt with and taken forward. The Plan provides a set of development opportunities where environmental interests have been taken into account along with the needs of the local communities. A summary of suggested mitigation measures is provided in Table 15.

The NHE section provides an excellent overview of the designated and protected species, as well as BAP interests within the Sound of Mull. However, it may be appropriate for the section to be expanded to give further information in two areas as follows;

- A description of the water environment and associated sensitivities would provide useful information to potential developers. It could also provide some guidance on activities that can have adverse effects on ‘wider ecosystem function’
- A sensitivity matrix for the historic and landscape/seascape interests would also be useful for developers, planners and regulators alike.

An area where more data and research is required is in regard to vulnerable egg stages of UKBAP species *Dipturus batis*, common skate. The life history strategy of this species means that viability and survivorship of early life stages is likely to be key to maintaining population levels. At this time, the impact of activities such as trawling and scallop dredging on these life stages is not entirely understood. In addition, distribution of common skate egg cases and nursery areas is not known at present.

The supporting information for the Inshore Fishing provides a list of hard (incompatible) and soft (competitive) constraints). However, damage to sites, species and habitats of significance from mobile gear is not listed as a hard constraint. Designated protected wrecks are listed as a hard constraint. Other sectors list damage to sites, species and habitats of significance from chain and anchor scour as a hard constraint. This appears inconsistent in its protection of designated and protected natural history interests. Current inshore fishing activities may not occur where any such features occur, however interaction between the two sectors may change, either as a result of a change in fishing activities or a change in designation and protection of sites, species and habitats of significance. The list of hard constraints for the Inshore Fishing sector should be revised to include designated and sensitive seabed habitats and species.

Increased boat traffic (shipping and recreational boat use) increases the risk of collision with mobile marine species, such as cetaceans, seals and sharks. It is essential that any codes of practice or shipping and recreational guidance for marine traffic provide effective protection for species at risk from collision.

Increased tourism and interest in the natural and historic environment of the area has the potential to put designated, protected and sensitive interests at risk. Any measures or developments aimed at increasing interest in the Sound of Mull needs to adequately safeguard the natural and historic environment from damage and disturbance. All wildlife tours should provide adequate instruction to clients. However, not all visitors will come into contact with wildlife and wild places through organised tours therefore interpretation point and local guides must make the public aware of the sensitivities of the environment.

The Plan should consider the impact of climate related issues on existing infrastructure. Coastal and marine infrastructure is vital for rural and remote coastal communities. The Plan should consider potential impacts on existing infrastructure and where possible provide measures to protect the integrity of facilities or mitigate against impact on local communities

Other possible climate related impacts could come from an increase in greenhouse gas emission from increased tourism to the area. Much of these emissions are likely to be out of the control of local authorities or the Plans responsible authority, but the Plan should recognise the potential for impact and where possible provide guidance and appropriate mitigation measures. For instance provision of effective public transport and associated infrastructure could reduce some emissions at the local level.

All sub area policy guidance should safeguard all protected/sensitive/ threatened species and habitats that occur in the area.

No.	SEA Topic	Mitigation details	Sectors
1	Biodiversity Flora and Fauna	More data and research on impacts of mobile gear on vulnerable life stages of UK BAP species common skate <i>Dipturus batis</i>	Inshore Fishing and other sectors where benthic habitats are disturbed
2	Biodiversity Flora and Fauna	Revision of constraint between mobile fishing gear and sensitive benthic species and habitats	Inshore Fishing
3	Biodiversity Flora and Fauna	Threat to designated, protected and sensitive sites, species and habitats from damage and disturbance through human activity. Ensure public are made aware of codes of conduct and sensitivity of natural history interests	Recreation and Tourism
4	Biodiversity Flora and Fauna	All sub-areas should safeguard all threatened and/or sensitive species occurring in the area	All Sub-areas
5	Historic and Cultural Environment, Landscape and Seascape	Description of historic and cultural environment sensitivities	Natural and Historic Environment, but would inform all sectors
6	Historic and	Description of landscape and seascape	Natural and Historic

	Cultural Environment, Landscape and Seascape	sensitivities	Environment, but would inform other sectors
7	Climate	Provide spatial information of areas at risk from coastal flooding – when this information is made available for use to the Plan’s Responsible Authority	Coastal and Marine Infrastructure, Aquaculture, Recreation and Tourism, Shipping and Transport
8	Water	Description of water environment and relevant sensitivities	Natural and Historic Environment, but would inform all sectors
9	Material Assets	Consider the impact of climate related issues on existing coastal and marine infrastructure and devise appropriate actions /recommendations	Coastal and Marine Infrastructure , but may have implications for other sectors

7.2 Monitoring recommendations

The assessment results for the Plan indicate that are unlikely to be any negative effects as a result of the Plan and its policies. However, it is advisable that the Plan should devise a set of monitoring measures for the implementation phase of the Plan. Monitoring provides a means to assess the success and performance of the Plan during implementation. Monitoring results should be fed back into the Plan and used to alter and improve the Plan. Several monitoring options are suggested for this sector. Some monitoring measures may directly assess how and if the Plan is being used by target audiences while others can be used to provide an indirect measure of the environmental performance of the Plan following implementation. Specific monitoring measures for individual sectors are detailed in Section 5 above where appropriate.

It is key that baseline data and information that have been used to build the Plan are kept up to date. This will ensure that the Plan remains effective as a tool for informing and guiding stakeholders, regulators and developers.

A method of feedback is required in order to provide a vehicle for assessing performance of the Plan following implementation. This will help increase the effectiveness, maintain the accuracy of the information and provide a forum for reviewing mitigation measures. Some measure to monitor the views of stakeholders, regulators and developers. If possible a short questionnaire could be attached to planning applications where applicants are asked to provide feedback. Applicants could be asked i) if they have referred to the Plan ii) which parts of the Plan they found useful iii) is there anything that they would have found useful that wasn’t in the Plan.

The area has a rich marine and coastal wildlife heritage. A key monitoring element of the Plan is its success in safeguarding threatened and protected species, habitats and sites. Monitoring of key BAP species targets and where possible population numbers of protected species will give some measure of the impact on the natural environment. It may not be possible to monitor all protected/BAP elements of the area, however, a few key species or habitats could be selected and the relevant targets could be integrated into the monitoring of the Plan. This objective could be delivered in

collaboration with SNH, Hebridean Whale and Dolphin Trust and local biodiversity offices within Highland and Argyll and Bute local authorities.

If possible steps should be taken to monitor the number of planning applications where the following interests may be affected or involved

- protected/sensitive species, habitats and sites
- sites of historic and cultural interest
- landscape and seascape character of the area
- impacts of climate change have been considered and built into the planning
- areas potentially affected by coastal flooding
- water quality
- coastal and marine infrastructure

Monitoring of employment and business base data could provide an indication of the impact of the Plan and associated development opportunities on the local population. One potential indicator of the viability of local communities may be found through the Scottish index of Multiple Deprivation (SIMD). The rankings provide a set of indicators (access to services, access to public transport, employment, education, housing etc, see Scottish Neighbourhood Statistics for more information) and provide a measure of how communities fair in the context of other communities in Scotland. For instance, if some of the highlighted development opportunities are taken up developers this could bring employment and business to the area. Potential knock-on effects for the local infrastructure and economy can contribute to increased viability of local communities.

Relevant authorities, such as SEPA, SNH, Historic Scotland and FSAS, are responsible for monitoring several parameters (i.e. shellfish harvesting monitoring, site condition monitoring of designated natural environmental and historic interests and pollution incidents). This Environmental Report suggests that data from relevant parameters is centrally collated by the Plan Responsible Authority, in co-ordination with the relevant authority. This should enable the Responsible Authority to have an overarching view of the state of the environment and could provide a means to identify emerging environmental issues.

Monitoring recommendations (including those involving collation of monitoring data from relevant authorities) are summarised in Table 16.

Table 16. Recommended Monitoring measures for the SOM MSP			
No	SEA Topic	Monitoring details	Sectors affected
1	Biodiversity, Flora and Fauna	Applications where designated and protected sites, habitats and species affected	All sectors
2	Biodiversity, Flora and Fauna	Applications where local or BAP interests are affected	All sectors
3	Biodiversity, Flora and Fauna	Collation of data on status/condition of designated and protected interests, eg through site condition monitoring – in conjunction with relevant authorities	All sectors
4	Biodiversity, Flora and Fauna	Collation of data on status of BAP interests or achievement of BAP targets	All sectors

5	Biodiversity, Flora and Fauna	Collation of data on status of local commercial stocks – in conjunction with relevant authorities	Inshore Fishing
6	Biodiversity, Flora and Fauna	Collation of data on cetacean activity and population numbers	Shipping and Transport, Recreation and Tourism, Marine and Offshore Renewables
7	Population and Human Health	Impact of the Plan and policies on local communities through population, employment, business and SIMD data	All sectors
8	Population and Human Health	Number of applications that consider the needs of the local community and involve community consultation	All sectors
9	Population and Human Health	Tourism numbers	Recreation and Tourism, Coastal and Marine Infrastructure
10	Water	Number of applications where water quality may be impacted	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport
11	Water	Monitor achievement of WFD ‘good’ ecological status for RBMP area in conjunction with relevant authority	
12	Water	Collation of data on pollution events affecting area – in conjunction with relevant authority	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables, Inshore Fishing
12	Water	Collation of data on compliance of shellfish harvesting areas should shellfish opportunities be taken up – in conjunction with relevant authorities	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture
14	Climate	Number of applications that consider the impacts of climate change (coastal flooding, erosion and sea level rise)	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport
15	Climate	Number of applications where micro-renewables are built in to the development	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture
16	Historic and Cultural Heritage, Landscape and Seascape	Number of applications where historic, cultural and archaeological sites and interests are affected	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables
17	Historic and Cultural Heritage, Landscape and Seascape	Number of applications where the landscape and seascape quality of the area is affected	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables
18	Material Assets	Number of applications where coastal and marine infrastructure is affected	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables

19	Material Assets	Number of applications where resource sharing of infrastructure and space is built in	Coastal and Marine Infrastructure, Recreation and Tourism, Aquaculture, Shipping and Transport, Marine and Offshore Renewables
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8. Contact information

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Timeframe

Launch of the draft Plan and draft SEA Environmental Report – 1st Dec 2009

Consultation period - 1st December 2009 – 28th February 2010

Publication of revised draft Plan and Environmental Report – August 2010

Appendices

Appendix A. Links to other plans, programmes and strategies and environmental protection objectives.

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
International commitments		
<p>United Nations Convention on the law of the Sea (UNCLOS)¹⁷</p> <p>International Maritime Organisation (IMO)</p> <p>IMO International Convention for the prevention of pollution from ships (1973) as modified by the protocol of 1978 (MARPOL 73/78)¹⁸.</p>	<p>UNCLOS covers virtually all uses of the sea including navigation and over-flight, resource exploration and exploitation, conservation and pollution fishing and shipping. Some of the main provisions that are relevant to this SEA are:</p> <p>Territorial sea: coastal states exercise sovereignty over their territorial sea of up to 22.2km (12nm) in breadth, but foreign vessels would be allowed ‘innocent passage’ through those waters for peaceful navigation</p> <p>Straits used for international navigation: Ships and aircraft of all countries would be allowed ‘transit passage’ through straits used for international navigation, as long as they proceeded without delay and without threatening the bordering states; states alongside the straits would be able to regulate navigation and other aspects of passage</p> <p>Exclusive economic zone: coastal states would have sovereign rights in a 370km (200nm) exclusive zone with respect to natural resources and certain economic activities and would also have certain types of jurisdiction over marine science research and environmental protection; all other states would have freedom of navigation and over-flight in the zone as well as freedom to lay submarine cables and pipelines.</p> <p>The IMO protocols of particular relevance are:</p> <p>Aims to prevent marine pollution from ships covering pollution by oil, noxious liquids sewage and garbage.</p>	<p>The SoM is an important navigational route for ferries, fishing vessels and freight (it is part of the Inshore Traffic Route). The SoMMSP area lies entirely within Scottish territorial waters.</p> <p>The IMO Conventions must be considered Ensure it is compliant with national legislation , and in relation to management issues, development opportunities and oil spill contingency</p>

¹⁷ http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm

¹⁸ http://www.imo.org/Conventions/contents.asp?doc_id=678&topic_id=258

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
IMO International convention for the control and management of ships ballast water and sediments (IMO 2003). ¹⁹	Aims to prevent minimise and ultimately eliminate the transfer of harmful aquatic organisms and pathogens through the control and management of ships ballast water.	planning. Must be compliant with SOLAS requirements relating to navigation.
IMO International convention on oil pollution preparedness, response and co-operation (OPRC 1990) ²⁰	Provides a framework for international co-operation in combating major incidents or threats of marine pollution	
The London Convention on the prevention of marine pollution by dumping of wastes and other matter (1972) amended (1996) ²¹	Prohibits the dumping of certain hazardous materials, requires a prior special permit for the dumping of a number of other identified materials and a prior general permit for other wastes or matter.	
Safety of Life at Sea (SOLAS) Convention (1974) as amended. ²²	This convention includes provisions for navigation and pollution prevention.. It also includes the International Ship and Port facility Security Code (ISPS) ²³ Convention on the Control of Harmful Anti-Fouling Systems on Ships ²⁴ Convention on the International Regulations for Preventing Collisions at Sea (COLREGS) (1972) ²⁵	
The OSPAR Convention ²⁶	Currently 5 annexes in force: 1. Prevention and elimination of pollution from land based sources 2. Prevention and elimination of pollution by dumping or incineration 3. Prevention and elimination of pollution from offshore sources 4. Assessment of the quality of the marine environment 5. Protection and conservation of the ecosystem and biological diversity of the marine area.	Consider measures to prevent pollution, and protect and conserve the ecosystem of the maritime area and include provision for

¹⁹ http://www.imo.org/conventions/mainframe.asp?topic_id=867

²⁰ http://www.imo.org/Conventions/contents.asp?topic_id=258&doc_id=682

²¹ http://www.imo.org/Conventions/contents.asp?topic_id=258&doc_id=681

²² http://www.imo.org/Conventions/contents.asp?topic_id=257&doc_id=647

²³ http://www.imo.org/TCD/mainframe.asp?topic_id=897#what

²⁴ http://www.imo.org/Conventions/mainframe.asp?topic_id=258&doc_id=1494

²⁵ http://www.imo.org/Conventions/contents.asp?doc_id=649&topic_id=257

²⁶ <http://www.ospar.org/>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Convention on Biological Diversity ²⁷	<p>This convention aims to promote:</p> <ul style="list-style-type: none"> The conservation of biological diversity The sustainable use of its components The sharing of the benefits of genetic resources. <p>The UK Biodiversity Action Plan (and its various subsidiary plans) is part of the convention.</p>	<p>priority species and habitats</p> <p>Consider the implications of the UK Biodiversity Action Plan (BAP) and the local BAP's.</p>
<p>United Nations Conference on Environment and Development (UNCED, Earth Summit), the 'Rio Declaration'²⁸</p> <p>World Summit on Sustainable Development²⁹</p>	<p>UNCED reviewed the linkages between economic and social development and environmental protection and adopted Agenda 21. Chapter 17 of this agenda provides for ' protection of the oceans all kinds of seas including enclosed and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources'.</p> <p>WSSD included a number of commitments relevant to MSP, including:</p> <ul style="list-style-type: none"> Encouraging the ecosystem approach to marine management by 2010 Setting up representative marine protection networks by 2012 Restoring depleted fish stocks to maximum sustainable yields by 2015 'where possible'. <p>The Johannesburg Plan of Implementation (JPOI) was adopted in 2002 with concrete steps and quantifiable time-bound targets and goals. The WSSD reaffirmed Agenda 21 in 2002 (the Johannesburg declaration).</p>	<p>Consider the UK's international priorities for sustainable development</p> <p>Consider the UK's international priorities for sustainable development arising from this declaration.</p>
Bonn Convention on the conservation of migratory species of wild animals (1979) ³⁰	<p>This is an intergovernmental treaty concerned with the conservation of wildlife and habitats on a global scale. It aims to conserve terrestrial marine and avian species throughout their range through international co-operation. The UK is party to the convention and to several agreement which have been concluded to date under the auspices of the convention e.g. ASCOBANS (small cetaceans - <i>Odontoceti</i>), AEWAs (migratory birds) and EUROBATS (bats).</p>	<p>Consider the implications of the Plan on migratory species</p>
Convention concerning the protection of the World Cultural and Natural Heritage (1972) ³¹	<p>This convention aims to encourage the identification, protection and preservation of cultural and natural heritage around the world considered to be of outstanding value to humanity.</p>	<p>Consider the implications of the Plan in relation to the</p>

²⁷ <http://www.cbd.int/>

²⁸ <http://www.un.org/esa/sustdev/documents/agenda21/index.htm>

²⁹ <http://www.un.org/events/wssd/>

³⁰ <http://www.cms.int/>

³¹ <http://whc.unesco.org/en/conventiontext/>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
North East Atlantic Fisheries Commission Convention 1982, amendments 2004, 2006 ³²	<p>The objective of this Convention is to ensure the long-term conservation and optimum utilisation of the fishery resources in the Convention Area, providing sustainable economic, environmental and social benefits. In making recommendations the NEAFC will:</p> <ul style="list-style-type: none"> • ensure that such recommendations are based on the best scientific evidence available; • apply the precautionary approach; • take due account of the impact of fisheries on other species and marine ecosystems, • and in doing so adopt, where necessary, conservation and management measures that address the need to minimise harmful impacts on living marine resources and marine ecosystems; take due account of the need to conserve marine biological diversity. <p>The NEAFC shall provide a forum for consultation and exchange of information on the state of the fishery resources in the Convention Area and on the management policies, including examination of the overall effects of such policies on the fishery resources and, as appropriate, other living marine resources and marine ecosystems.</p>	<p>identification, protection and preservation of World Heritage Sites</p> <p>Consider the recommendations regarding fishery resource management and sustainable development.</p>
Convention on the Conservation of Salmon in North Atlantic Ocean ³³	<p>The North Atlantic Salmon Conservation Organization (NASCO) is an international organization established under the Convention for the Conservation of Salmon in the North Atlantic Ocean which entered into force on 1 October 1983. The objective of the Organization is to contribute through consultation and cooperation to the conservation, restoration, enhancement and rational management of salmon stocks subject to the Convention taking into account the best scientific evidence available to it. The Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal States of the Atlantic Ocean north of 36°N latitude throughout their migratory range.</p>	<p>Consider the recommendations regarding salmon fishery resource management and sustainable development.</p>
European Commitments		
Environment Action Programme (EAP) ³⁴	<p>The 6th EAP is a decision of the European parliament and the Council adopted in 2002. It sets out a framework for environmental policy-making in the EU for the period 2002-2012. It has seven thematic strategies one of which</p>	<p>Consider the implications of the plan</p>

³² <http://www.neafc.org/north-east-atlantic-fisheries-commission>

³³ http://www.nasco.int/pdf/nasco_convention.pdf

³⁴ <http://ec.europa.eu/environment/newprg/index.htm>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>EC Marine Strategy Framework Directive (2008/56/EC)³⁵</p> <p>EC Integrated Maritime Policy for the European Union (Blue paper) COM (2007) 575³⁶</p> <p>SEA Directive 2001/42/EC³⁷</p> <p>Aarhus Convention (1998) and Directive 2003/35/EC³⁸</p> <p>Water Framework Directive (2000/60/EC)³⁹</p>	<p>covers the marine environment ‘The marine strategy framework directive’.</p> <p>The overarching aim of this directive is to provide more effective protection to the marine environment. Its sets a goal to achieve ‘good’ environmental status of the EU’s marine environment by 2021 and further aims to protect the resource base upon which marine-related economic and social activities depend. Within the directive European marine regions have been established, based on geographical and environmental criteria. And member states are required to develop strategies for the marine regions in collaboration with other member states that share the marine region. Launched in 2008, the directive should be incorporated into domestic legislation by 2010.</p> <p>A Communication on An Integrated Maritime Policy for the European Union. This policy is based on the clear recognition that all matters relating to Europe’s oceans and seas are interlinked, and that sea-related policies must develop in a joined up way. This integrated inter-sectoral approach ensures stakeholder participation reinforcing co-operation and co-ordination of all sea related policies. Part of this policy is to develop a roadmap towards marine spatial planning by member states.</p> <p>SEA Directive is to ensure that environmental consequences of certain plans and programmes are identified and assessed during their preparation and before their adoption. SEA will contribute to more transparent planning by involving the public and by integrating environmental considerations, helping to achieve the goal of sustainable development</p> <p>The United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public participation in decision-making and Access to Justice in Environmental Matters is a new kind of environmental agreement; it links environmental rights and human rights, and it acknowledges we owe an obligation to future generations. The convention is not only an environmental agreement, it is also a convention about government accountability, transparency and responsiveness. The Directive 2003/35/EC enabled the ratification the Aarhus Convention.</p> <p>The two main objectives of the WFD that are relevant here are:</p>	<p>on biodiversity, habitats, flora and fauna.</p> <p>Consider the integration and co-operation potential for the plan</p> <p>Consider how it can best inform on effective SEA using MSP.</p> <p>Consider how best to ensure inclusivity and transparency in the development and dissemination of the plan.</p> <p>Consider how to create linkages with the river</p>

³⁵ http://ec.europa.eu/environment/water/marine/index_en.htm.

³⁶ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0575:FIN:EN:PDF>

³⁷ http://ec.europa.eu/environment/eia/full-legal-text/0142_en.pdf

³⁸ <http://ec.europa.eu/environment/aarhus/>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
	<ul style="list-style-type: none"> To prevent further deterioration, protect and enhance the status of aquatic ecosystems Aim at enhanced protection and improvement of the aquatic environment. River Basin management (RBM) plans are to be in place for 2009 which will include programmes and measures to achieve the aims of the WFD. 	basin management planning process and provide a strategic overview of water quality management issues
Floods Directive (2007/60/EC)	Requires member to assess the risk of flooding for all water courses and coastlines. Member states are required to map flood extent and any assets and humans at risk from flood. Steps should then be taken to reduce the flood risk. Through this directive the public have the right to access information on flood risk and have a say in the planning process.	
Birds Directive (79/409/EEC) ⁴⁰	The Birds Directive is a comprehensive scheme of protection for all wild bird species in Europe. It recognises that habitat loss and degradation are the most serious threat to the conservation of wild birds, as such it has established a network of Special protected Areas (SPA), which are incorporated into the NATURA 2000 ecological network.	Ensure that the plan will not adversely affect the integrity of relevant sites within the Natura 2000 network and promote protection of priority species
Habitats Directive (92/43/EEC) ⁴¹	The Habitats Directive forms the cornerstone of Europe's nature conservation policy. The main aim of the Habitats Directive is to promote the maintenance of biodiversity by requiring member states to take measures to maintain or restore natural habitats and wild species at a favourable conservation status. In applying these measures member states have to take account of economic, social and cultural requirements as well as regional and local characteristics. It is based on two pillars: the NATURA 2000 network of protected sites and a strict system of species protection. It protects over 1,000 animal and plant species and over 200 habitat types which are of European importance.	Ensure that the plan will not adversely affect the integrity of any relevant sites within the Natura 2000 network and promote protection of priority species
Common Fisheries Policy ⁴² Plan of Action for the	Marine fisheries conservation is an area of exclusive European Community competence. The CFP sets fisheries policy at a community level and limits the extent to which Member states can develop their own fisheries measures. Article 6 of the treaty requires that environmental protection must be integrated into Community	Consider the CFP policies in regard to the fishery resource and its

³⁹ http://ec.europa.eu/environment/water/water-framework/index_en.html

⁴⁰ http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

⁴¹ http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

⁴² http://ec.europa.eu/fisheries/cfp_en.htm

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Conservation and Management of Sharks ⁴³	<p>policies to promote sustainable development. The CFP was amended in 2002 through Council Regulation 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the CFP. The CFP also encompasses the Action Plan for the Conservation and Management of Sharks. The European Commission's Action plan for the Conservation and Management of Sharks is based on the following three specific objectives:</p> <ul style="list-style-type: none"> • deepen knowledge both on shark fisheries and on shark species and their role in the ecosystem; • ensure that directed fisheries for shark are sustainable and that their by-catches are properly regulated; <p>encourage a coherent approach between the internal and external EC fishery policy for sharks.</p>	sustainable management and development, and shark conservation in particular.
The Convention on the Conservation of European Wildlife and Natural Habitats (1979) (The Bern Convention) ⁴⁴	The Bern Convention was adopted in 1972 and came into force in 1982. The principal aims are to ensure conservation and protection of wild plant and animal species and their natural habitats, to increase co-operation between contracting parties, and to regulate the exploitation of those species (including migratory species). The Bern Convention is implemented through the Birds Directive and the Habitats Directive.	Consider the implications of the plan on protected habitats and species.
The EU's Sustainable Development Strategy (SDS) (2001) ⁴⁵	The EU SDS sets out a single coherent strategy on how the EU will live up to its long standing commitment to meet the challenges of sustainable development. The overall aim of the EU SDS is to identify and develop actions to enable the EU to achieve a continuous long-term improvement of quality of life through the creation of sustainable communities able to manage and use resources efficiently, able to tap the ecological and social innovation potential of the economy and in the end be able to ensure prosperity, environmental protection and social cohesion.	Consider how best to inform on sustainable development and environmental protection.
EIA Directive (85/337/EEC) amended (97/11/EC)	This Directive requires an Environmental Impact Assessment (EIA) and a public consultation document, an Environmental Statement (ES) to be submitted for certain projects considered likely to have a significant impact on the environment.	Consider how it can best inform on effective EIA using MSP.
Council of Europe, European Landscape Convention (2000) (The Florence Convention) ⁴⁶	The European Landscape Convention is part of the Council of Europe's work on natural and cultural heritage, spatial planning and the environment. It applies to natural, urban and sub-urban areas whether on land, water or sea. The Convention establishes the general legal principles which should serve as a basis for adopting national landscape policies and promoting interaction between local, regional and national authorities as well as establishing international co-operation in such matters.	Consider the implications of siting hard landscaping and facilities in the area.
European Convention on the Protection of the Archaeological	The Convention includes provisions for the identification and protection of archaeological heritage, its conservation, the control of excavations and the prevention of illicit circulation of archaeological objects.	Consider archaeological heritage in the area.

⁴³ http://ec.europa.eu/fisheries/cfp/management_resources/conservation_measures/sharks/introduction_en.htm

⁴⁴ <http://conventions.coe.int/Treaty/EN/Treaties/Html/104.htm>

⁴⁵ <http://ec.europa.eu/environment/eussd/>

⁴⁶ <http://conventions.coe.int/Treaty/en/Treaties/Html/176.htm>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Heritage (revised) Valletta 1992 ⁴⁷	UNESCO Convention on protection of underwater cultural heritage (2001) ⁴⁸ This Convention seeks to promote preservation of underwater cultural heritage more than 100 years old. This included artefacts and human remains in and around wrecks, but clearly excluded modern artefacts such as pipelines and cables laid on the seabed. It aims to ensure and strengthen the protection of underwater cultural heritage promoting in situ protection and preventing commercial exploitation. Responsible non-intrusive access to observe or document in situ underwater heritage is encouraged to create public awareness, appreciation and protection of the heritage.	Consider the how best to preserve and promote underwater heritage, in particular wreck sites, in the area.
International Council on Monuments and Sites (ICOMOS) Charter on the protection and management of underwater cultural heritage ⁴⁹	The Charter is intended to encourage the protection and management of underwater heritage in inland and inshore waters, shallow seas and in the deep oceans. It includes submerged sites and structures, wreck sites and wreckage and their archaeological and natural context. It acts as a supplement to the ICOMOS Charter for the Protection and Management of Archaeological Heritage.	Consider the how best to preserve and promote underwater heritage, in particular wreck sites, in the area.
Urban Waste Water Treatment Directive (91/271/EEC) ⁵⁰	This Directive aims to protect the environment from the adverse effects of waste water discharges from urban and industrial sources including sewage. It also sets acceptable pollutant levels. It is enacted through Scottish Statutory Instrument 2003 No. 273 The Urban Waste Water Treatment (Scotland) Amendment Regulations 2003.	Consider how to best support the implementation of this Directive.
Action plan ‘Halting the loss of biodiversity by 2010 – and beyond’ (COM/2006/0216) ⁵¹	The 2006 Biodiversity Communication and its detailed Action Plan set out a detailed agenda for action to halt the loss of biodiversity by 2010. It proposes 10 priority objectives addressing most important habitats and species; actions in the wider countryside and marine environment; making regional development more compatible with nature; reducing impacts of invasive alien species; effective international governance; support to biodiversity in international development; reducing negative impacts of international trade; adaptation to climate change; and strengthening the knowledge base. The Communication also recognises the need for four supporting measures relating to adequate financing, strengthening EU decision-making, building partnerships and promoting public education, awareness and participation.	Consider the implications of the plan on biodiversity.
EC Directive on Integrated	IPPC applies a comprehensive approach to the environmental regulation of combustion processes to generate	Consider how best to

⁴⁷ <http://conventions.coe.int/Treaty/en/Treaties/Html/143.htm>

⁴⁸ <http://unesdoc.unesco.org/images/0012/001260/126065e.pdf>

⁴⁹ <http://www.icomos.org/>

⁵⁰ http://ec.europa.eu/environment/water/water-urbanwaste/index_en.html

⁵¹ http://ec.europa.eu/environment/nature/biodiversity/comm2006/bap_2006.htm

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Pollution Prevention and Control (IPPC) (96/61/EC) ⁵²	power on offshore facilities. This integrated approach means that emissions to air, the sea and land, plus a range of other environmental effects, must be considered together.	support activities in the area to ensure compliance
The Lisbon Agenda (2000) ⁵³	<p>During the meeting of the European Council in Lisbon (March 2000), the Heads of State or Government launched a "Lisbon Strategy" aimed at making the European Union (EU) the most competitive economy in the world and achieving full employment by 2010. This strategy, developed at subsequent meetings of the European Council, rests on three pillars:</p> <ul style="list-style-type: none"> • An economic pillar preparing the ground for the transition to a competitive, dynamic, knowledge-based economy. Emphasis is placed on the need to adapt constantly to changes in the information society and to boost research and development. • A social pillar designed to modernise the European social model by investing in human resources and combating social exclusion. The Member States are expected to invest in education and training, and to conduct an active policy for employment, making it easier to move to a knowledge economy. • An environmental pillar, which was added at the Göteborg European Council meeting in June 2001, draws attention to the fact that economic growth must be decoupled from the use of natural resources. 	This Agenda comes under the EAP and as such the SoMMSP should consider how best to support the implementation of sustainable economic growth in the area.
Shellfish Waters Directive (79/923/EEC) ⁵⁴	The aim of the EC Shellfish Waters Directive is to protect or improve shellfish waters in order to support shellfish life and growth, therefore contributing to the high quality of shellfish products directly edible by man. It sets physical, chemical and microbiological water quality requirements that designated shellfish waters must either comply with ('mandatory' standards) or endeavour to meet ('guideline' standards). The original Shellfish Waters Directive (79/923/EC), adopted on 30 October 1979, was repealed by the codified Shellfish Waters Directive (2006/113/EC), adopted on 12 December 2006. The Directive is designed to protect the aquatic habitat of bivalve and gastropod molluscs, including oysters, mussels, cockles, scallops and clams. It does not cover shellfish crustaceans such as crabs, crayfish and lobsters.	Should highlight the designated shellfish growing waters in the area.
Guidelines for an Integrated Approach to Maritime Policy: Towards best Practice in Integrated Maritime Governance	These guidelines aim to provide a holistic approach on how to handle maritime affairs as an increasing number of governments, in Europe, and all over the world, are signing up to new, cross-cutting, integrated approach to the governance of maritime affairs. This approach also recognises that there is a maritime dimension to virtually every major issue facing Europe today including environmental protection, transport and trade. Member states	Consider how best to support the implementation of a holistic approach to

⁵² <http://ec.europa.eu/environment/air/pollutants/stationary/ippc/index.htm>

⁵³ <http://www.euractiv.com/en/future-eu/lisbon-agenda/article-117510>

⁵⁴

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>and stakeholder Consultation. COM(2008) 395 final⁵⁵</p> <p>Water pollution by discharges of certain dangerous substances. EC Directive 76/464/EEC⁵⁶ Codified as 2006/11/EC⁵⁷</p> <p>Shipment of waste EC Regulation 1013/2006 (2006)⁵⁸</p>	<p>should develop their own national integrated maritime policies, embracing economic, social, cultural and environmental contexts, with active stakeholder participation and being implemented through marine spatial planning.</p> <p>This Directive is concerned with pollution caused by certain dangerous substances discharged into the aquatic environment of the Community. It aims to regulate potential aquatic pollution by thousands of chemicals produced in Europe and covers inland surface waters, territorial waters and inland coastal waters. Member states must establish pollution reduction programmes including water quality objectives. This Directive will be integrated into the Water Framework Directive.</p> <p>This regulation lays out the control system for international transfers of waste, with two classifications (red or green waste) having differing provisions and also includes some outright prohibitions and exemptions.</p>	<p>marine governance.</p> <p>Consider how best to support the implementation through informing on pollution reduction programmes</p> <p>Consider the implications of this in regard to water traffic and pollution potential.</p>
UK and Scottish National Commitments		
Sustainable development, conservation and biodiversity.		
<p>Securing the Future – UK Government sustainable development strategy (2005)⁵⁹</p> <p>Choosing Our Future: Scotland's Sustainable Development Strategy 2005⁶⁰</p>	<p>Principles for sustainable development and shared priorities agreed across the UK, including the Devolved Administrations. The Strategy contains:</p> <ul style="list-style-type: none"> • an integrated vision building on the 1999 strategy – with stronger international and societal dimensions • five principles – living within environmental limits, ensuring a strong, healthy and just society, using sound science responsibly, promoting good governance and achieving a sustainable economy • four agreed priorities – sustainable consumption and production, climate change, natural resource protection and sustainable communities and an outcome focused indicator set and commitments to look at new indicators. <p>This strategy sets out the measures the Scottish Government will take to implement the UK Government sustainable development strategy (see above). It provides a framework for the Scottish Governments emerging strategies on climate change, transport, renewable energy. Green jobs and biodiversity. The theme that runs</p>	<p>Consider how best to support the UK Government Sustainable Development Strategy</p> <p>Consider how best to support economic growth and sustainable</p>

⁵⁵ http://ec.europa.eu/maritimeaffairs/pdf/com08_395_en.pdf

⁵⁶ http://ec.europa.eu/environment/water/water-dangersub/76_464.htm

⁵⁷ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:064:0052:0059:EN:PDF>

⁵⁸ <http://ec.europa.eu/environment/waste/shipments/legis.htm>

⁵⁹ <http://www.defra.gov.uk/sustainable/government/publications/uk-strategy/>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Department of Trade and Industry – sustainable development action plan (05-06).	through the framework is how to live sustainably. This action plan was drawn up to meet the requirements of the ‘Securing the Future – UK Government sustainable development strategy (2005) (see above)’. It includes actions and targets to achieve ‘sustainable consumption and production’ and contributing to sustainable development worldwide. It also complies with the Lisbon agenda by including the need to decouple economic growth from environmental impacts.	development. Consider how best to support economic growth and sustainable development.
Scottish Government Energy Consents Unit and Electricity Act (1989) (Marine Renewables, Marine Safety Zones and pipelines) ⁶¹	The Energy Consents Unit sits within the Scottish Government's Energy Division. The Unit comprises two separate teams which have responsibility, under the 1989 Electricity Act, for processing applications for the development of new power stations on and offshore. Developers proposing the construction, extension or operation of a marine based generating station within Scottish territorial waters or the Scottish Renewable Energy Zone (REZ) require consent under section 36 of the Electricity Act 1989.	Consider how best to ensure compliance with this Act.
Environmental Protection Act 1990 ⁶²	This Act aims to control pollution arising from industrial and other processes to air, land and water. It includes any release into a sewer and accords with the Sewerage (Scotland) Act 1968.	Consider the proposed plan in the context of the UK policy for the marine environment.
Environment Act (1995) ⁶³	This Act establishes the Scottish Environment Protection Agency (SEPA), the criteria for the establishment of National Parks and includes some general provisions on fisheries and the control of pollution of water in Scotland.	Consider the proposed plan in the context of the UK policy for the marine environment.
Environmental Assessment (Scotland) Act (2005) ⁶⁴	This Act transposes the SEA Directive into Scottish legislation. It requires the preparation of an environmental report and a consultation exercise, and the taking into account of the environmental report and the result of the consultation exercise in decision making.	Consider the proposed plan in the context of the UK policy for EIA.
Pollution Prevention and Control Act (1999) ⁶⁵	This Act provides provisions for implementing EC Directive 96/61/EC. It regulates activities which are capable of causing any environmental pollution and preventing or controlling emissions capable of causing any such pollution.	Consider any implications regarding pollution and control of related activities

⁶⁰ <http://www.scotland.gov.uk/Publications/2005/12/1493902/39032>

⁶¹ <http://www.scotland.gov.uk/Topics/Business-Industry/Energy/Energy-Consents/Legislation>

⁶² http://www.opsi.gov.uk/acts/acts1990/Ukpga_19900043_en_1.htm

⁶³ http://www.opsi.gov.uk/acts/acts1995/UKpga_19950025_en_1.htm

⁶⁴ http://www.opsi.gov.uk/legislation/scotland/acts2005/asp_20050015_en_1

⁶⁵ http://www.opsi.gov.uk/Acts/acts1999/ukpga_19990024_en_1

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>The Pollution Prevention and Control (Scotland) regulations (2000). Scottish Statutory Instrument 2000 No. 323⁶⁶</p> <p>Urban waste Water Treatment (Scotland) regulations (1994) Statutory Instrument 1994 No. 2842 (S.144)⁶⁷</p> <p>Amendment Regulations 2003⁶⁸</p> <p>Safeguarding Our Seas: A strategy for the conservation and sustainable development of our marine environment. DEFRA (2002). Seas of Change consultation</p>	<p>These regulations lay out the detailed Pollution Prevention Control regime under the Pollution Prevention Control Act 1999.</p> <p>These regulations relate to the collection, treatment and discharge of urban waste water and the treatment of waste water from certain industrial sectors. By 2005 the Local Authority responsible will have collecting systems in place for every agglomeration with a population of between 2,000 and 15,000. The amendment regulations place a duty to maintain up to date information about sensitive areas and high dispersion areas on the Scottish Government and SEPA.</p> <p>This report sets out a vision for the marine environment - clean, healthy, safe, productive and biologically diverse oceans and seas. It is underpinned by the principles of sustainable development, integrated management, the conservation of biological diversity, robust science, the precautionary principle and stakeholder involvement. It outlines an ecosystem-based approach to marine management to better integrate marine protection objectives with sustainable social and economic goals. It covers the broad spectrum of policies that affect the marine environment.</p>	<p>Consider any implications regarding pollution and control of related activities</p> <p>Consider any implications regarding pollution and control of related activities</p> <p>Consider the proposed plan in the context of the UK policy for the marine environment.</p>
<p>A Sea Change, Marine Bill White paper. Defra (2007)⁶⁹</p>	<p>The draft marine Bill includes a range of provisions including:</p> <ul style="list-style-type: none"> • Marine Spatial Planning - priorities, guidance and environmental standards for the development and protection of marine resources • Marine Consents - streamline and make more transparent the arrangements through which developments in the marine environment are consented • Marine Management Organisation – considering the case for a potential new Marine Management Organisation • Marine Nature Conservation - improved legal protection of marine biodiversity • Coastal and Estuary Management - strategy for integrated coastal zone management • Fisheries Management and Marine Enforcement - approach across the UK for combining fisheries and marine resource management. 	<p>Consider the proposed plan in the context of the UK policy for the marine environment.</p>

⁶⁶ <http://www.opsi.gov.uk/legislation/scotland/ssi2000/20000323.htm>

⁶⁷ http://www.opsi.gov.uk/SI/si1994/Uksi_19942842_en_1.htm

⁶⁸ <http://www.opsi.gov.uk/legislation/scotland/ssi2003/20030273.htm>

⁶⁹ <http://www.defra.gov.uk/marine/pdf/legislation/marinebill-whitepaper07.pdf>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Seas the opportunity: a strategy for the long term sustainability of Scotland's coasts and seas. Scottish Government (2005) ⁷⁰	This is founded on the same 5 sustainable development guiding principles as the Securing the Future – UK Government sustainable development strategy (2005): living within environmental limits, ensuring a strong, healthy and just society, using sound science responsibly, promoting good governance and achieving a sustainable economy. It specifically states that this will be delivered through developing the concept of MSP. Securing the Future – UK Government sustainable development strategy (2005) living within environmental limits, ensuring a strong, healthy and just society, using sound science responsibly, promoting good governance and achieving a sustainable economy.	Consider the proposed plan in the context of the UK policy for the marine environment and ICZM.
Recommendations of the advisory group on Marine and Coastal strategy. A follow up to sea the opportunity: a strategy for the long term sustainability of Scotland's coasts and seas. Scottish Government (2007) ⁷¹	Eight recommendations: 1. A set of Scottish Marine Ecosystem Objectives 2. Legislation to enforce the Act at sea 3. Biodiversity assessment 4. Consideration of current unregulated activities to be licensed 5. Meet OSPAR and WSSD commitments 6. Consultation on the establishment of protected areas based on purely Scottish priorities 7. Regulatory mechanism should be integrated with MSP and ICZM 8. Repeal of out-dated legislation	Consider the proposed plan in the context of the UK policy for the marine environment and ICZM.
Nature Conservation (Scotland) Act (2004) ⁷²	The Nature Conservation (Scotland) Act 2004 and the Biodiversity Strategy set out a 25 year plan imposing a wide-ranging duty on Scotland's public sector to conserve biodiversity and protect the nation's natural heritage. The strategy includes sectoral implementation plans which identify specific actions covering marine, rural and urban issues. The Act provides the principal legislative components of a new, integrated, system for nature conservation within Scotland and makes it an offence to intentionally or recklessly disturb a dolphin, whale (cetacean) or basking shark, and requires the production of a new code of guidance covering whale and dolphin watching and similar activities.	Consider the proposed plan in the context of the UK policy for the marine environment especially in relation to biodiversity
Consultation – Making a difference for Scotland's species: A Framework for Action 2006 ⁷³	This framework document builds upon the Nature Conservation (Scotland) Act 2004 and identifies certain priority species for Scotland.	Consider the proposed plan in the context of the UK policy for the marine environment,

⁷⁰ <http://www.scotland.gov.uk/Publications/2005/08/26102543/25444>

⁷¹ <http://www.scotland.gov.uk/Publications/2007/03/08103826/25>

⁷² http://www.opsi.gov.uk/legislation/scotland/acts2004/asp_20040006_en_1

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>Wildlife and Countryside Act 1981</p> <p>The conservation (natural habitats, &c) amendment (Scotland) regulations 1994.</p> <p>The conservation (natural habitats, &c) amendment (Scotland) regulations 2004⁷⁴</p> <p>The conservation (natural habitats &c) amendment (Scotland) regulations 2007⁷⁵</p> <p>Consultation on proposals to establish Scotland's first coastal and marine national park 2006⁷⁶</p>	<p>This Act consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain. It is complimented by the Wildlife and Countryside (Service of Notices) Act 1985, which relates to notices served under the 1981 Act, and the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), which implement Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive). In Scotland the most recent amendment to this Act is the Nature Conservation (Scotland) Act (2004). The Act provides for designation of Marine Nature Reserves, for which byelaws must be made to protect them.</p> <p>These regulations are the means through which the Habitats Directive are transposed into Scottish law. They have been amended many times, since they came into force in 1994, with the major amendment occurring in 2004 and 2007. The regulations relate to the Natura 2000 network of protected sites. The 2007 amendment relates to the creation of marine national parks.</p> <p>In 2004 Ministers agreed to consult on the first two elements of the Scottish Executive's Partnership Agreement commitment to: "Consult on the best strategy for protecting and enhancing all of Scotland's coastline, building on existing policies and including the options of establishing a national coastline park and marine national parks, and consideration of current management and rental arrangements for the sea-bed."</p> <p>This was done as part of the Executive's consultation on developing a strategic framework for Scotland's marine environment that could:</p> <ul style="list-style-type: none"> • Bring greater coherence to the range of marine-related initiatives across the Executive; • Establish a clear vision for the sustainable management of our coasts and seas; 	<p>especially in relation to biodiversity</p> <p>Consider the proposed plan in the context of the UK policy for the marine environment, especially in relation to biodiversity</p> <p>Consider the proposed plan in the context of the UK policy for the marine environment, especially in relation to biodiversity</p> <p>Consider the proposed plan in the context of the UK policy for the marine environment, especially in relation to biodiversity</p>

⁷³ <http://www.snh.org.uk/speciesactionframework/saf-background.asp>

⁷⁴ <http://www.opsi.gov.uk/legislation/scotland/ssi2004/20040475.htm>

⁷⁵ http://www.opsi.gov.uk/legislation/scotland/ssi2007/ssi_20070080_en_1

⁷⁶ <http://www.scotland.gov.uk/Publications/2006/10/09095444/0>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>Biodiversity: UK Action Plan⁷⁷ Scotland's Biodiversity: It's In Your Hands 2004⁷⁸ Scotland's Biodiversity – its in your hands. Strategy implementation plans 2005-2007⁷⁹ Argyll & Bute BAP⁸⁰ Lochaber BAP⁸¹</p>	<ul style="list-style-type: none"> • Identify any gaps in current activity, and ways to plug them; • Ensure more effective governance of the marine and coastal environment. <p>The consultation identified 5 candidate areas of which the Argyll Islands and Coast is one.</p> <p>A strategy for the conservation and enhancement of biodiversity in the UK. Includes an agreement to promote awareness of biodiversity and encourage public involvement. Habitat and species action plans have been produced to protect some of our most threatened species of plants and animals. Scotland has published it's own national biodiversity strategy setting out a 25 year framework for action to conserve and enhance biodiversity in Scotland. All local authorities have produced a Biodiversity Action Plan for their area. Two apply to the Sound of Mull, Argyll and Bute BAP and Lochaber BAP. The objectives for all BAP's are:</p> <ul style="list-style-type: none"> • Species & Habitats: To halt the loss of biodiversity and continue to reverse previous losses through targeted action for species and habitats • People: To increase awareness, understanding and enjoyment of biodiversity, and engage many more people in conservation and enhancement • Landscapes & Ecosystems: To restore and enhance biodiversity in all our urban, rural and marine environments through better planning, design and practice • Integration & Co-ordination: To develop an effective management framework that ensures biodiversity is taken into account in all decision making • Knowledge: To ensure that the best new and existing knowledge on biodiversity is available to all policy makers and practitioners <p>Within each BAP is a section relating to marine areas. The marine implementation plan has been structured under 7 broad objectives:</p> <ol style="list-style-type: none"> 1. To guide national marine policy and strategy 2. To deliver appropriate governance through partnership working 3. To deliver a better planned approach 4. To improve marine regulation and management 5. People: promoting good practice 	<p>Consider the proposed plan in the context of the UK policy for the marine environment, especially in relation to biodiversity</p>

⁷⁷ <http://www.ukbap.org.uk/>

⁷⁸ <http://www.scotland.gov.uk/Publications/2004/05/19366/37239>

⁷⁹ <http://www.biodiversityscotland.gov.uk/sbfsip/sbfsip-02.htm>

⁸⁰ <http://www.argyll-bute.gov.uk/biodiversity/LBAP/Index.htm>

⁸¹ <http://www.highlandbiodiversity.com/htm/counties/lochaber/lochaber.pdf>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Conservation of Seals Act (1970) ⁸²	<p>6. People: raising awareness of marine biodiversity</p> <p>7. Knowledge: improving biodiversity information and surveillance</p> <p>Under this act Scottish seals are provided with a degree of protection during their main moulting and breeding periods (known as 'close seasons'). For grey seals, the close season extends from September 1 to December 31, and for common seals, from June 1 to August 31. The Act also prohibits certain methods of taking or killing seals - poisons and inappropriate firearms. The Scottish Government and Scottish Natural Heritage are responsible for applying and delivering this Act.</p>	Consider the proposed plan in the context of the UK policy for the marine environment and wildlife protection
Enhancing our care of Scotland's Landscapes. Consultation Document Scottish Government (2006) ⁸³	This consultation paper contains proposals for legislation to give Scottish Ministers powers to designate, de-designate, or revise the boundaries of any National Scenic Area (NSA). A statutory definition of purpose including criteria for designation of NSAs is proposed. The paper also contains proposals for promoting a non-statutory approach for the management of NSAs utilising the expertise of SNH and working towards preparation of management strategies and implementation of action plans for individual NSAs. Landscape (scenery) is given as a major reason for tourists visiting Scotland, and is important for both tourism and for attracting inward investment.	Consider the proposed plan in the context of the UK policy for the marine environment
Water Environment and Water Services (Scotland) Act 2003 ⁸⁴	The WEWS Act gave Scottish ministers powers to introduce regulatory controls over water activities, in order to protect, improve and promote sustainable use of Scotland's water environment. This includes wetlands, rivers, lochs, transitional waters (estuaries), coastal waters and groundwater. It implements the WFD in Scotland, river basin management planning, protection of the water environment and establishes a duty to provide water and sewerage services.	Consider the proposed plan in the context of the new arrangements for the protection of the water environment
Food and Environment Protection Act (1985) ⁸⁵	This Act aims to protect the marine ecosystem and human health through the control of the deposit of articles or materials in the sea or on the sea bed including tidal waters. It replaced the Dumping At Sea Act 1974. FEPA applies throughout UK controlled waters from the tidal limit of Mean High Water Spring tides. A FEPA consent is required for developments such as new harbours and marinas, piers, pontoons, jetties, outfalls, energy generation structures e.g. wind farms, flood defences and land reclamation. Applications for a FEPA consent are assessed and are issued on behalf of Scottish Ministers by the Fisheries Research Service.	Consider the proposed plan in relation to existing and new coastal infrastructure.

⁸² http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1970/cukpga_19700030_en_1

⁸³ <http://www.scotland.gov.uk/Publications/2006/01/27145442/0>

⁸⁴ http://www.opsi.gov.uk/legislation/scotland/acts2003/asp_20030003_en_1

⁸⁵ http://www.mceu.gov.uk/MCEU_LOCAL/FEPA/FEPA-start.htm

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Changing Our Ways: Scotlands Climate Change Programme 2006	This programme presents the vision for the longer term climate change and sustainable development in Scotland. It aims to quantify Scotland's 'equitable contribution' in carbon terms - the Scottish Share, show leadership in setting Scottish Targets. It also sets out new actions and future directions across the main sectors and provides guidance on responding to the inevitable consequences of climate change.	Consider the programme to ensure the plan fits the remit of the programme
Fisheries and Aquaculture		
Inshore Fishing (Scotland) Act 1984 amended 1994 ⁸⁶	<p>Since 1984 inshore fisheries in Scotland have been regulated primarily through the Inshore Fishing (Scotland) Act 1984. This act regulates fishing in inshore waters by way of prohibiting combinations of the following:</p> <ul style="list-style-type: none"> • all fishing for sea fish; • fishing for a specified description of sea fish; • fishing by a specified method; • fishing from a specified description of fishing boat; • fishing from or by means of any vehicle, or any vehicle of a specific description; and • fishing by means of a specified description of equipment. <p>A variety of orders have been made under this Act since 1984 introducing an assortment of local and national measures for a range of fishery management purposes.</p> <p>High level objectives (covering biological, economic, environmental, social and governance issues), for inshore fisheries will be set at a national level by SIFAG in liaison with SEERAD and other government bodies. In order to achieve these high level objectives and ensure they are relevant to the distinct inshore fisheries around the Scottish coast, a network of inshore fisheries groups will be established, covering all Scottish inshore waters.</p>	The SoM is an important area for both local and national fishing vessels as a fishery ground and refuge
Sea Fisheries (shellfish) Act 1967 ⁸⁷ Amended 2000 ⁸⁸	This act has been amended many times. From the mid-nineties regulating orders under this act were considered as a means of enabling more local, area management of inshore shellfish fisheries. Several Orders also under this Act have been used specifically for the localised cultivation of shellfish.	The SoM is an important area for both local and national fishing vessels as a fishery ground and refuge
The Sea Fish (Conservation) Act	This Act relates to the licensing of fishing boats, and places restrictions on time spent at sea.	The SoM is an

⁸⁶ http://www.opsi.gov.uk/Acts/acts1994/ukpga_19940027_en_1

⁸⁷ http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1967/cukpga_19670083_en_3

⁸⁸ http://www.opsi.gov.uk/legislation/scotland/acts2000/asp_20000012_en_1

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>(1967) Amended (1992)⁸⁹</p> <p>Scottish Executive (2005) A Strategic Framework for Inshore Fisheries in Scotland⁹⁰</p> <p>A strategic framework for Scottish aquaculture. Scottish Government (2003)⁹¹</p> <p>Locational guidelines for the authorisation of marine fish farms in Scottish waters. Scottish Government⁹² (last updated 2008)⁹³</p>	<p>The strategic review of inshore fisheries began in 2002, and this framework marks the end of the review process. The key output is a strategic framework for inshore fisheries in Scotland. This sets out a strategic direction for inshore fisheries policy, and a network of inshore fisheries groups around Scotland to plan the management of inshore fisheries locally. The strategic review was undertaken by the Scottish Inshore Fisheries Advisory Group, (SIFAG), and this also signifies a change in the processes for policy development and decision making in relation to inshore fisheries. The fishing industry and other stakeholders have been directly involved in developing this new structure and direction for inshore fisheries, and that responsibility is reflected in the plans for inshore fisheries groups.</p> <p>The strategic framework describes the economic, environmental, social and stewardship aspects of the overarching principle of sustainability for Scottish aquaculture. It lists objectives, timescales and the bodies responsible to carry them out.</p> <p>The main purposes of the Locational guidelines are to:</p> <ul style="list-style-type: none"> • provide guidance on the factors to be taken into account when considering proposals for new marine fish farms or modifications to existing operations • establish the national context for the preparation by planning authorities of non-statutory marine fish farming framework plans for guiding the location of future marine fish farms <p>The Locational guidelines have established 3 categories of location for the development of marine fish farms: Category 1 where the development of new or the expansion of existing marine fish farms will only be acceptable in exceptional circumstances. Category 2 where the prospects for further substantial developments are likely to be limited although there may</p>	<p>important area for both local and national fishing vessels as a fishery ground and refuge</p> <p>The SoM is an important area for both local and national fishing vessels as a fishery ground and refuge</p> <p>Aquaculture is an important sector in the SoM</p> <p>Aquaculture is an important sector in the SoM</p>

⁸⁹ http://www.opsi.gov.uk/ACTS/acts1992/ukpga_19920060_en_1

⁹⁰ <http://www.scotland.gov.uk/Resource/Doc/922/0034414.pdf>

⁹¹ <http://openscotland.gov.uk/Publications/2003/03/16842/20502>

⁹² <http://www.scotland.gov.uk/library2/doc06/mff-00.htm>

⁹³ <http://www.frs-scotland.gov.uk/FRS.Web/Uploads/Documents/LocGDec2008iv.pdf>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Water environment (controlled activities) (Scotland) regulations 2005 (CAR)	<p>be potential for modifications of existing operations or limited expansion of existing sites particularly where proposals will result in an overall reduction in environmental effect Category 3 where there appear to be better prospects of satisfying environmental requirements, although the detailed circumstances will always need to be examined.</p> <p>In common with any industry which makes discharges to the aquatic environment, operators wishing to establish a fish farm in the sea around Scotland must apply for and be granted a licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR). These regulations provide the Scottish Environment Protection Agency (SEPA) with powers to ensure that activities which may pose a risk to the water environment are controlled. SEPA makes sure this is the case by setting limits on the amount of fish that can be held in the cages and thus the amount of food used. SEPA also protects the environment by limiting the amount of certain medicines that can be administered and discharged. In setting these limits, SEPA aims to ensure that the fish farm is operating within the capacity of the environment or in some sense is in harmony with the sea in the location in which it is sited.</p>	Aquaculture is an important sector in the SoM
Statutory Instrument 1998 No. 994. The Food Safety (Fishery Products and Live Shellfish)(Hygiene) Regulations 1998 ⁹⁴	This instrument designates areas which are suitable or prohibited for the production or collection of live shellfish. It also covers the transportation and storage of live shellfish after dispatch. In the UK, the Shellfish Hygiene Directive and relevant Regulations are the responsibility of the Food Standards Agency (FSA). This includes responsibility for the designation of harvesting areas, setting standards and reporting the classification of harvesting areas according to the presence of faecal indicator organisms.	Aquaculture is an important sector in the SoM
Shellfish Waters Directive 79/923/EEC, amended 91/692/EEC, also 1882/2003/EC ⁹⁵	This directive concerns the quality of shellfish waters and applies to those coastal and brackish waters designated by the Member States as needing protection or improvement in order to support shellfish (bivalve and gastropod molluscs) life and growth and thus to contribute to the high quality of shellfish products directly edible by man.. In Scotland, the Scottish Environment Protection Agency (SEPA) is the competent authority charged with the task of delivering the water quality standards laid down in the Directive.	Aquaculture is an important sector in the SoM
EC Directive 91/67/EEC concerning the Placing on the Market of Aquaculture Animals and Products ⁹⁶	This Directive covers the placing on the market of Community aquaculture animals and aquaculture products either for breeding purposes or human consumption which must satisfy general health requirements, regarding transference of diseases, introduction of exotic diseases, processing/handling and transport/storage of aquaculture animals.	Aquaculture is an important sector in the SoM

⁹⁴ <http://www.opsi.gov.uk/si/si1998/19980994.htm>

⁹⁵ <http://eur-lex.europa.eu/LexUriServ/site/en/consleg/1979/L/01979L0923-19911223-en.pdf>

⁹⁶ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31991L0067:EN:HTML>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Town and Country Planning (Marine Fish Farming) (Scotland) Order 2007 ⁹⁷	This order applies to marine fish farms which will now be subject to statutory planning controls, for the preparation of a development plan in the area for marine fish farms and also for the purposes of preparing a National Park Plan.. It designates marine planning zones for relevant planning authorities for marine fish farming and introduces transitional arrangements where an application for a development consent from the Crown Estate has not been determined before planning controls have come into force. The Crown Estate uses the local authority's response to inform its judgement on whether to grant a development consent.	Aquaculture is an important sector in the SoM
Crown Estate aquaculture Consent Lease ⁹⁸	Where the seabed is owned by the Crown the right to occupy the site will be by means of a lease from the Crown Estate. An application for a fish farming lease can be made at any time, a valid planning consent is not a prerequisite. If planning permission has not been obtained, then a lease-option will be offered rather than a full lease (a lease-option will be important where an applicant does not want to commit to the expenditure of pursuing a planning application without some assurance that a lease will be granted if planning permission is obtained). A lease-option agreement would remain in place until planning permission is granted but would lapse if the planning permission is not granted within the period specified in the option agreement.	Aquaculture is an important sector in the SoM
Aquaculture and Fisheries (Scotland) Act (2007) ⁹⁹	This Act makes provisions relating to fin fish farms and shell fish farms, the transfer of <i>Gyrodactylus salaris</i> , to salmon and freshwater fisheries and sea fisheries. It includes provisions to contain the containment of escaped farmed fish and promotes the following of the relevant code of practice.	Aquaculture is an important sector in the SoM
SEPA policies on the regulation of marine fish farming ¹⁰⁰	SEPA have three policies relating to the regulation of fish farming in marine waters. In addition to this they have produced a comprehensive manual on how fish farms are regulated (see footnote 25)	Aquaculture is an important sector in the SoM
The Registration of Fish Farming and Shellfish Businesses Order 1985 Amended (2002) Scottish statutory Instrument 2002 No. 193 ¹⁰¹	Under this order all finfish farming businesses are required to register with the Fisheries Research Services (FRS) in Scotland for fish health purposes and to improve the status of Scottish waters. The 2002 amendment relates to the notification of the escape of farmed fish.	Aquaculture is an important sector in the SoM

⁹⁷ http://www.opsi.gov.uk/legislation/scotland/ssi2007/draft/sdsi_9780110716558_en_1

⁹⁸ http://www.thecrownestate.co.uk/aquaculture_leases

⁹⁹ http://www.opsi.gov.uk/legislation/scotland/acts2007/asp_20070012_en_1

¹⁰⁰ http://www.sepa.org.uk/water/aquaculture/marine_aquaculture/fish_farm_manual.aspx

¹⁰¹ <http://www.opsi.gov.uk/legislation/scotland/ssi2002/20020193.htm>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Surface Waters (Shellfish) (Classification) (Scotland) Regulations (1997) ¹⁰²	This regulation introduced the system for classifying the quality of coastal or surface waters needing protection and improvement to support shellfish life and growth under the Shellfish Waters Directive (79/923/EEC). However, given the update of this Directive in 2006, the Surface Waters (Shellfish) (Classification) (Scotland) Regulations 1997 and are being remade to transpose the new Shellfish Waters Directive (2006/113/EC) into Scottish Law.	Aquaculture is an important sector in the SoM
Scottish Planning Policy 'Fish Farming' 2010 ¹⁰³	<p>Within the Scottish Executive's vision of a sustainable, diverse, competitive and economically viable fish farming industry, the planning system's role is to enable and help to create opportunities for development in sustainable locations, by seeking to reconcile the needs of the fish farming industry, communities and sectors it helps to support, with concerns for the environment and those interests that may be affected by development. By providing a context for development, the planning system can assist with promoting fish farming development by engaging with communities and safeguarding environmental interests. This Policy aims to do the following and provides guidance for Local Authority Planners:</p> <ul style="list-style-type: none"> • provide guidance on the particular factors to be taken into account when considering proposals for new freshwater or marine fish farms, or modifications to existing operations • establish the national planning context for the preparation by planning authorities of development plans for guiding the location of future fish farms 	Aquaculture is an important sector in the SoM
Circular SEDD 1/2007: Planning Controls for marine Fish Farming. ¹⁰⁴	<p>This Circular has been issued to explain and give guidance to planning officers, developers, communities and regulators on the provisions contained in the following Acts, Regulations and Order which pertain specifically to marine fish farming and which come into force on the relevant dates around April 2007.</p> <ul style="list-style-type: none"> • Water Environment and Water Services (Scotland) Act 2003 • Planning etc. (Scotland) Act 2006 • Town and Country Planning (Marine Fish Farming) (Scotland) Order 2007 • Town and Country Planning (Prescribed Date) (Scotland) Regulations 2007 • Town and Country Planning (Marine Fish Farming) (Scotland) Regulations 2007 	Aquaculture is an important sector in the SoM

¹⁰² http://www.ogps.gov.uk/legislation/uk/si/si1997/uksi_19972470_en_1

<http://www.scotland.gov.uk/Resource/Doc/300760/0093908.pdf>

¹⁰³ <http://www.scotland.gov.uk/Resource/Doc/300760/0093908.pdf>

¹⁰⁴ <http://www.scotland.gov.uk/Publications/2007/03/29102026/2>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Association of Scottish Shellfish Growers Code of Good Practice	<p>It relates specifically to the determination by planning authorities of decisions relating to new fish farms and modifications to existing fish farms in designated marine planning zones. It also contains information on the Town and Country Planning (Scotland) Act 1997 (National Parks) (Marine Fish Farming) Direction 2007. In addition it contains information on changes in notification arrangements contained in the Town and Country Planning (Notification of Applications Affecting Controlled Sites) (Scotland) Direction 2007 which sets out additional notification arrangements specifically relating to fish farming.</p> <p>This code of conduct targets the overall activities of shellfish growers with the aim that growers can produce a superior quality product, maintain a high standard of shellfish health and meet or exceed hygiene regulations, whilst minimising their impact of their activities on the natural environment and ensuring that they are managed in a manner that is in harmony with the needs of other marine and shoreline users. It includes guidance on establishing a farm; locational planning; visual impact; noise, light and odour; wildlife; husbandry and harvesting; monitoring, use of vessels, equipment and chemicals; training; health and safety and depuration. This code is still being developed.</p>	Aquaculture is an important sector in the SoM
Scottish Salmon Producers' Organisation Code of Good Practice ¹⁰⁵	<p>The Code of Good Practice for Scottish Finfish Aquaculture is the entry point for membership of Scottish Salmon Producers' Organisation. This was developed by the Scottish Finfish Aquaculture Working Group in consultation with all interested stakeholder groups, e.g. Scottish Executive Environment and Rural Affairs Department, Scottish Environment Protection Agency, Scottish Natural Heritage, Veterinary Medicines Directorate, Fisheries Research Services, Scottish Environment Link, the Association for Salmon Fisheries Boards, local authorities and the public. It sets out the standards that farmers must demonstrate. Compliance with the Code is independently audited.</p>	Aquaculture is an important sector in the SoM
Scottish Natural Heritage Landscape/Seascape Guidance for Aquaculture (2008) ¹⁰⁶ Siting and design of aquaculture (2001)	<p>Provides guidance to regulators and developers on the how to site and design aquaculture to minimise its intrusion on the landscape/seascape.</p>	Aquaculture is an important sector in the SoM
Water River Basin Management Plan 2010	<p>The RBMP aims to inform management strategies for Scotland's two river basin districts in order to prevent deterioration of the water environment and restore or maintain surface and groundwater to 'good' ecological status by 2015. This is in accordance with WFD.</p>	SoM included in 'Argyll' section of the Scotland river basin

¹⁰⁵ <http://www.scottishsalmon.co.uk/aboutus/codes.asp>

¹⁰⁶ <http://www.snh.org.uk/pdfs/publications/heritagemanagement/aquaculture.pdf>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Aquaculture and Fisheries Act (2007)	Provides provision to the Fisheries Research Services Fish Health Inspectorate with regards to fish farm escapes and sea lice treatments.	district Aquaculture is an important sector in the SoM.
Strategic Asset Capacity and Development Plan (Scottish Water)	This plan outlines current capacity of water and waste treatment works across Scotland. The plan should also inform where increased capacity or development of water and waste treatment is required.	
Scottish Planning Policy 'Flooding' 2010	<p>Flooding is a natural process which cannot be prevented entirely, but it can be managed to reduce its social and economic consequences and to safeguard the continued functioning of services and infrastructure. Some locations are already susceptible to intermittent flooding and climate change is expected to worsen the situation. Inadequate drainage infrastructure also increases the risk of flooding. Planning authorities must take the probability of flooding from all sources – (coastal, fluvial (water course), pluvial (surface water), groundwater, sewers and blocked culverts) and the risks involved into account when preparing development plans and determining planning applications.</p> <p>Development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted. Alterations and small scale extensions are generally outwith the scope of this policy, provided they are unlikely to have a significant effect on the storage capacity of the functional flood plain or affect local flooding problems. The area of impermeable surface should be kept to a minimum in all new developments.</p> <p>Prospective developers should take flood risk into account before committing themselves to a site or project. The responsibility of the planning authority is to have regard to the risk of flooding when preparing development plans and determining the planning applications, but this does not affect the liability position of applicants and occupiers who have responsibilities for safeguarding their property. Planning authorities should avoid any indication that a grant of planning permission implies the absence of flood risk.</p>	Ensure Plan provides adequate guidance for developers
Environment Act	SEPA have identified waters that are not classified under the Bathing Waters Directive but where water contact activities occur. These include 'Recreational waters used for activities such as swimming, diving, boating, sailing, surfing etc, where there may be a risk of water ingestion. 'Shoreline waters' are identified where there may be no significant water contact activities but the foreshore is commonly used by the public. Higher quality microbiological standards are required for discharges into such waters.	Ensure Plan provides adequate guidance for developers

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Historic and cultural heritage		
Ancient Monuments and Archaeological Areas Act (1979) ¹⁰⁷ .	An Act to consolidate and amend the law relating to ancient monuments; to make provision for the investigation, preservation and recording of matters of archaeological or historical interest and (in connection therewith) for the regulation of operations or activities affecting such matters; to provide for the recovery of grants under section 10 of the Town and Country Planning (Amendment) Act 1972 or under section 4 of the Historic Buildings and Ancient Monuments Act 1953.	Consider the protection of archaeological heritage
Protection of Wrecks Act 1973 ¹⁰⁸	An Act to secure the protection of wrecks in territorial waters and the sites of such wrecks, from interference by unauthorised persons; and for connected purposes. It protects the sites of historic wrecks, and prohibits the approaching dangerous wrecks.	SoM has two protected wreck sites
The Planning (listed Buildings and Conservation Areas) (Scotland) act (1997) ¹⁰⁹	An Act to consolidate certain enactments relating to special controls in respect of buildings and areas of special architectural or historic interest. This includes buildings such as lighthouses, but can only be applied to those parts of the structure or building above the MLW mark.	Consider the protection of archaeological heritage
Scottish Executive 1999 creating our future minding our past. Scotland's national cultural strategy	This strategy takes a broad view of Scotland's culture, including the natural and historic landscape, archaeology and buildings. The strategy identifies a wide range of complementary actions to take forward cultural development in all areas. Key development opportunities include: <ul style="list-style-type: none"> • Widening education programmes in and by national museums, galleries and other organisations • Maximising the potential of Information and Communication Technology to enhance and widen cultural participation and access • Extending the positive relationship between local and national museums, galleries and national heritage bodies • Maximising the contribution of both the cultural sector and the creative industries to Scotland's economy • Securing Scotland's position as a film-friendly place 	Consider the protection of archaeological heritage
Scottish Historic Environment Policy, SHEP (2008)	The Scottish Historic Environment Policy sets out Scottish Ministers' policies, providing direction for Historic Scotland. It provides greater policy direction for historic Scotland and provides a framework that informs the day-to-day work of organisations involved in the management of the historic environment. The document has relevance to statutory planning Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA).	Consider the protection of archaeological heritage
Planning		

¹⁰⁷ http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1979/cukpga_19790046_en_1

¹⁰⁸ http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1973/cukpga_19730033_en_1

¹⁰⁹ http://www.opsi.gov.uk/Acts/acts1997/ukpga_19970009_en_1

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
The Town and Country Planning (Scotland) Act 1997 ¹¹⁰	Under this act planning permission is required from the local authority for piers, jetties, slipways, marinas etc that join the land above mean low water springs.	Consider how the proposed plan can inform on how to integrate land and marine planning
The Planning etc (Scotland) Act 2006 ¹¹¹	This act establishes the National Planning Framework, a strategy for Scotland's spatial development with the objective of contributing to sustainable development. It includes management development and planning permission for marine fish farms.	Consider how the proposed plan can inform on how to integrate land and marine planning
National Planning Framework for Scotland (2004) ¹¹²	<p>The National Planning Framework offers a perspective on Scotland's long term spatial development. It is taken forward through: the statutory planning system, community planning and the programmes of the Enterprise Networks and takes spatial issues into account in policies and strategies. Key elements of the strategy include</p> <ul style="list-style-type: none"> • spreading the benefits of economic activity by promoting environmental quality and connectivity • enabling the most disadvantaged communities to benefit from growth and opportunity • promoting economic diversification and environmental stewardship. <p>Lochaber and the Isle of Mull are identified as HIE fragile areas</p>	Consider how the proposed plan can inform on how to integrate land and marine planning
National Planning Policy Guideline No 5 Archaeology and Planning. Scottish Executive ¹¹³	This National Planning Policy Guideline (NPPG) sets out the Government's planning policy on how archaeological remains and discoveries should be handled under the development plan and development control systems, including the weight to be given to them in planning decisions and the use of planning conditions. The guidance is aimed at planning authorities in Scotland, and is also of direct relevance to developers, owners, statutory undertakers, government departments, conservation organisations and others whose actions have a direct physical impact upon the natural or built environment.	Consider how the proposed plan can inform on how to integrate land and marine planning in relation to archaeological heritage
National Planning Policy Guideline No 11 Sport, physical	In rural areas the aim should be to reconcile environmental, economic and sporting objectives through careful planning and appropriate management measures. Accordingly planning policies should:	Consider how the proposed plan can

¹¹⁰ http://www.opsi.gov.uk/acts/acts1997/ukpga_19970008_en_1

¹¹¹ http://www.opsi.gov.uk/legislation/scotland/acts2006/asp_20060017_en_1

¹¹² <http://www.scotland.gov.uk/Publications/2004/04/19170/35317>

¹¹³ <http://www.scotland.gov.uk/Publications/1998/10/nppg5>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
recreation and open space. Scottish Executive ¹¹⁴	<ul style="list-style-type: none"> • endeavour to provide for the sporting and recreational needs of the residents of rural areas particularly for all weather facilities; • safeguard national nature conservation and cultural heritage designations from sporting and recreational development which would damage their overall integrity; • continue to protect the character of designated landscape areas against developments, including traffic generated by them, which would impair their recreational qualities; • support traditional rural recreations and other forms of leisure which are in keeping with the landscape, infrastructure and economy <p>In planning for water sports Councils are encouraged to adopt a strategic approach to planning for water sports, to increase the access to or availability of water resources to meet sustainable demand and to prevent overcrowding and conflict in the most popular areas. The need for access across land to inland or coastal water should be recognised when considering land uses adjacent to these waters. Ancillary space requirements for launching, mooring and car parking can vary from modest dimensions to large compounds. Where there is a shortage of mooring facilities additional sites may be sought through the planning process to ensure they are placed in the best location.</p>	inform on how to integrate land and marine planning in relation to physical recreation
Scottish Planning Policy ¹¹⁵ 'Coastal Planning'	<p>The Scottish Planning Policy takes account of recent and likely development pressures on the coast, new nature conservation designations, and the Government's commitment to sustainable development and other relevant Government policies. The SPP sets out how planning can contribute to achieving sustainable development and also maintaining and enhancing biodiversity on the coast,</p> <ul style="list-style-type: none"> • it highlights the need to distinguish between policies for the developed, undeveloped and isolated coast • indicates how planning authorities should respond to the risk of erosion and flooding in the coastal zone, • outlines policy guidance for developments which may require a coastal location • identifies the action to be taken by planning authorities in their development plans 	Consider how the proposed plan can inform on how to integrate land and marine planning in relation to coastal planning
Scottish Planning Policy 'Natural Heritage'	<p>The Scottish Planning Policy gives guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning. In this context, Scotland's natural heritage includes its plants and animals, its landforms and geology, and its natural beauty and amenity. Natural heritage embraces the combination and interrelationship of landform, habitat, wildlife and landscape and their capacity to provide enjoyment and inspiration. It therefore encompasses both physical attributes and</p>	Consider how the proposed plan can inform on how to integrate land and marine planning in

¹¹⁴ <http://www.scotland.gov.uk/Publications/1996/06/nppg11>

¹¹⁵ <http://www.scotland.gov.uk/Publications/2010/02/03132605/1>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>Scottish Planning Policy 'Historic Environment'</p> <p>Memorandum of Guidance on Listed Buildings and Conservation Areas. Historic Scotland (1998)¹¹⁶.</p>	<p>aesthetic values and, given the long interaction between human communities and the land in Scotland, has important cultural and economic dimensions.</p> <p>The Scottish Planning Policy gives guidance on how the Government's policies for the conservation and enhancement of Scotland's natural heritage should be reflected in land use planning. In this context, Scotland's natural heritage includes its plants and animals, its landforms and geology, and its natural beauty and amenity. Natural heritage embraces the combination and interrelationship of landform, habitat, wildlife and landscape and their capacity to provide enjoyment and inspiration. It therefore encompasses both physical attributes and aesthetic values and, given the long interaction between human communities and the land in Scotland, has important cultural and economic dimensions.</p> <p>The Memorandum of Guidance is currently being withdrawn in stages between March 2008 and March 2009. Sections on policy will be replaced and guidance papers issued in April 2009. This will be reviewed then.</p>	<p>relation to natural heritage</p> <p>Consider how the proposed plan can inform on how to integrate land and marine planning in relation to the historic environment</p> <p>Consider how the proposed plan can inform on how to integrate land and marine planning in relation to listed buildings and conservation areas</p>
Economy.		
<p>Framework for Economic Development in Scotland. Scottish Government (2004)¹¹⁷</p>	<p>The objectives of the Economic Framework are on two levels: at the top level, there are the principal outcome objectives, which are underpinned by the enabling objectives that support the achievement of these outcomes.</p> <p>The principal outcome objectives:</p> <ul style="list-style-type: none"> • economic growth - with growth accelerated and sustained through greater competitiveness in the global economy; • regional development - with economic growth a pre-requisite for all regions to enjoy the same economic opportunities, and with regional development itself contributing to national economic prosperity; • closing the opportunity gap - with economic growth a pre-requisite for all in society to enjoy enhanced economic opportunities, and with social development in turn contributing to national economic prosperity • sustainable development - in economic, social and environmental terms. <p>The enabling objectives. The achievement of these desired outcomes depends upon a complex array of economic</p>	<p>Consider how the proposed plan can inform on the economic development</p>

¹¹⁶ <http://www.historic-scotland.gov.uk/index/heritage/policy/memorandumofguidance.htm>

¹¹⁷ <http://www.scotland.gov.uk/Publications/2004/09/19872/42430>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
	<p>drivers. Establishing the underlying conditions and context for economic growth to flourish is, therefore, a critical step. There are four key enabling objectives:</p> <ul style="list-style-type: none"> • a stable and supportive macroeconomic environment; • a facilitating national economic context: encompassing the physical, human and electronic infrastructure; • dynamic competitiveness in Scottish enterprises; and • economic policies and programmes to secure the social, regional and environmental objectives. 	
Tourism and outdoor recreation		
Land Reform (Scotland) 2003 ¹¹⁸ Scottish Outdoor Access Code ¹¹⁹	<p>This Act establishes the right of access for everyone, but only if they are exercised responsibly. It places a duty on land owners to manage their land and conduct the ownership of it to respect right of access. Scottish Natural heritage have drawn up and issued a ‘Scottish Outdoor Access Code’ to provide guidance for recreational land users and land owners.</p>	<p>Consider how the proposed plan can support responsible recreational use</p>
Scottish Marine Wildlife Watching Code ¹²⁰	<p>The Scottish Marine Wildlife Watching Code is designed for all those who watch marine wildlife around Scotland both recreationally or commercially. It was developed by SNH in conjunction with recreational users, general public, charter boat and land based tour operators to whom it applies. The code’s objectives are to:</p> <ul style="list-style-type: none"> • Minimise the risk to marine wildlife from encounters with people • Provide information about marine wildlife in Scotland, human activities likely to affect different types of animals and how to recognise the signs of disturbance • Offer specific guidance on how to view marine wildlife with minimum disturbance • Provide an overarching framework from which more detailed user codes or management measures can be developed for local issues. 	<p>Consider how the proposed plan can support responsible recreational use</p>
Wild Scotland and Best Practice Guidelines ¹²¹	<p>Wild Scotland is an association of Scottish wildlife and nature tourism operators, and some operators working within the Sound of Mull area are members. It is a not-for-profit organisation that aims to promote Scottish wildlife and nature tourism; raise awareness of opportunities and issues relating to and affecting sustainable wildlife watching; ensure standards and best practice by identifying and promoting best practice and establishing and/or adopting appropriate codes of conducts and standards; provide networking opportunities; represent the interests of its members to Government, public agencies and other organisations. It has three sets of Best Practice guidelines of relevance to the Sound of Mull that its members follow:</p>	<p>Consider how the proposed plan can support responsible recreational use</p>

¹¹⁸ http://www.opsi.gov.uk/legislation/scotland/acts2003/asp_20030002_en_1

¹¹⁹ <http://www.outdooraccess-scotland.com/>

¹²⁰ <http://www.marinecode.org/>

¹²¹ <http://www.wild-scotland.co.uk/wsbp.aspx>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
Scottish Canoe Association – Paddlers Access Code ¹²²	<ul style="list-style-type: none"> • Watching Wildlife By Boat • Watching Wildlife By Vehicle • Watching Wildlife By Foot The Scottish Canoe Association is recognised as the governing body of canoe/kayak sport and recreation in Scotland. It has three key principles for canoeists: <ul style="list-style-type: none"> • To care for the environment • Take responsibility for your own actions • Respect the interests of other people 	Consider how the proposed plan can support responsible recreational use
British Sub-Aqua Club Diver Code of Conduct ¹²³	There is a local BSAC club (Dalriada Diving) within the area and many of the divers visiting the Sound of Mull are BSAC members. BSAC have a dive code of conduct which describes best practice and this also includes their wrecks code of practice for wreck divers.	Consider how the proposed plan can support responsible recreational use
The next decade: a tourism framework for change. Scottish Government. (2006) ¹²⁴	In 2000, the Scottish Executive published a "New Strategy for Scottish Tourism", and then in 2002 a "Tourism Framework for Action 2002-2005". This plan aims to deliver Scottish Tourism Strategy, and achieve the ambition to increase tourism revenue by 50% by 2015	Consider how the proposed plan can support responsible recreational use
Lets Make Scotland More Active (2003) ¹²⁵	Scottish ministers set up the National Physical Activity Task Force in June 2001. This followed a commitment in the Government's White Paper <i>'Towards A Healthier Scotland'</i> . For this reason this report is aimed at Scottish ministers, the Scottish Executive and its agency, asking them to provide leadership, co-ordination and resources for a strategic approach to physical activity. Without this it is not possible for those at a local level to develop comprehensive programmes to deal with the crisis of inactivity. It is acknowledged that there is no simple solution to change a national culture of inactivity. However, there is now solid research evidence about effective approaches using many strategies. These strategies are consistent with WHO policy and the five main strategies of the <i>'Ottawa Charter for Health Promotion'</i> (1996). <ul style="list-style-type: none"> • Building healthy public policy. • Creating supportive environments. 	Consider how the proposed plan can support responsible recreational use

¹²² <http://canoescotland.com/downloads/access/access%20code%20leaflet.pdf>

¹²³ <http://www.bsac.org/page/129/divers-code.htm>

¹²⁴ <http://www.scotland.gov.uk/Publications/2006/03/03145848/0>

¹²⁵ <http://www.scotland.gov.uk/Publications/2003/02/16324/17895>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
	<ul style="list-style-type: none"> • Strengthening community action. • Developing personal skills. <p>Directing health services at the people who need them most.</p>	
<p>Shipping, Ports and Transport Department for Transport (2000) Modern Ports: A UK Policy¹²⁶</p> <p>Concordat between the Department for Transport and the Scottish Executive 2007¹²⁷</p>	<p>The Scottish and UK Governments are looking for practical and achievable ways to help the ports industry to help itself, and to rise to the challenges it faces, and to involve those who use and work in ports, local authorities, and other interests. Strategic transport planning must address the role of ports, including Regional Planning Guidance, the Regional Development Agencies strategies, local transport plans and the policies of the Scottish and UK Governments. Regional strategies must be based on some assessment of the national context. The Scottish and UK Governments share policy aims for ports which promote:</p> <ul style="list-style-type: none"> • UK and regional competitiveness; • high nationally agreed safety standards; • the best environmental practice • The Scottish and UK Governments will work with the industry, its users and other interests, to achieve these four key objectives: • to make regulation add value rather than unnecessary cost, ensuring that different regulators co-ordinate their overall demands; • to promote agreed national standards and good practice for port management and port operations alike, without detracting from the legal responsibilities of harbour authorities and other port interests; • to promote training and the recognition of skills for those who work in the ports industry at all levels not just those engaged by harbour authorities; • to maintain a balanced policy on development which aims to makes the best use of existing and former operational land, secures high environmental standards, but supports sustainable projects for which there is a clear need. 	<p>Consider how the proposed plan can support provision of adequate harbour/port facilities.</p>
<p>Coast Protection Act (1949)¹²⁸</p>	<p>This Act contains provisions for the safety of navigation to ensure that works in tidal waters do not endanger or obstruct the safety of navigation through waters for which the UK and Scottish Governments are responsible.</p>	<p>Consider how the proposed plan can support safe navigation</p>

¹²⁶ <http://www.dft.gov.uk/pgr/shippingports/ports/modern/modernportsaukpolicy?page=2>

¹²⁷ <http://www.scotland.gov.uk/Publications/2007/03/26102245/19>

¹²⁸ http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1949/cukpga_19490074_en_1

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
<p>Integrated Transport Policy. The Future of Transport White Paper.</p> <p>A new deal for Transport: better for Everyone. White Paper¹²⁹</p>	<p>The UK Government's Integrated Transport Policy aims to create a transport system that supports sustainable development. The White Paper described the four main aims of shipping policy:</p> <ul style="list-style-type: none"> • facilitating shipping as environmentally friendly transport; • fostering an efficient UK shipping industry; • maintaining the skills base by promoting employment and training; and, • encouraging UK ship registration. 	<p>Consider how the proposed plan can support an integrated transport policy</p>
<p>Scotland's Transport Future; The Transport White Paper (2004)¹³⁰</p>	<p>The overall aim of the White Paper is to promote economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system which includes ferry services. To promote economic growth by building, enhancing, managing and maintaining transport services, infrastructure and networks to maximise their efficiency. The objectives listed in the White Paper are:</p> <ul style="list-style-type: none"> • promote social inclusion by connecting remote and disadvantaged communities and increasing the accessibility of the transport network; • protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy; • improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff; • improve integration by making journey planning and ticketing easier and working to ensure smooth connection between different forms of transport. 	<p>Consider how the proposed plan can support an integrated transport policy</p>
<p>National Transport Strategy. Scottish Government (2006)¹³¹</p>	<p>The National Transport Strategy has five high level objectives:</p> <ul style="list-style-type: none"> • Promote economic growth by building, enhancing managing and maintaining transport services, infrastructure and networks to maximise their efficiency; • Promote social inclusion by connecting remote and disadvantaged communities and increasing the accessibility of the transport network; • Protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy; • Improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff; and • Improve integration by making journey planning and ticketing easier and working to ensure smooth 	<p>Consider how the proposed plan can support an integrated transport policy</p>

¹²⁹ <http://www.dft.gov.uk/about/strategy/whitepapers/previous/anewdealfortransportbetterfo5695>

¹³⁰ <http://www.scotland.gov.uk/library5/transport/stfwp-00.asp>

¹³¹ <http://www.scotland.gov.uk/Publications/2006/12/04104414/0>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP
A Catalyst for Change: The Regional Transport Strategy for the West of Scotland 2007-2021	<p>connection between different forms of transport</p> <p>The transport sector, i.e. rail, air, bus and ferry services, contributes directly to the Scottish economy and, like any other sector, changes in employment and output will have impacts on the rest of the economy, both directly and indirectly. Unlike many other sectors, transport has additional economic benefits by impacting on the productivity of the economy as a whole. However, the linkages between transport and wider economic activity are highly complex as transport has an effect on land and labour markets as well as on the location and productivity of firms</p> <p>This strategy sets out a vision for a modern, integrated transport system for the Strathclyde area that's fit for Scotland in the 21st century. The RTS links with the National Transport Strategy for all of Scotland. It also links with the twelve local councils that make up SPT and their own Local Transport Strategies. All types of travel and transport have been included: buses, trains, the subway, cars, taxis, freight, planes, ferries, cycling and walking – everything that contributes to an integrated transport system.</p>	Consider how the proposed plan can support an integrated transport policy
Moving Forward – Argyll and Bute Council's Local Transport Strategy 2007 - 2010 ¹³²	<p>Moving Forward sets out plans and policies for transport in Argyll and Bute over the next three years. The strategy has been developed in the context of national and regional transport policy, as reflected in the new National Transport Strategy and Regional Transport Strategies. In regard to sea transport it has six aims:</p> <ul style="list-style-type: none"> • Improve marine infrastructure / vessels. • Review transport options for our islands. • Improve the ferry network. • Improve parking at ferry terminals. • Review ferry fares. • Improve marine interchange facilities. 	Consider how the proposed plan can support a local transport policy
Scottish Rural Development Programme 2007 - 2013	<p>This programme sets out a range of measures for economic, environmental and social development in rural Scotland. It brings together a wide range of formerly separate support schemes including those covering the farming, forestry and primary processing sectors, rural enterprise and business development, diversification and rural tourism. It includes measures to support and encourage rural communities and delivers the LEADER initiative for local innovation in rural areas.</p>	Consider how the proposed plan can support rural development
Local Plans and Agreements		
Fisheries and Aquaculture		
Mallaig and North West Fishermen's Association Code of Conduct.	A 7-point plan has been agreed to try to prevent the loss of creels belonging to Mull boats. The 7 points were agreed by all parties and contact sheets have been established which are to be kept and updated by skippers/boat owners.	Consider how the proposed plan can support local

¹³² <http://www.argyll-bute.gov.uk/content/roadsandtransport/transportationstrategy/movingforward2/>

Policy, Plan, Treaty, Convention or Directive	Overview of, and relevance to the SoM MSP	Implications and/or relationship with SoMMSP		
Area Management Agreement (AMA) between finfish farms and wild fish interests. Linnhe, Lorn Etive Sound of Mull & Sunart AMA ¹³³	The Tripartite Working Group (TWG) was established in 1999 with the aim of addressing problems common to wild salmonid fisheries and salmonid farming and to seek solutions between the industry and wildfish interest groups. The TWG recommended that Area Management Groups (AMGs) be established that were composed of representatives from local fish farming companies, local wild salmonid interests and as appropriate, other relevant parties e.g. community councils. Each AMG aims to promote and maintain the good health of wild and farmed salmonids through an Area Management Agreement (AMA), which is signed by the local members of the AMG. Finfish farms within the SSMEI Sound of Mull project area are covered by the Linnhe, Lorn, Etive, Sound of Mull & Sunart AMA.	agreements Consider proposed support agreements	how plan	the can local
Lismore Aquaculture and Fisheries Interaction Group Agreement (Predator Control)	This Agreement was negotiated with local fish farms (including those within the Sound of Mull) in relation to the predator control of seals and the Lismore Seal SAC.	Consider proposed support agreements	how plan	the can local
Pollution Control				
Oil Spill Response Plans Argyll and Bute Council Plan ¹³⁴ Highland Council Plan ¹³⁵	There are various oil spill response plans covering the marine and intertidal areas of the Sound of Mull as well as the vessels/companies using the area. Various bodies are involved in the Sound of Mull area e.g. Argyll and Bute Council, Highland Council, MCA, Coastguard, SNH, SEPA, Briggs, Strathclyde Police, Gleaner Fuels, Caledonian MacBrayne, Glensanda Quarry, other private vessels. The jurisdiction of the various statutory bodies in Scotland depends on where the spill is located	Consider proposed support response plans	how plan oil	the can spill

¹³³ <http://www.tripartiteworkinggroup.com/content.asp?ArticleCode=55>

¹³⁴ <http://www.argyll-bute.gov.uk/content/planning/developmentprojects/marineandcoastaldevunit/ssmeihp/documentdownloads/oilspillcontingency/oilspillsom>

¹³⁵ <http://www.highland.gov.uk/yourenvironment/emergencies/emergencyplanning/coastaloilpollutionplan/>

Appendix B Environmental Baseline

SEA Topic		details	Reported state	targets	Date	Source	Additional information
Biodiversity							
Sites SAC	Morvern Woods	1927ha	Favourable on 2 counts, unfavourable on 1 count		2002/ 2004	SNH	International interest – broad leaved woodland and mammal (otter <i>Lutra lutra</i>)
SAC	Eileanan agus Sgeiran Lios mor*	1140ha	Favourable		2004	SNH	International interest – common seal (<i>Phoca vitulina</i>)
SSSI	Drimnin to Killundine Woods SSSI	185 ha	Favourable on 1 count, unfavourable on 1 count		2002	SNH	Broad-leaved woodland
	Lochaline SSSI	86 ha	Favourable		200/2002	SNH	Broad-leaved woodland, bryophytes and stratigraphy
	Garbh Shlios SSSI	1004ha	Favourable		2002	SNH	Broad-leaved woodland
SPA	Glas Eileanan	1 ha	Unfavourable		2002	SNH	International interest – Common tern (<i>Sterna hurindo</i>)
Habitats UKBAP/ LBAP	Seagrass beds	1 site in SoM	n/a		n/a		International interest – OSPAR, Habitats Directive (Annex 1)
	Horse mussel beds	3 sites in SoM	n/a		n/a		International interest – habitats Directive (Annex 1)
	Coastal saltmarsh	Details – ask IF	Estimated to be in decline in A&B (LBAP)	Conservation, Avoid damage/ destruction	1989	LBAP	International interest – OSPAR, Habitats Directive (Annex 1)
	File shell (<i>Limaria hians</i>) beds	1 site in SoM	n/a			UKBAP	
	Mud habitat in deep water	Several sites in SoM	n/a	Maintain habitat Assess distribution and	n/a	LBAP	International interest – OSPAR, Habitats Directive (Annex 1)

SEA Topic		details	Reported state	targets	Date	Source	Additional information
				quality Avoid loss of habitat during development and planning			
Species	Marine mammals (minke whale, bottlenose dolphin, harbour porpoise)	All occur in the SoM	Some species globally threatened/in decline	Safeguard feeding and breeding grounds Protect populations Reduce bycatch (porpoise)		LBAP	International interest – OSPAR, Habitats Directive (Annex II and IV)
	Basking shark (<i>Cetorhinus maximus</i>)	Reported in SoM	globally threatened/in decline IUCN Status - Vulnerable	Safeguard feeding and breeding grounds Protect populations			International interest - OSPAR
	Common skate (<i>Dipturus batis</i>)	Occurs in SoM	IUCN Status - Endangered	Stabilise populations, minimise fishing pressure on the species	na	UKBAP	
	Knotted wrack – ecad mackii (<i>Ascophyllum nodosum ecad mackaii</i>)	1 site in SoM		See Integrated Objectives and Targets above	na	LBAP	
	Northern sea fan (<i>Swiftia pallida</i>)	1 site in SoM				UKBAP	
	Maerl (<i>Lithothamnium coralloides</i>)						
Population – full population, employment and workplace data can be found in ‘Socio-economic review of the Sound of Mull’, Magill et al 2009							
	Size of population	2172 residents 3 pers/sq.km			2001	Census 2001	
	SIMD**	North Mull lowest ranking in area (3416), Tobermory highest (4845)			2006	SNS ¹	

SEA Topic		details	Reported state	targets	Date	Source	Additional information
Water							
	Shellfish Waters	2 shellfish harvesting areas					Shellfish Waters Directive (79/923/EEC) EU Food Hygiene Regulations
	RBMP assessment		moderate	'Good' status by 2015 (WFD)		SEPA	WFD SoM included in Loch Linnhe area
	Discharges	16 discharges				SEPA/ Scottish Water	WFD Possible that there may be additional discharges into SoM that are not currently listed by SEPA
Historic and Cultural Environment							
	Scheduled monuments	31	Consent required to carry out works or repairs		2009	SSMEI	Ancient Monuments and Archaeological Areas Act 1979 Monuments of National importance
	Listed buildings	75	Consent required for any alteration, extension or demolition		2009	SSMEI	Buildings with statutory protection. Includes buildings of national significance
	Historic Wrecks	2	Protection from salvage, damage or removal of any part of the vessel. Protected from anchors, fishing gear.		2009	SSMEI	Protection of Wrecks Act 1973
	Additional marine wreck sites	24	Wrecks		2009	SSMEI	
Material Assets							
	Navigational Aids	8 buoys, 5 lights, 8 top marks, 1 beacon			2009	SSMEI	
	Pipelines/cables	5 effluent discharge pipelines, 3	No dredging within 250m, notice of dredging required between 250m and 500m.		2009	SSMEI, Scottish Water	See Crown Estate for more information on activities around pipelines/cables

SEA Topic		details	Reported state	targets	Date	Source	Additional information
		power cables 1 netwash outfall	Other activities restricted within 250m up to a depth of 55m, to 500m beyond 55m				Water Directive
	Anchorage and moorings	172 Association moorings, 1 commercial mooring 2 private moorings			2009	SSMEI	
	Piers, pontoons	1 pontoon, 3 public piers, 8 private piers			2009	SSMEI	
	Jetties and slipways	6 public slipways, 6 private slipways			2009	SSMEI	

Appendix C Environmental, social and economic issues relevant to the Sound of Mull MSP.

Environmental, social and economic issues relevant to the Sound of Mull MSP							
SEA Topic	Environmental and Economic Issues	Social	Potential source of impact	Positive and/or negative impact	Recognised by the Plan	Covered by Objectives of the Plan	
Biodiversity, Flora and Fauna	Proximity of Eileanan agus Sgeirean Lios mor SAC*		Activities deemed appropriate in SoM may have the potential to impact on the SAC	Positive and Negative	Yes	1,2,3	
	Proximity to several SSSI's bordering SoM area		Activities deemed appropriate in SoM may have the potential to impact on the SSSI's	Positive and Negative	Yes	1, 2, 3	
	Protection of Glas Eileanan SPA		Activities deemed appropriate in SoM may have the potential to impact on the SPA for Common Terns.	Positive and Negative	Yes	1, 2, 3	
	Conservation of threatened species and habitats		Activities deemed appropriate in SoM may have the potential to impact threatened habitats and species	Positive and Negative	Yes	1, 2, 3	
	Loss of biodiversity			Biodiversity loss may occur through physical disturbance of the seabed by aquaculture activities, fishing, boats anchoring, diving and cable/pipe laying.	Negative	Yes	1, 2, 3
				Biodiversity loss may occur through pollution events, increasing water traffic, underwater noise pollution (marine mammals).	Negative	Yes	1, 2, 3
				Biodiversity loss may result from shellfish harvesting of inter-tidal zone	Negative	Yes	1,2, 3
	Introduction of non-native		Alien species may out-compete native species	Negative	Yes	3	

Environmental, social and economic issues relevant to the Sound of Mull MSP						
SEA Topic	Environmental and Economic Issues	Social	Potential source of impact	Positive and/or negative impact	Recognised by the Plan	Covered by Objectives of the Plan
	and/or invasive species		and lead to biodiversity loss.			
	Disturbance/destruction of habitats and species		Visitor pressure and activities such as sea angling, fishing, aquaculture and recreational boating may result in disturbance and destruction of habitats and species	Negative	Yes	1, 2
	Over fishing		Depleted stocks unable to recover	Negative	Yes	1, 3
	Raising awareness biodiversity within SOM area		Increase responsible behaviour in marine environment	Positive	Yes	1,2,3
			Increase in visitor numbers may increase pressure in biodiversity hotspots	Negative		
Population and human health	Declining rural population in coastal areas		Decreasing public participation in environmental management and conservation	Negative	Unclear	4
	Stakeholder involvement		Inappropriate or missing stakeholders may result in the exclusion of important information, cultural values and perceptions of place.	Negative	Yes	1, 2, 4, 5
			Maximising stakeholder input ensuring inclusivity of all environmental and cultural aspects of the area	Positive	Yes	1, 2, 4, 5
	Interaction with local/national government		Insufficient interaction may lead to inappropriate planning/licensing decisions and failure to deliver ICZM	Negative	Yes	1, 5
			Sufficient interaction will inform local/national government on appropriate decision making and delivery of ICZM	Positive	Yes	1, 5

Environmental, social and economic issues relevant to the Sound of Mull MSP						
SEA Topic	Environmental and Economic Issues	Social	Potential source of impact	Positive and/or negative impact	Recognised by the Plan	Covered by Objectives of the Plan
	Increasing levels of recreation and tourism (especially marine based wildlife tours, sailing and diving)		Disturbance of wildlife, damage to habitats, damage to wreck sites.	Negative	Yes	1, 2, 3, 4.
			Job creation, local economy boost	Positive	Yes	1, 2, 3, 4
	Increasing ferry/water traffic		Biodiversity loss, potential to introduce alien species, increasing underwater noise, crowded marine area resulting in amenity loss, navigation problems (increased likelihood of collision events (with other boats and wildlife)).	Negative	Yes	1, 2, 3, 4
			Job creation, local economy boost, improved local transport infrastructure	Positive	Yes	1, 2, 3, 4
	Expansion of aquaculture/fisheries and other marine based industries		Loss of biodiversity, pollution.	Negative	Yes	1, 2, 3, 4
			Job creation, local economy boost	Positive	Yes	1, 2, 3, 4
Water	Pollution events		Reduction in water quality resulting in biodiversity loss, amenity loss and impacts on marine based industries.	Negative	Yes	1, 2
	Diffuse pollution		Increased nutrient loading from aquaculture may lead to eutrophication and HAB's	Negative	Yes	1, 2
	Marine litter		Damage to habitats and species, loss of scenic amenity	Negative	Yes	1, 2
Climate factors	Increased likelihood of		Coastal erosion, flooding of coastal areas and	Negative	Yes	1, 2

Environmental, social and economic issues relevant to the Sound of Mull MSP						
SEA Topic	Environmental and Economic Issues	Social	Potential source of impact	Positive and/or negative impact	Recognised by the Plan	Covered by Objectives of the Plan
	storm events, flooding and sea level rise		infrastructure			
	Siting of marine renewables		Construction, operation and decommissioning likely to lead to biodiversity loss and potential navigation problems	Negative	Yes	1, 2
Cultural and heritage factors. Landscape/seascape	Loss of coastal and marine heritage.		Inappropriate development, unregulated recreational use.	Negative	Yes	1, 2, 3
	Increased awareness of coastal and marine heritage		Recognition of local distinctiveness	Positive	Yes	1, 2, 3
	Loss of scenic amenity		Inappropriate development, unregulated recreational use.	Negative	Yes	1, 2, 3
	Increased awareness of scenic amenity		Recognition of local distinctiveness	Positive	Yes	1, 2, 3
	Loss of marine resource use amenity		Increasing water traffic and visitors to the area.	Negative	Yes	1, 2, 3, 4
Material Assets	Integrity of coastal infrastructure such as harbours, jetty's, slipways		Improved harbour and marina facilities	Positive	Yes	1, 2, 3, 4
			Maintenance of publicly accessible jetty's and slipways	Positive	Yes	1, 2, 3, 4

Appendix D. Response to SEA Consultation Authorities comments on the SoM MSP Scoping report

Comments	Response
<p>SNH SNH commented that they felt that the Scoping Report would benefit from a description of data collection already completed on the SoM MSP</p>	<p>It was felt the level of detail given in the Scoping Report was adequate given that it is less likely to be used or read by the general public or those unfamiliar with the SEA process. In addition, the guidelines for preparing a Scoping Report indicate that the report should be approximately 25 pages long, excluding appendices. At 34 pages, it was felt that the Scoping Report was long enough and that was more important to give full details of the issues, objectives and indicators, rather than provide a background to the SSMEI process.</p>
<p>Requested further description of the national SSMEI project</p>	<p>This will be given in the Environmental Report</p>
<p>Request that monitoring of the success of the Plan in terms of whether it is taken into account during planning</p>	<p>We agree with SNH's comments that a key measure of the success of the plan will be whether the plan is taken into consideration during planning decisions. This will be a difficult aspect to measure as the plan will not be statutory. However, we intend to make recommendations on this very issue, as well as other monitoring measures, as part of the wider Environmental Report.</p>
<p>Comment that an alternative to the Plan whereby only some of the Plans objectives are explored is incompatible with the 'ecosystem approach' used in the SoMMSP</p>	<p>We completely agree with this comment. The Plan has been written such that the interaction between the sectors is of major importance. The sectors are not dealt with in isolation but are all interlinked</p>
<p>Concerned that new developments might assume that the information and data in the Plan is adequate for their purposes.</p>	<p>We fully agree that current state of knowledge (in relation to threatened/protected species and habitats) used in the plan, and indeed the SEA, should not be regarded as all the information that is required for future developments. This point will be emphasised in the Environmental Report and we will definitely stress that any development proposals undergo statutory procedures for collection of relevant data. Indeed collection of such data will help improve knowledge base on the habitats and species within the Sound of Mull.</p>
<p><i>Question 1.</i> SNH suggest a change to the wording of Objective 5</p>	<p>This question actually refers to the objectives of the plan rather than the SEA, therefore this is the wording used by the actual Plan. Therefore, we are unable to change the wording. We can however recommend as part of the SEA process advise the responsible authority to change the wording of the plans objectives and this indeed was considered as part of the SEA process.</p>
<p><i>Question 3.</i> Suggest awareness raising should be included in the 'Biodiversity , Flora and Fauna' topic</p>	<p>'Awareness raising' has now been included under the 'Biodiversity, Flora and Fauna' SEA topic,</p>
<p><i>Question 6.</i> suggests the assessment matrix should focus on how the objectives will impact the SEA objectives</p>	<p>It is agreed that the assessment matrix should focus on how the objectives of the plan will affect the SEA topics. The objectives and indicators have been revised in order to better assess how the objectives of the Plan interact with the SEA topics and objectives</p>
<p>Suggest rewording of some of the objectives</p>	<p>The 'Biodiversity, Flora and Fauna' objectives have been revised, as suggested.</p>
<p>Suggest revising the use of 'designated</p>	<p>This is now changed to threatened or protected habitats and</p>

habitats and species'	species
Reduction is use of acronyms	This has been reduced to an acceptable level without detracting from the flow and readability of the text
Suggest Figure 5.2 is simplified	This has now been done
Unhappy with the interchangeable use of 'environmental impacts' and 'environmental effects'	The word 'impacts' has been exchanged for 'effects'. The use of 'environmental issues' has been maintained as it is felt that this is used in the correct context to describe the environmental topics of relevance to the SoMMSP. The use of these terms is in agreement with other comparable SEA reports.
Unhappy with the suggestion that the SoMMSP would be an example of 'best practice'	To clarify that this is the wording used in the objectives of the Plan, not the object
Clarify the use of SEA objectives and Plan objectives	This has now been done and the wording of some of the SEA objectives has been revised to distinguish them from the objectives of the Plan
Historic Scotland	
Suggest revision of the SEA objectives to better assess the environmental performance of the Plan	This has been done
<i>Question 1.</i> Suggested a change to the wording of the first historic environment objective	This has been revised to reflect the nature of the assessment
<i>Question 4.</i> suggests removal of social and economic objectives	Some of the objectives have been revised. It was felt that some of these objectives are an important part of the assessment of the Plan as a SSMEI pilot project. Also assessment of the social and economic aspects is a useful measure in assessing the Plans contribution to increasing viability of SoM communities
<i>Question 4.</i> suggest revision of the historic environment indicators	This has now been done
<i>Question 6.</i> suggests revision of the objectives and indicators to better assess how the objectives of the Plan interact with those of the SEA	This has been done
Inclusion of baseline data in Scoping Report	Some additional information on baseline data to be used in the Environmental Report has now been included. However, details of the full dataset, and assessment of that baseline data, therein, will be included in the Environmental Report.
Reminder that the SEA should include appropriate mitigation and monitoring measures	The SEA of the SoMMSP will aim to include appropriate mitigation and monitoring measures
Concern over the use of assumptions in the assessment	All assumptions used in the assessment will be fully documented
Suggested revisions for SHEP and SPP23	This has now been done
SEPA	
Suggested a number of additional PPS items relevant to the Plan	These have now been included
Suggested a number of baseline data sources	These have now been included
Suggest revisiting SEA objectives to better assess the environmental performance of the Plan	This has now been done
Suggest a revision to the SEA 'Water' topic	This topic has now been revised
Suggest scoping in of 'Material Assets'	'Material Assets' is now scoped in to the SEA topics assessed
Concerned about the use of assumption sin the assessment	All assumptions used during the assessment will be fully detailed in the Environmental Report

Suggest that the Environmental Report should consider recommending appropriate monitoring

This will be done as part of the Environmental Report

Requests mitigation measures should be clearly set out in the report

Mitigation measures, where appropriate, will be clearly set out in the Environmental Report

Appendix E. SEA Consultation Authority Responses to the Draft Environmental Report on the SOM MSP.

Response to SEA Environmental Report Consultation Process.	
Consultation Response/comment	Resultant action/report revision
Historic Scotland	
Request to revise the use of SEA objectives and SEA indicators. Further suggested inclusion of a column detailing mitigation or recommendations	All recommendations and suggestions have been accepted and appropriate revisions made. A set of questions has been formulated to facilitate assessment of the Plan against the SEA objectives. And a column listing mitigation and monitoring recommendations is now included
Concern that the draft assessment had reached some incorrect conclusions as a result of how the SEA objectives and indicators had been used in the assessment.	Revision to the SEA objectives and questions (as described above) has revised some assessment conclusions and has led to more effective assessment of the SEA objectives.
Pointed out that all NPPGs and SPPs had been consolidated into the Scottish Planning Policy	This is noted and text revised accordingly
Commented that the draft SEA's recommendation to have a policy dedicated to the natural and historic environment to be unnecessary	Comment noted
Highlighted the importance of linking SEA indicators to reflect actions taken in the Plan and potential impacts identified	Comment noted. The updated ER will provide a list of changes and mitigation measures taken up by the Plan
Scottish Natural Heritage	
Commented that a 'do nothing' option was not discussed further in the ER	The authors of the SEA ER for the Sound of Mull MSP consider that the 'status quo' option is effectively a 'no nothing' option (or the option of ignoring the Plan).
Commented that not all SEA Objectives listed are relevant to the SEA process	The SEA Objectives have been revised to include only those relevant to the SEA process.
Suggested that an assessment of each spatial opportunity would allow assessment of full cumulative effects	The detail of some opportunities in the Plan includes a guide number and scale where appropriate. The authors of the SEA see no advantage in assessing individual opportunities, particularly when they have been devised in full recognition of constraints, interactions and natural environment and historic interests. The SEA ER now includes an assessment of Sub-area sections and associated policy guidance. The ER also provides a recommendation that in areas where there are numerous spatial opportunities, some revaluation of the impacts may be required should many of the opportunities be taken up.
Do not think appropriate mitigation measures have been identified.	The ER provides a recommendation that in areas where there are numerous spatial opportunities, some revaluation of the impacts may be required should many of the opportunities be taken up. The mitigation measures have been extended and associated with SEA Objectives where appropriate.
Comments that there may be no funds available to take the Plan forward or provide provision for monitoring.	The SEA authors are aware that the Plan is part of a pilot study, however at the time of writing it was possible that the Plan would be fully implemented. Therefore, the Plan was assessed on this basis and it was considered that full monitoring measures needed to be taken into account. It should be noted that many of the monitoring measures should not be prohibitively expensive as they require

	coordination and collaboration with other agencies (SEPA, SNH, FSAS) rather than requiring direct data gathering by the Plan's Responsible Authority
Commented that the draft SEA's recommendation to have a policy dedicated to the natural and historic environment to be unnecessary	Comment noted
Scottish Environment Protection Agency	
1.1 Commented that RBMP had now been published and requested a change in the text to reflect this	Both the main text and Appendix A have been updated to reflect this.
2. Suggests presenting assessments in strategic order	The SEA is organised such that the two central policies (SOM G1 and SOM G2) that form the backbone of the Plan are assessed first, followed by the sectoral policies, then the sub-areas and policy guidance. The authors believe this provides logical order of assessments.
3.1 Comment that SEA objectives and indicators had not been changed from Scoping Report.	SEA objectives and indicators have now been revised to better facilitate assessment of environmental performance (see comments below for further information)
3.2 Recommends a re-examination of the SEA objectives with any that do not assess environmental performance be removed	This has been done, with several SEA objectives originally put under 'Population and Human Health' now removed.
3.3 Considers that the SEA indicators have been incorrectly used in the assessment	This has now been modified and the indicators removed from the assessment process. The assessment process is now facilitated by a series of questions to accompany each SEA objective.
3.5 Recommends revision to how the SEA objectives and indicators are utilised	This has now been done.
3.6.1 Removal of first five 'Population and Human Health' Objectives	These have been removed
3.6.2 Suggest revision to first "Water" SEA Objective and deletion of the second bullet point	The first objective has been reworded to 'Reduce water pollution within the Plan area' and the second bullet point removed
3.6.3 Suggests removal of the second bullet point	This has been removed
3.6.4 Suggest revision to the Climate Factors SEA objectives	This has been done
3.6.5 and 3.6.6 Suggests revision to the 'Material Assets' SEA objectives	This has been done
4.3 Requests assessment of spatial strategy elements of the Plan	The ER has now assessed the Sub-area sections including the policy guidance, main text and listed opportunities
4.4.5 Requested the text provide more clarity on whether the general policies are considered during assessment of the sectoral policies	This has been done
4.5 Comment that all SEA objectives are relevant to the Plan objectives as where scoped into the assessment	The authors believe that the Plan has been assessed against all relevant SEA topics. During the Scoping process the Topics that had been scoped in were stated. SEPA made a request that we also scope in Material Assets and this was done. The text in section 4.2 has been revised to clarify this.

4.6 Requests clarification on the assessment of alternatives, with particular reference to ‘partial implementation’	This has been done
5.2 Suggests all mitigation measures be drawn together and included in both the non-technical summary and the mitigation section	This has been done
6.1 Monitoring measures should be targeted to areas where there are negative effects	The ER considers that the Plan will have no negative effects on the environment. However, the authors of the ER consider that it is essential that the Plan should take steps to monitor appropriate aspects of the environment, both as a means to monitor environmental performance and also a means to inform future iterations of the Plan. The ER suggests collation of data from a range of agencies, such as SEPA, SNH and FSAS. This does not require the Responsible Authority to actually carryout the monitoring of the parameters, but rather to gather the data centrally. This should aid identification of emerging environmental issues or impacts and also contribute to future versions of the Plan.

Appendix F. Recommendations from the ER and Draft ER taken up by the Plan.

The draft ER requested that each Sectoral policy should state its overarching aims or objectives. These have now been provided.

It was requested that there should be statement indicating that developments that have taken account of issues such as climate change, coastal erosion and flooding should be considered more favourably. This is now clear within the Plan.

The draft ER recommended that the Plan would benefit from a targeted policy for the natural and historic environment sector. This has now been done. It should be noted, however, that the consultation authorities did not find it necessary for the Plan to have a dedicated natural and historic environment policy.

The draft version of the Plan did not include sufficient guidance on areas at risk to flooding. The ER requested that this information should be included as potential developers must consider the potential impacts of coastal flooding. The Responsible Authority were unable to provide the spatial information directly within the Plan, however there is now a direct link to the SEPA website, where this information can be found. Should the spatial information become available to use it is recommended that this be included in the Plan.

The draft version of the Plan discouraged developments where there were 'wider impacts on ecosystem function'. The draft ER requested that further guidance should be provided. The Plan now includes a link to DEFRA's indicators of good environmental status.

Appendix G. Abbreviations

AMA – Area Management Agreement
AMG – Area Management Group
CAR – Water Environment (Controlled Activities) (Scotland) Regulation 2005
CBD – Convention on Biological Diversity
DEFRA – Department for Environment Food and Rural Affairs
EIA – Environmental Impact Assessment
EU – European Union
FEPA – Food and Environment Protection Act 1985
FSAS – Food Standards Agency (Scotland)
ICOMOS - International Council on Monuments and Sites
ICZM – Integrated Coastal Zone Management
IFG – Inshore Fishing Group
IMO – International Maritime Organisation
LBAP – Local Biodiversity Action Plan
MCA – Maritime and Coastguard Agency
MSP – Marine Spatial Plan
NSA – National Scenic Area
NPPG – National Planning Policy Guidelines
OSPAR – Oslo and Paris Commission for the Protection of the Marine Environment of the North East Atlantic
PPS – Plans, Programmes and Strategies
RBMP – River Basin Management Plan
SAC – Special Area of Conservation
SEA – Strategic Environmental Assessment
SEPA – Scottish Environment Protection Agency
SHEP – Scottish Historic Environment Policy
SNH – Scottish Natural Heritage
SoM – Sound of Mull
SoMMSP – Sound of Mull Marine Spatial Plan
SPA – Special Protection Area
SSMEI – Scottish Sustainable Marine Environment Initiative
SSP – Scottish Planning Policy
SSSI – Site of Special Scientific Interest
TWG – Tripartite Working Group
UKBAP – UK Biodiversity Action Plan
WFD - Water Framework Directive