

Response ID ANON-FB69-QX1P-1

Submitted to Scottish Highly Protected Marine Areas (HPMAs)
Submitted on 2023-04-17 15:43:42

Draft Policy Framework

Question 1 What is your view of the aims and purpose of Highly Protected Marine Areas as set out in sections 2 and 3 of the draft Policy Framework?

Support

Please explain your answer in the text box:

We believe that national strategies and plans that co-exist with Marine Planning including the designation of HMPA, such as the Scottish Biodiversity Strategy (SBS), can provide synergistic benefits when aligned.

Promoting an area in terms of high levels of nature designation should be tied with planning for investment in Scottish Water's assets and considerations of water resources and other key drivers (recreational waters, bathing water etc).

Question 2 What is your view of the effectiveness of the approaches to manage the activities listed below, as set out in section 6 of the draft Policy Framework, in order to achieve the aims and purpose of HPMAs?

Management approaches to activities - Commercial fishing (of any kind):

Neutral

Management approaches to activities - Recreational fishing (of any kind):

Neutral

Management approaches to activities - All other recreational activities:

Neutral

Management approaches to activities - Finfish aquaculture:

Neutral

Management approaches to activities - Shellfish aquaculture:

Neutral

Management approaches to activities - Seaweed harvesting:

Neutral

Management approaches to activities - Oil and gas sector:

Neutral

Management approaches to activities - Renewable energy:

Neutral

Management approaches to activities - Carbon capture, utilisation and storage:

Neutral

Management approaches to activities - Subsea cables:

Neutral

Management approaches to activities - Aggregate extraction:

Neutral

Management approaches to activities - Ports and harbours:

Neutral

Management approaches to activities - Shipping and ferries:

Neutral

Management approaches to activities - Military and defence:

Neutral

Management approaches to activities - Hydrogen production:

Neutral

Management approaches to activities - Space Ports:

Neutral

Please explain your answer in the text box and if you think we have missed any activities, please suggest them here:

Scottish Water plays a key role in the life and prosperity of all the people of Scotland. Through our core business of providing water and wastewater services to our customers Scottish Water is integral to maintaining public health, the protection of the environment and to the development of a more sustainable Scotland.

As such we operate in the near shore marine environment. In island locations public drinking supplies can be transported via pipeline between islands e.g., in Orkney.

Stormwater and treated wastewater is discharged to the marine environment under licence and the assets eg outfalls, including long sea outfalls, must be built, inspected, managed and operated to protect our functions and the environment.

The costs of a more stringent planning, assessment, construction or operating regime arising in the marine environment would have to be funded through the appropriate regulatory regime.

Sectors
Scottish Water is neutral on other sectors however, we understand that for HPMA to be successful, certain activities will have to be controlled or banned.

Question 3 What is your view of the proposed additional powers set out in section 8.3.2 of the draft Policy Framework: "Allow for activities to be prohibited from the point of designation to afford high levels of protection."

Neutral

Please explain your answer in the text box:

Neutral.

Scottish Water discharges stormwater and treated wastewater to the marine environment under licence and the assets e.g., outfalls, including long sea outfalls, must be built, inspected, managed and operated to protect our functions and the environment.

The costs of a more stringent planning, assessment, construction or operating regime arising in the marine environment would have to be funded through the appropriate regulatory regime.

We would welcome an exchange of knowledge with MS so that, in addition to current assets and operations, projected need to build new infrastructure can be considered during the site selection process.

Question 4 What is your view of the proposed additional powers set out in section 8.3.3 of the draft Policy Framework: "Establish processes to permit certain limited activities within a HPMA on a case-by-case basis for specified reasons."

Strongly support

Please explain your answer in the text box.:

Scottish Water considers it imperative that certain activities and operations essential to public health & wellbeing can function normally and are not put at risk. We understand that additional mitigation may need to be put in place and would welcome discussions on a case-by-case basis.

Question 5 What is your view of the proposed additional powers set out in section 8.3.4 of the draft Policy Framework: "Activities which are not permitted in a HPMA but are justified in specified cases of emergency or force majeure."

Strongly support

Please explain your answer in the text box.:

We consider it essential that provisions are put in place so that e.g., emergency situations can be dealt with through timely intervention to protect public health and the environment.

Question 6 What is your view of the proposed additional powers set out in section 8.3.5 of the draft Policy Framework: "Measures for activities allowed and carefully managed in HPMA's."

Support

Please explain your answer in the text box.:

We recognise that advice will be provided by the advisory bodies, however we would mention a note of caution on the recognised difficulties of monitoring, collecting adequate evidence (for example, to demonstrate wildlife crime) and regulating a such system in the marine environment.

Question 7 Do you have any further comments on the draft Policy Framework, which have not been covered by your answers to the previous questions?

Please add your response in the text box:

We have no further comment other than to welcome early engagement and knowledge sharing with MS.

Draft Site Selection Guidelines

Question 8 What is your view of the proposal that HPMA site identification should be based upon the "functions and resources of significance to Scotland's seas," as set out in Annex B of the draft Site Selection Guidelines?

Functions and resources - extent of support - Blue Carbon:
Support

Functions and resources - extent of support - Essential Fish Habitats:
Support

Functions and resources - extent of support - Strengthening the Scottish MPA network:
Support

Functions and resources - extent of support - Protection from storms and sea level rise:
Support

Functions and resources - extent of support - Research and education:
Support

Functions and resources - extent of support - Enjoyment and appreciation:
Support

Functions and resources - extent of support - Other important ecosystem services:
Support

Please explain your answer in the text box, including any suggested changes to the list:

Scottish Water supports the proposal that HPMA should be based on the stated "functions and resources significant to Scotland's seas".

Question 9 What is your view of the general principles that are intended to inform the approach to HPMA selection, as listed below and set out in section 4.1 of the draft Site Selection Guidelines?

Site selection - support of general principles - Use of a robust evidence base:
Strongly support

Site selection - support of general principles - HPMA scale and the use of functional ecosystem units:
Neutral

Site selection - support of general principles - Ensuring added value:
Support

Site selection - support of general principles - Delivering ecosystem recovery:
Support

Please explain your answer in the text box, including any suggested changes to the list:

HPMA scale and the use of functional ecosystem units – neutral, we do not have the expertise to offer a view.

Question 10 What is your view of the proposed five-stage site selection process, found in sections 4.2 and 4.3 as well as Figure 2 and Annex A of the draft Site Selection Guidelines?

Support

Please explain your answer in the text box:

We note that socio-economic factors that society depends on will be considered during the selection process. We welcome the remark that that the process need not be applied in a linear way as this will allow for screening out of areas where certain structures, operations and activities are situated and on which society and the environment relies at an early stage.

We welcome the opportunity to share knowledge with MS to assist with site selection.

Question 11 Do you have any further comments on the draft Site Selection Guidelines, which have not been covered by your answers to the previous questions?

Please add your response in the text box:

We note that there is to be no restriction on the size of HPMA and that they are likely to overlap, to include or be similar spatially to other designated sites. This raises a concern that significant lengths of HPMA site boundaries would be formed by the coastline or in the near shore area, where we have

operational assets and where relocation would be impossible.

We would welcome clarity that areas where our assets are placed and a zone around the operation and discharges from these assets is screened out at the early stage of HPMA site selection.

We welcome the opportunity to share knowledge with MS to assist with site selection.

Initial Sustainability Appraisal

Question 12 What is your view of the Strategic Environmental Report, summarised within sections 3 and 4 of the Sustainability Appraisal, as an accurate representation of the potential impacts, issues and considerations raised by the introduction of the draft Policy Framework and Site Selection Guidelines?

Support

Please explain your answer in the text box.:

We consider the SEA to be a succinct and accurate representation of the potential impacts, issues and considerations. We note that overall benefits have been determined by the assessment on the SEA topics and objectives.

The designation of HPMA will provide additional environmental data and raise understanding of important marine ecosystems location and information that can be used to aid developers.

Question 13 What is your view of the Socio-Economic Impact Assessment, summarised within sections 3 and 4 of the Sustainability Appraisal, as an accurate representation of the potential impacts, issues and considerations raised by the introduction of the draft Policy Framework and Site Selection Guidelines?

Support

Please explain your answer in the text box.:

We are content that the potential impacts, issues and considerations raised are an accurate representation of the draft policy and site selection guidelines.

It is imperative that the factors society depends upon are fully considered. We would wish to be considered a stakeholder in the process going forward and would welcome that opportunity to share knowledge with MS.

Partial Island Communities Impact Assessment (ICIA) Screening Report

Question 14 What is your view of the partial ICIA screening report as an accurate representation of potential impacts, raised by implementation of the draft Policy Framework and Site Selection Guidelines?

Support

Please explain your answer in the text box.:

Scottish Water would wish to be considered a stakeholder during the phase of site selection and assessment that will begin post public consultation.

Question 15 Do you think that the implementation of the draft Policy Framework and Site Selection Guidelines will have any significantly differential impacts - positive and/or negative - on island communities?

Yes

Please explain your answer in the text box, including any additional impacts that have not been identified in the partial ICIA screening report.:

We have island assets dedicated to providing public drinking water and fundamental to public health. In addition, placement of coastal assets for the treatment and discharge of wastewater needs to be considered in the context of scale and extent of coastline.

Partial Business and Regulatory Impact Assessment (BRIA)

Question 16 What is your view of the partial BRIA as an accurate representation of the potential impacts, issues and considerations raised by the implementation of the draft Policy Framework and Site Selection Guidelines?

Neutral

Please explain your answer in the text box.:

We note that this is a partial BRIA and that a full assessment is likely to be required to provide sectors with more clarity.

Question 17 Do you think that the implementation of the draft Policy Framework and Site Selection Guidelines will have any financial, regulatory or resource implications - positive and/or negative - for you and/or your business?

Not sure

Question 18 If you answered "yes" to the previous question, please specify in the text box below, which of the proposals/actions you refer to and why you believe this would result in financial, regulatory or resource implications for your business.

Answer::

At this stage in the process, including attending an on-line information session we are reasonably content that our assets and operations will tend to be excluded from HPMA as their functions are essential for society, public health and to protect the environment.

We consider it imperative that we are included as a stakeholder in the process going forward to allow knowledge exchange with MS.

Our Commitment

Question 19 Do you have any further thoughts on the Scottish Government's commitment to introduce HPMA's to at least 10% of Scottish waters?

Please add your response in the text box:

Scottish Water believes the commitment to introduce HPMA to at least 10% is appropriate as set out in the Bute House Agreement.

About you

What is your name?

Name:

Judy Shand

What is your email address?

Email:

Regulation@scottishwater.co.uk

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Scottish Water

Sector and origin

Other (please specify in box below)

If you selected 'other' please describe your sector in the text box:

Water Industry

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response only (without name)

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

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Very satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Very satisfied

Please enter comments here.: