

How the SEA Shaped the Firth of Clyde Regional Marine Plan

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Abstract: *The Firth of Clyde regional Marine Plan (RMP) was one of the first statutory marine plans in Scotland. It was developed by a group representing the diverse interests in the Firth, the Clyde Marine Planning Partnership, including statutory bodies, representative organisations, and third sector representatives. The marine system over which it has oversight is complex, and subject to a range of pressures and competing uses. The SEA itself was produced in stages, as the RMP was being developed. The RMP process involved a programme of community engagement, and extensive discussions between the different parties to tease out the issues, and agree management principles for the Firth. The presentation will consider the challenges of scoping the SEA, and of using the information gathered at different stages of the Assessment to inform the deliberations within the partnership. It will describe the extent to which the SEA helped to shape the plan itself. The SEA was conducted over the period of the Plan production, but the Plan itself remains in limbo, awaiting formal adoption by the Scottish Government. But the presentation will discuss how the process of engaging such a large partnership has itself influenced the management of the Firth, and the environmental, social and economic changes taking place within it.*

Regional Marine Planning in Scotland:

Scotland does not have an established planning system for its marine areas. Regulation of use of marine areas has been *ad hoc*, with land use planning ending for the most part at the coastline, and different regulatory regimes for dredging, dumping, marine traffic, infrastructure installation, fisheries and so on. Some, like the use of the foreshore, date back to ancient rights, others – like marine renewables – are more recent.

Prompted by the requirements of the EU Marine Strategy Framework Directive in 2008, the Marine (Scotland) Act 2010 was passed into legislation. The Act makes provision for a statutory National Marine Plan to achieve sustainable management of Scotland's marine resources. But it also allows for a suite of regional marine plans to be developed in 11 marine regions to enable local decision making about issues within the respective areas.

Two regions were selected as pilots for this process: Shetland and the Firth of Clyde. Shetland is a single authority island group, with cohesive stakeholder groups who understood their common interest in Shetland's waters. By contrast the Firth of Clyde is much more complex. It's a partially enclosed sea/estuary for the river Clyde, which of course flows through Scotland's biggest city. Indeed the tidal area is upstream of the city centre (so the Regional Marine Plan area includes the whole waterfront). It includes a number of local authorities and diversity of uses – industrial (the Clyde was the heart of Scotland's ship-building industry – and it still is to a degree), transport and shipping, defence, fisheries (mainly shellfish now) – and recreation and tourism. The river banks are channelised, and when Glasgow was at its industrial peak the river suffered from high pollution levels. However, with improved pollution control, the water quality of the estuary has greatly improved (such that some estuarine species that had been dependent on artificially high nutrient levels have declined - but salmon and otter have returned). Around 40,000 people are employed in the marine sectors and ancillary industriesⁱ, and it remains a much loved – if much exploited – resource for the 2m or so people who live in the catchment.

The Firth also has a diverse ecosystem - although its fauna has been heavily modified by historic over-fishing. In previous centuries it had been a herring fishery centre, but that declined, as did other stocks of cod, saithe and whiting. Now it has the same fish biomass as

in the first half of the 20th Century, but mainly comprised of immature whiting – so not suitable for a fishery in itself, and potentially unstable. Nevertheless, it has healthy – indeed increasing grey and harbour seal populationsⁱⁱ (bucking the trend elsewhere in Scotland for harbour seals) and other large mobile species, and a rich coastline with extensive sea grass and kelp resources, which are an important carbon store. Nonetheless, the coastline itself will be affected by climate change – not least due to sea level rise, which will affect habitats and infrastructure.

The Clyde Marine Planning Partnership:



So a lot going on. But the Clyde also already had an active voluntary coastal planning partnership, the Firth of Clyde Forum, and had produced a non-statutory marine plan. So the proposal was to convert that existing partnership into a constituted body, and use that as the body that would oversee the plan. That was quite an ambitious proposal – to bring together a disparate range of private, public, NGO and industry representative groups, who had been quite happy to discuss and agree a voluntary plan, but who might find it more difficult to act together as a decision-making body for a statutory plan. But if successful that could be extremely effective, since all the main stakeholders had acted together. A small team employed by NatureScot and funded by the Marine Directorate took this forward on behalf of the Partnership.

There were some compromises to be made for the Association to be constituted. It was intended that a balance should be struck between different interests, but that inevitably meant that it could not be an entirely open inclusive structure – the membership was held at about 20 organisations, and some local groups felt that they had been excluded from the partnership, although they were involved in the development of the plan itself. The Ministry of Defence (MoD) had been an active member of the Forum due to the naval base on Loch Long, but it was not able to participate in the Partnership as defence is a reserved matter (and therefore not under the auspices of the Act), but the MoD did participate in the consultation.

The Clyde Regional Marine Plan:

The process of constructing the plan starts with a comprehensive information base – which of course contributes to the SEA environmental baseline as well. Along with that, the Plan team embarked on consultation exercise which sought to bring in voices that were outside the stakeholder groups already involved. An animation was produced and circulated on social media to promote the process. A series of workshops were held around the communities of the Firth. The team used a regional marine spatial planning board game to communicate the concept and help to prompt participants. That produced some interesting results – for example holding a workshop in a high school in one of the main fishing areas brought about completely different perspectives from young people (more environmentally

aware) than from the community groups represented by a much older cohort (more concerned with immediate economic interests).

The team also held a series of workshops, which brought together the different stakeholders involved in the Partnership, and other interests. Those workshops were constructed in accordance with the different Sustainability Appraisal-Strategic Environmental Assessment (SA-SEA) issues used the environmental baseline, and explored the interactions between those elements. An ecosystem services approach was taken to frame objectives for each section, which helped participants think through the difference interactions. The workshops were based on key sectors or policy areas, and each considered the objectives and options for that policy area, its interactions with the others, and impacts on the environmental receptors identified in the Assessment. So the Assessment set the context for the discussions, helped to draw out the tensions, and thereby helped to identify the policies needed to address them.

The Strategic Environmental Assessment-Sustainability Appraisal

Under the Environmental Assessment (Scotland) Act 2005 there is a mandatory requirement to produce an SEA for Plans and Strategies in Scotland, but it was felt that that should be complemented by a broader Sustainability Appraisal which would include the implications of the plan for social and economic sustainability.

This was carried out by the team of marine planners. None of the team members had carried out an SEA before, and given the workload there was an argument to use external contractors. But in the event it was decided to do this in-house, by the marine planners themselves, in conjunction with the development of the Plan, because that would help to ensure that the findings of the Assessment would influence the contents of the Plan. And their conclusion was that, despite their initial reluctance, they were glad that they did so as that greatly enhanced the process.

The review of alternatives was challenging: it was difficult to identify a reasonable 'reasonable' alternative before embarking on the detail of the policies. So the Assessment tests the Plan against a 'no-Plan' - alternative.

Actually, the SA-SEA was not the only assessment carried out on the Plan. It was one of several conducted, which investigated specific impacts on European protected sites, business regulation, island communities and equalities. All of these contributed to the Plan and helped to ensure that the Plan would help to meet, or at least not hinder, the respective policy objectives in these areas. But the SA-SEA was the most influential in shaping the Plan.

When we reviewed the draft Plan policies against the Assessment, some policies with potential contradictions were revised - for example the policy to accommodate the laying of new energy pipelines was changed to recognise the future phasing down of oil and gas exploitation. The Assessment also strengthened the argument to include some policies – especially in relation to the natural environment. But that actually underplays the influence of the Assessment. In fact it moulded the Plan – drawing the picture of the marine region together, and framing the workshops which identified the key issues and their resolution, so that the policies reflect the issues identified in the Assessment – for example, identifying coastal areas that are vulnerable to rising sea levels, and policies to manage this.

Relationship between the draft Clyde Regional Marine Plan and the Sustainability Appraisal, including Strategic Environmental Assessment



¹ Marine Alliance for Science and Technology Scotland

The Plan Now

The Planⁱⁱⁱ itself does not have a great deal more teeth beyond that of existing regulators, but it is significant that it brings all of the different issues and interests together, under the auspices of a partnership of stakeholders. So there is ownership of the Plan by the different groups albeit that that makes for an unwieldy process.

Under its approval process the Plan has been passed by the CMPP to the Scottish Minister. He will issue the Plan for consultation, with the SA-SEA (slightly revised to reflect any revisions from his Marine Directorate). In the meantime, a second National Marine Plan is being developed, and the coherence of the Partnership has been tested a little by the timescale of the Plan process and the various iterations that it has gone through. So the success of the Plan – and of the Partnership that produced it – depends yet on the next stages.

ⁱ Clyde regional Marine Plan Interim SA-SEA Report – March 2019

ⁱⁱ <https://marine.gov.scot/sma/assessment/seals>

ⁱⁱⁱ Pre-consultation draft Clyde Regional Marine Plan – March 2019;
<https://www.clydemarineplan.scot/marine-planning/clyde-regional-marine-plan/#draft>