

**POLICY NOTE TO**  
**THE DRAFT SCOTTISH MARINE REGIONS ORDER 2015**

**Introduction**

The above instrument is to be made in exercise of the powers conferred on the Scottish Ministers by section 5(5) of the Marine (Scotland) Act 2010 ('the 2010 Act') and all other powers enabling them to do so. The instrument is subject to affirmative procedure.

**Policy Objectives**

The 2010 Act introduces a statutory planning framework for the first time in the Scottish marine area. It provides for the adoption of a National Marine Plan and for the delegation of marine planning functions to a regional level. Section 5(5) of the 2010 Act allows the Scottish Ministers to designate, by order, any part of the Scottish marine area as a Scottish marine region; and for the identification of the boundaries of such a region. This instrument designates and identifies the boundaries of 11 Scottish marine regions.

**Consultation**

The Scottish Government sought public and stakeholders' views on the general principle of creating Scottish Marine Regions for regional marine planning, the seaward boundaries and the approaches to identifying the Scottish Marine Regions in the consultation "Scottish Marine Regions – establishing their boundaries" held from November 2010 to February 2011.

The results of the consultation concluded that there was strong support for the creation of Scottish marine regions and the preferred option was based on a 'physical characteristic' approach where the regions would be defined by large scale geographical features, but with modifications to ensure that the marine regions were not too large on the west and east coasts. This option would create 11 Scottish marine regions. A draft Order was created to deliver this option, and a written consultation on the draft Order was published on the Scottish Government website on 6 December 2012 and closed on 28 February 2013.

There were 37 responses to that consultation and these have been published on the Scottish Government website.<sup>1</sup> The majority of respondents were in favour of the boundaries proposed, with 21 respondents indicating their agreement. There were also additional comments on the boundaries from 21 respondents.

The draft Order has been amended as a result of the consultation. The co-ordinates in the draft Order are now shown in Ordnance Survey of Great Britain 1936 Datum so as to be consistent with the approach taken for the Scottish Adjacent Waters Boundaries Order 1999 ('the 1999 Order'). The draft Order has also been simplified by removing a number of sets of

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<sup>1</sup> <http://www.scotland.gov.uk/Publications/2013/04/6995/0>

co-ordinates lifted from the 1999 Order and instead refers to the landward and seaward limits of the Scottish marine area, as defined in section 1 as read with section 2, of the 2010 Act.

Four of the Scottish marine region names have been amended to reflect the comments received. Western Isles is now “Outer Hebrides”, South East is now “Forth and Tay”, South West is now “Solway” and Moray now named “Moray Firth”.

There were small amendments to the boundaries in 3 areas and these have been reflected in the draft Order. These were the boundary between the Solway and Clyde regions; the boundary between Orkney Islands/North Coast/Moray Firth Regions; and the boundary between the North East/Moray Firth regions. The illustrative map to accompany the Order has been updated to reflect the boundary changes. The coordinates in the Order will also be made available on Marine Scotland’s interactive marine planning tool - National Marine Plan interactive (NMPi).<sup>2</sup>

A Consultation Report setting out the findings and the actions taken was published on the Scottish Government website on 29 January 2014.<sup>3</sup>

### **Impact Assessments**

This instrument, which designates parts of the Scottish marine area as Scottish marine regions and identifies their boundaries, has no effect on any equality issues.

### **Financial Effects**

The Cabinet Secretary for Rural Affairs and Environment confirms that no Business and Regulatory Impact Assessment is necessary. The Order is not considered to have any financial effect on the Scottish Government, local Government or on business.

Scottish Government  
Marine Scotland

9 March 2015

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<sup>2</sup> <http://www.scotland.gov.uk/Topics/marine/seamanagement/nmpihome>

<sup>3</sup> <http://www.scotland.gov.uk/Publications/2014/01/2507/0>