



MASTS Marine Planning and Governance Forum

WORKSHOP REPORT

Where are we? Exploring the National Marine Plan Review Process in Scotland.

MASTS Annual Science Meeting, Technology Innovation Centre, University of Strathclyde, Glasgow – Friday 21st October 09:30-12:30

SUMMARY

- It is early stages for review of marine planning in Scotland and the process can be expected to become more comprehensive over time as experience and learning progresses.
- Review of the NMP will need to relate to other processes, including regional marine planning, policy development, sectoral planning and licensing processes.
- This workshop was valuable in bringing together stakeholders from across the marine planning community to develop initial thoughts on how the process could be designed.
- Complexity arises due to the wide range of policies and objectives in the NMP, some are more measurable than others.
- It is also important to capture other benefits as they emerge such as the building of trust and enabling of dialogue between sectors and other actors.
- A package of activities will be necessary and the MPG Forum will continue to support Marine Scotland in developing an approach suitable for Scotland.

BACKGROUND

Scotland's first National Marine Plan (NMP) was published in March 2015, providing an overarching framework for managing Scotland's seas and a policy document to support regional marine planning across the 11 Scottish Marine Regions (SMRs) and decision making which affects the marine environment. As marine planning is an adaptive process, a key part of implementation is a timeframe for review, evaluating progress and determining whether a refined approach is needed. This is particularly relevant given the novel nature of marine planning in Scotland, and the need to learn from experience.

The first report reviewing the NMP process is to be published within three years of adoption of the plan, at which point Scottish Ministers would decide whether the Plan required to be amended or replaced. It is therefore timely for Scottish Government to start considering how this review will be undertaken, aiming to report in spring 2018.

The purpose of this workshop was to explore with the MASTS community how this process could be undertaken in Scotland and what information is required to inform it. As an early step in the process of review of the NMP and marine planning, this workshop raised some key issues and ideas which will be taken forward through collaboration between the Forum and Marine Scotland.

PRESENTATIONS & DISCUSSIONS

Anna Donald (Head of Marine Planning Branch, Marine Scotland) provided a Scottish Government perspective, setting out what is required by the legislation for review of the NMP and how this may be approached in Scotland. The Marine (Scotland) Act 2010 requires that review of the NMP reports on:

- “The effects of the policies in the plan;
- The effectiveness of the policies in securing that the objectives for which the plan was prepared and adopted are met;
- The progress being made towards securing the objectives”



Marine Scotland are accelerating the process and following the **3 year time period of review** set out in UK legislation, rather than the 5 years as required by the Marine (Scotland) Act. It was noted that after reporting on the review of the NMP, Ministers ‘must decide whether or not to amend or replace the national marine plan...’ and therefore **it is not a given that a new NMP would be produced**. The processes of review that will need to be devised for regional marine plans will also be relevant to subsequent review of the NMP.

Challenges exist in measuring effectiveness given that the NMP has a wide range of different policies and objectives across sectors and themes, and are variously spatial, non-spatial, specific, general, quantitative, qualitative and time-limited. There are also a range of different ways to evaluate requiring different approaches to capture measurable elements in addition to more qualitative aspects.

A basic outline to [monitoring and reporting of the NMP](#) was produced by Marine Scotland in March 2016 but more detail is now required, and Marine Scotland are now exploring whether the NMP is being implemented as required; whether there are barriers to implementation; whether it supports consistency across decision makers and what further support is needed.

Suggested methods could include:

- Recording of use of NMP in decisions by Marine Scotland - Licensing & Operations Team and possible others
- Consultation via questionnaires, meetings, workshops of stakeholders on the process and outcomes of the NMP
- Discussing the review with a range of audiences
- Exploring the links with other plans and planning processes (marine and terrestrial)
- Collaboration with other Administrations

Specifically addressing the NMP, Marine Scotland are therefore asking how / whether to consider the following in the NMP review:

- **Is the Plan still fit for purpose?**
 - Should it include new activities / considerations?
 - Should there be greater specificity in policies and objectives (to be more measurable)?
 - How is the Plan being used?
 - More awareness raising /are people aware of it? Can the review itself help in raising awareness?

- Are those that are using it able to identify issues/gaps?
- **Is the planning process right?**
 - What can we draw from the existing lessons learned report?
 - Who was involved / consulted?
 - Is the process helpful in promoting/facilitating sustainable development?

Lucy Greenhill (Forum Convener and Research Fellow in Marine Planning at SAMS) outlined some existing approaches and possible theoretical guidance to support review of planning.

“**Adaptive management**” is a key principle underpinning marine planning, but this can be interpreted along a spectrum from an open-ended “learn by doing” approach to a highly prescriptive approach where specific, measurable potential changes are identified and monitored. In the case of MSP, most ‘on the ground’ approaches tend to be more like the former, which is indicative of the complexity of the MSP process, with numerous characteristics of the planning process relevant to consider (e.g. fairness, accountability, inclusiveness, etc.), in addition to more measurable ‘outcomes’ (e.g. ecological change, development of wind farms, etc.).

In terms of **existing guidance**, the [UNESCO guide to Evaluating Marine Spatial Plans](#) provides a comprehensive yet flexible manual for designing a plan review process. It places particular emphasis on the benefits of measurable objectives, specific actions and the use of indicators, but also refers to the more qualitative aspects relating to stakeholder engagement, trust building, etc. It suggests using a framework built on goals, objectives, management actions, indicators, targets and outcomes (described in Fig. 1).

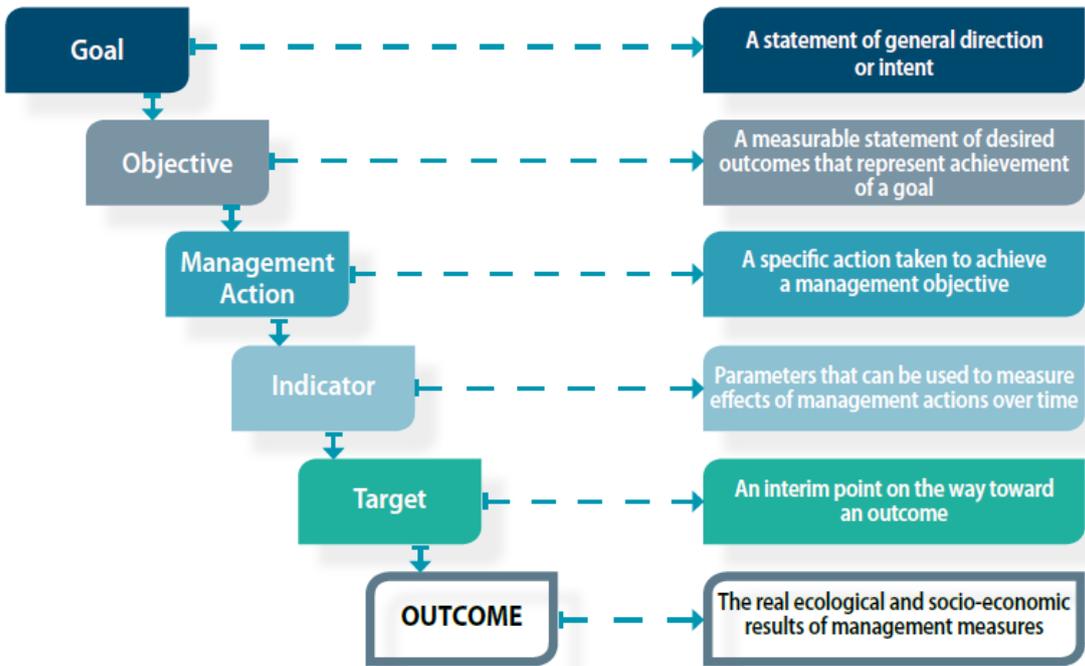


Fig 1. The framework for evaluation from the UNESCO guide.

The [ICES MSP Quality Management System](#) describes a highly prescriptive method to evaluating a plan and its development, building on ISO process and risk management standards. This approach is intended to provide a comprehensive, repeatable and auditable process of review and adjustment of management and planning. Further detail was provided by Ian Davies following application of this method to the Scottish Government tidal energy sectoral plan (see below).

As a further example, the **Heads of Planning Scotland have an existing [Planning Performance Framework](#)**, used by local authorities as a common foundation for the review of land-use planning. It focusses on development outcomes, governance efficiencies and enforcement trends, but it may be possible to adapt it for a more rounded review of the NMP process, content and influence.

Academic theory and concepts in relation to governance could also provide useful input in how to approach the evaluation of marine planning. There was not enough time to discuss these in detail but an example from Olsen (2003) was mentioned as of potential relevance, as a framework identifying four “Orders of Outcomes” that group together the sequences of institutional, behavioural and social/ environmental changes that can lead to more sustainable forms of coastal development (Olsen 2003).

Ian Davies (Renewables and Energy Programme Manager, Marine Scotland Science) elaborated on the ICES QMS approach, presenting the results of a Masters Research project applying the QMS to review of Scotland’s Sectoral Marine Plan for Tidal Energy. The process is largely based on the ‘10 tenets for integrated, successful and sustainable marine management’ ([Elliott et al., 2013](#)) and ISO management standards.

Outputs of the study showed that **the planning process and resulting plan has weaknesses** in consideration of ecosystem effects, stakeholder engagement, integration across government departments and socio-cultural contexts. This was considered to be a reasonable reflection of what the scope of the planning exercise was at the time.



Through discussion this project was considered to provide a useful indication of what risks may be associated with decisions made according to this plan. It may be worth examining whether licensing processes (including EIA) adequately address the identified weaknesses. We also noted that **political drivers and their influence on plan objectives and outcomes are not captured** within this evaluation process.

BREAK-OUT SESSIONS

Three break-out groups were invited to explore questions relating to the following themes: **Approaches to Evaluation; Criteria for Success** and / or **Experience of NMP in Scotland**. Facilitators were Tim Stojanovic (University of St Andrews), Chris Leakey (SNH), Lucy Greenhill (SAMS) and Sinead Sheridan (Clyde Marine Planning Partnership). Some key points raised are listed below and analysis of the ideas and comments will be used to inform further activities in relation to reviewing marine planning in Scotland.

General Comments

- The scale of review will need to be appropriate to **resources available** and the early stage of planning in Scotland, and the complexity of the review will evolve over time. To support the process, Marine Scotland can work with this Forum to engage academics, and other stakeholders e.g. ScotLINK to engage a wider audience on the review.
- **Early priorities** include establishing patterns of use, understanding and influence of the plan and the planning process amongst relevant authorities and stakeholders.
- We should seek opportunities to learn from international / UK experience on review of plans.
- It is important to consider business interests and the potential conflict between the desire to be 'adaptive', and the stated purpose of MSP in "providing certainty and stability" to marine businesses on when and how to develop.
- Some aspects of the review may be possible through relatively automated collection of data/information through licensing processes. However, many aspects will necessitate interviews, workshops and questionnaires, all of which are resource intensive for preparation and subsequent analysis of outputs. This further emphasises the need to manage the expectations for this first NMP review.

1. Reflections on the Methods Presented

- ICES QMS methodology provides a strong basis for reviewing planning processes but for the NMP it would require further data collected from stakeholders involved in plan development.
- The UNESCO Evaluation Methodology provides sound basis for reviewing the planning process, particularly as it:
 - Enables addressing the level of stakeholder engagement (but would need more than workshop evaluation scores)
 - Provides a basis for evaluating plan outputs and outcomes (but this would be a complex and large task requiring a big matrix to cover all NMP objectives)
 - Has potential where the marine plan has set SMART objectives, or for a few 'broad categories' of outcome.
- Olsen Evaluation Framework is useful but needs to be considered in greater detail along with other approaches. We can also refer to work in relation to EU Integrated Coastal Zone Management (ICZM) Indicators for how the Olsen framework can be operationalized.

2. Initial Priority Questions to be considered in Reviewing the National Marine Plan

- Whether the **governance arrangements** and institutional infrastructures are in place to support implementation of policies. For instance, in order for the NMP to influence the management of non-licensable activities (e.g. fisheries, shipping, tourism), do the relevant authorities have fit-for-purpose mechanisms, legislation and opportunity to influence practice?
- The **extent and efficacy** with which the plan-making process has taken appropriate input from authorities for licensing and management of activities, and from adjacent plan-making bodies (marine and land-use planning).
- Are the mechanisms in place for the NMP to directly inform the identification of data/knowledge gaps and, in turn, directly **influence science strategies**? This should include the Scottish Government Marine Science Strategy, the work of the UK Marine Science Co-ordination Committee, and also influence science arising from MASTS institutions and NERC strategies / programmes.
- Is the marine planning process sufficiently **well integrated** to influence and be influenced by other major policy processes in government? E.g. are marine plans reacting to and enabling delivery of: community empowerment, Scottish Biodiversity Strategy targets, GES & GECS under the MSFD & WFD, etc.?

- How is **changing external context** accounted for in iterations of the NMP, e.g. changing emphasis on sectors (decommissioning, CCS, etc.), political context ('Brexit'), etc.?
- **Design of the review of marine plans** should be related to other monitoring programmes, including those required in relation to other processes, e.g. SEA, monitoring of activities, etc. How will environmental monitoring for MSFD, OSPAR, the next Marine Atlas, etc. be used to help interpret progress? The timing of some of the major environmental reporting exercise could align well with this NMP review.

3. Criteria for Success

- **SMART objectives are necessary** to guide and hold the plan and process to account and in order to measure progress.
- Objectives may not have been achieved yet, but it may still be possible to draw conclusions about **'direction of travel'** and this may allow learning and reflection on potential revision of policies.
- Some NMP policies do have smart objectives, others not. This might be a factor of whether sectors were able define specific vision, and if these visions were contested in the plan making process.
- **Not all NMP policies and objectives can be SMART**, however even where we can't be SMART, the planning process should enable identification of how the relevant authorities and interested parties should make progress towards desirable policy outcomes.
- Only use SMART objectives where the marine planning system has tools to 'influence' the delivery of objectives.
- **It may be appropriate for the NMP to leave room for discussion at the regional level**, e.g. where policies may be made more specific through the regional planning process.
- Setting specific objectives relating to e.g. ecological thresholds is challenging and would require significant investment in scientific research to be definitive and to assess environmental change over time
- Decision-making processes need some flexibility
- Beware 'perverse incentives', i.e. success of the plan being judged only on these SMART targets, rather than broader considerations, some of which may emerge through experience.
- The review process could narrow its focus on policies for which there would be most benefit in SMARTer policies/objectives. E.g.:
 - Consider pairs or groups of policies/objectives which, without greater spatial and or temporal specificity, appear to be at odds with each another (e.g. green economy/climate change Vs maximising oil & gas extraction).
 - Do the current policies enable decision-makers to make clear and defensible decisions?
 - Ask sectors and sea-users whether they would welcome more specific policies to improve clarity and inform action/decisions.
 - Plan policies are they strong/weak? Could use the **Ecosystem Services Framework** to consider the comprehensiveness of the policy framework.
- Consider **conflict reduction** - were conflicts reduced? At what stage might it be appropriate to measure this - the plan could introduce conflicts initially).

4. Relating Evaluation to Licensing/Regulation/Other processes

- Use of the **internal Marine Scotland reporting system** to monitor processing of cases (were plan policies applied?)
- What is being assessed?
 - **Compliance** with plan policies
 - **Evidence of marine plan being** used or not? If not used, why? Are there too many policies per sector? Other reasons?

- How is feedback being provided in regulatory process (e.g. do decisions/conditions reference plan policies or stipulate relation to objectives)?
- Application of marine plan policies in **land-use (development) planning system** (e.g. Highland/Orkney)
- Note the challenge of evaluating **impacts on reserved sectors** (e.g. military, oil & gas) due to different information sources/organisations

5. Qualitative aspects and stakeholder experience that the review of the NMP could consider:

- Alignment of plan with **'principles of good planning practice'** e.g. participatory, collaborative, adaptive, targeted, etc.?
- The value of the plan in raising **public awareness** of the marine environment / issues
- Whether new **trust and dialogue** is supported
- What are the **sectoral and community (of place & interest) perspectives** on what the NMP does and could achieve for them?
- Was the **engagement of stakeholders** effective? How meaningful was the participation? What are the blocks on effective participation (e.g. do people believe the plan is 'for them?'); How are resource demands for participation balanced with other costs?
- **Accessibility** of the planning documents (and level of use)
- **Exploring the counterfactual** - would these (and other things) have happened if we didn't have the NMP (or aspects of the plan making process)?

6. Experience with NMP in Scotland

- NMP process and production has been important in **reducing barriers and building common understanding** (e.g. charting progress to NMPi to Plan Policies)
- NMP production has **increased communication** between government departments and agencies, between science and policy, and between government and stakeholders.
- NMP is leading to **better (more integrated approaches) to licensing** for large scale projects.
- Is the NMP really achieving **integration across the land-sea interface**; to some extent yes, as there is a new planning circular and development of RMPPs but are they effective?
- Can the NMP aim for better community (in contrast to stakeholder) engagement? This has been strong for sectoral issues (e.g. MPAs, Marine Renewables) but more challenging for plan.
- Lessons learning from other kinds of planning engagement: Tailoring the meetings to different publics; accepting that is a resource intensive process; keeping outputs of different kinds of engagement 'comparable'.



ATTENDEES

	First name	Last name	Company
1	Emma	Baruah	SIMCelt/Solway Firth Partnership
2	Martyn	Cox	Marine Scotland
3	Ian	Davies	Marine Scotland
4	Anna	Donald	Scottish Government
5	Lucy	Greenhill	Scottish Association for Marine Science
6	Charlotte	Hopkins	Scottish Environment LINK
7	Lorna	King	Marine Scotland
8	Chris	Leakey	SNH
9	Simone	Martino	Scottish Association for Marine Science SAMS
10	Tracy	McCollin	Marine Scotland
11	Deborah	McNeill	University of Glasgow
12	John	Murray	Heriot Watt University
13	Beth	Scott	University of Aberdeen
14	Sinead	Sheridan	Clyde Marine Planning Partnership
15	Tim	Stojanovic	University of St Andrews
16	Jacqueline	Tweddle	University of Aberdeen / Marine Scotland Science
17	Jake	Ainscough	University of Edinburgh / SAMS
18	Meriwether	Wilson	University of Edinburgh
19	Donna-Claire	Hunter	Stirling University