

National Marine Plan 2: Planning Position Statement

Overview

General Comments

Scottish Water broadly supports the purpose and the aims of the National Marine Plan 2 (NMP2) and welcomes the opportunity to comment on this Planning Position Statement (PPS).

Detailed Response

Specific Comments

1.	Do you agree with the updated wording for the high-level objectives (HLOs) and the focus they set out for policies in the NMP2? Please state which HLO(s) you are referring to in your response.
	Scottish Water broadly agrees that the wording and focus of all five high-level objectives are suitable in supporting the overall aims of the National Marine Plan 2.
2.	Please add any additional comments on the HLOs in the space provided below.
	No comments.
3.	What are your views on the policy ideas proposed under the Climate Change Mitigation and Adaptation section?
	<p>Scottish Water agrees with the need to consider Climate Change Mitigation and Adaptation within the NMP2's policies.</p> <p>The Scottish Water Climate Change Adaptation Plan shows we have been responding to the climate challenge by assessing the risks, building resilience into our business and investment plans for key priorities and have started to adapt our assets, including marine assets, to ensure these remain reliable and sustainable.</p> <p>However, Scottish Water would welcome the opportunity for supplementary guidance for individual sectors to be developed so that our marine infrastructure proposals can demonstrate climate change mitigation and adaptation appropriately to help meet the policies within NMP2.</p>

4.	What are your views on the policy ideas proposed under the Nature section?
<p>Supporting Marine Protection and Enhancement</p> <p>Scottish Water is broadly supportive of a policy that preserves restoration and enhancement measures in the marine environment. However, it is unclear how this would apply and what impact changes would have. For example, protecting these marine sites from wider activity, that may have an adverse impact, would suggest that these areas would have similar protection to those that are designated as sensitive (e.g. Marine Protected Areas). Clear guidance would be needed for this. Additionally, this policy should outline if there are or would be exemptions given to marine use for our essential assets/infrastructure (such as outfalls and pipelines) and emergency works.</p> <p>Priority Marine Features</p> <p>Scottish Water welcomes the opportunity to understand more about Priority Marine Features (PMFs) and the process for considering these during new marine developments and the associated licencing requirements.</p> <p>Scottish Water would also welcome clarity on how adverse impacts on PMFs could be avoided, minimised or mitigated and how this can be evidenced in marine planning. Scottish Water would suggest that having guidance which signposts where updated PMFs information can be accessed and how it should be considered to further assist the marine planning process, including licencing.</p> <p>Nature- Inclusive Design</p> <p>Scottish Water suggests that if the NMP2 sets out an expectation for all new developments to be nature-inclusive through their design, that the wording of the policy is made clear and if this was to become a requirement for all new marine developments, sector-specific implementation guidance would be required.</p> <p>Nature Positive Use and Development</p> <p>Scottish Water supports this in principle, however we would like to highlight that implementing nature-positive measures for our infrastructure in the marine environment could be challenging. Therefore, a nature-positive policy which supports action on tackling the biodiversity crisis, should set out clear expectations for what is required and how it would be applied in practice – including options for scenarios where it may be infeasible to implement at the development site or local to this.</p> <p>Scottish Water’s marine infrastructure is widely dispersed across Scotland’s seas, particularly at coasts, however it is generally small-scale when compared to other marine users – for example our use is mainly</p>	

outfalls/pipelines which are small scale when compared with offshore wind developments. Therefore, we would suggest that a policy that requires nature positive measures should be proportionate to the nature and scale of development.

Scottish Water agrees that clarity is needed on the application of a nature positive policy across different scales and sectors, including on the mechanism through which this may be delivered, identification of nature positive actions, monitoring and supporting implementation guidance.

Additionally, Scottish Water would require sector specific guidance on how this could be achieved for our types of assets. Practically, implementing nature-based solutions or enhancements infrastructure assets, such as outfalls and sub-sea pipelines, would be difficult out with what is required under existing legislation and licence requirements.

5.	Considering the definition of ‘Nature Positive’ included in the Scottish Biodiversity Strategy (SBS), what are your views on how this could be implemented by different sectors and types of development and use? (Definition of ‘Nature Positive’ - “reversing the downward curve of biodiversity loss so that levels of biodiversity are once again increasing, bending the curve of biodiversity loss”.)
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No comments.

6.	What are your views on both the cross-sector, and sector-specific policy ideas proposed under the Sustainable Marine Economy section?
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Scottish Water would like to note that in the NMP2 PPS there is no mention of the presence, function or operation of Scottish Water’s shoreline or seabed assets. These include shoreline Wastewater Treatment Works (WwTW), outfall and long sea outfall pipes that discharge treated wastewater and wastewater overflows under licence to the marine environment. In addition, we have seabed pipelines that form part of our public drink water supply network. All these assets and their operation are significant to the Scottish economy and health of our customers.

As such these assets must be built, inspected, managed and operated within the marine environment so must be addressed when considering sectors that are specific to the sustainable development and use of Scotland’s seas.

The sectors currently mentioned within Section 5.4.2 are: Aggregates, Aquaculture, Cables, Energy, Fisheries, Ports/Harbours, infrastructure re-use/sharing and Shipping/Transport. These do not appear to apply to Scottish Water’s marine use for essential water and wastewater assets, as mentioned above, and it is unclear whether this has been assessed as not required.

The Orkney Regional Marine Plan consultation, 2024, had a sector labelled: 'Pipelines, electricity and telecommunications'. Scottish Water would strongly suggest the introduction of a sector within the NMP2 that represents our asset types.

7.

What are your views on the definitions being proposed for 'co-existence' and 'co-location' as set out below:

Co-existence: "co-existence is where multiple developments, activities or uses can exist alongside or close to each other in the same place and/or at the same time."

Co-location: "Co-location is a subset of co-existence and is where multiple developments, activities or uses coexist in the same place by sharing the same footprint or area or infrastructure."

Please provide any alternative suggestions.

Scottish Water agrees with both proposed definitions of 'co-existence' and 'co-location' as set out within the plan.

Scottish Water would like to highlight the need for existing assets/infrastructure to be considered when looking at the creation of co-existence policies. The requirement to demonstrate co-existence within marine planning applications would encourage the engagement and collaboration between sectors. Scottish Water would welcome the opportunity to be consulted on marine developments near our marine assets, as this would aid in decision making.

We would like to emphasise the importance of essential assets/infrastructure and the potential limitations on the location of new infrastructure, due to the connectivity needed between operational marine and land assets. Scottish Water marine infrastructure is often limited in its location (or scope of potential locations) due to restrictions on operational location, engineering solutions and resource availability.

Additionally, Scottish Water would like to highlight that our marine assets are essential for public health and so must be considered in such a way that protects them from the activities of other marine environment users. This would continue to contribute to the resilience of coastal and island communities, whilst also avoiding pollution and maintaining the status of coastal and marine environments.

8.

Do you think the policies relating to the Management of Pressures should be updated, retained or accompanied by clearer implementation guidance? Please include any suggestions and/or changes, stating which policy you are referring to

Scottish Water broadly agrees with the current policies and believe these should be retained, reviewed to ensure they are still appropriate and be

accompanied by implementation guidance to aid all sectors who operate or have assets within the marine environment.

9.	What are your views on the policy ideas proposed under the Accessibility and Wellbeing section?
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No comments.

10.	What are your views on the proposed policy ideas under the Implementation section? Please consider the role of the decision-maker and the potential introduction of prioritisation when responding.
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Scottish Water agrees with the proposed policy ideas on the application of the mitigation hierarchy. The requirement to use this within the marine environment would likely be in parallel to policies set out in the NPF4 and would promote continuity between the two frameworks.

Scottish Water supports the principle of evidence-based decision making and the policy ideas to demonstrate consideration of best available evidence in decision-making, further collaborative approaches and data sharing where these are appropriate and proportionate to the decision.

However, it is unclear within the document whether best available evidence would be based on readily available information. There is a potential concern around resourcing and timescales if additional data/evidence would be required to be collected to support marine applications. If there is a requirement to provide evidence beyond that which is readily available, the high costs and timescales associated with specialist marine surveys could be disproportionate for small-scale activities or routine marine applications and may result in delays in progressing emergency works required to protect the environment. The policy should clearly outline what evidence is expected to be considered for marine applications.

Additionally, whilst the requirement for engagement at all stages of the marine application process could be useful, this may also increase the timelines associated with marine planning and licensing process.

11.	If you agree that NMP2 should include prioritisation, which outcome do you prefer i.e. space for a specific use given priority, space for nature given priority? Should additional outcomes also be considered? Please include any supporting information in your response.
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No comments.

12.	What are your views on policy ideas suggested in relation to community informed decision-making?
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No comments.

13.	<p>In responding to the questions below it may be helpful to consider the potential implications on international or national competitiveness and Scotland as a destination for global investment.</p> <ul style="list-style-type: none"> • Do you think the policy ideas in the NMP2 will impact, either positively or negatively on any of the following: • Marine sectors/businesses, consenting authorities, local authorities or any other planning decision makers? • Please provide details.
No comments.	

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