

SECTORAL POLICY 2: AQUACULTURE

Background and context

356 Aquaculture in Scotland helps provide food for the domestic market, export income and a range of employment opportunities, especially in the Highlands and Islands. The industry provides considerable benefit for fragile economic areas, including supply chains, processing and research. Direct production contributes turnover for Scotland of at least £550 million, with an additional £800 million in supply chain revenue and £270 million of added value.

357 In Orkney and North Sutherland, the sector generates around £60 million per annum. This sector therefore delivers significant economic and social benefit to the area.

Information Box 21

Seaweed harvesting and culture

The Scottish Government recently consulted on a policy statement regarding commercial seaweed cultivation as well as options for managing the sustainable growth of the seaweed wild harvesting industry. The consultation analysis is now available (see *Further information* section) and the final policy statement will be published in 2015. Once more details are available, subsequent regional marine plans can be updated.

Key legislation and policy guidance

358 Aquaculture for the purposes of this document covers ‘fish farming’ which is legally defined in the Town and Country Planning (Scotland) Act 1997¹ (as amended) as “the breeding, rearing or keeping of fish or shellfish” (which includes any kind of crustacean or mollusc). This was amended by the Town and Country Planning (Marine Fish Farming) (Scotland) Regulations 2013² to include any kind of sea urchin. At the time of writing, seaweed cultivation is not covered by this Act.

359 Unlike most other marine development, marine fish farming out to 12 nautical miles, excluding seaweed, requires planning permission under the Town and Country Planning (Scotland) Act 1997, not Marine Scotland as is the case for most marine activities. Thus, the two local authorities, Orkney Islands Council and the Highland Council determine fish farming planning applications. Their respective Local Development Plans set out the key policies and criteria against which planning applications will be assessed.

360 In addition, Orkney Islands Council has detailed Supplementary Guidance³ to aid sustainable development of the sector and Highland Council is developing similar guidance⁴. The policies in this document do not intend to add any further policy burden but to aid sustainable development by providing information on the wide variety of factors to be considered when developing this sector, including development of shore-based facilities such as processing plants.

361 In addition to planning permission, most marine fish farming requires a seabed lease from the Crown Estate. Fish farming developments may also require a marine licence or authorisation from various Marine Scotland departments for some activities. For example, a marine licence from MS-LOT is required to safeguard navigation. Marine Scotland Science implements measures that regulate the movement of live fish with a view to preventing the spread of fish diseases. It issues a marine licence covering navigation issues and deposits in the marine environment, including discharges from well boats when used for treating fish. When a commercial activity could cause disturbance to a European Protected Species, Marine Scotland may issue a licence for the activity. For example, it is the licensing authority for seals under the Marine (Scotland) Act 2010⁵, and it can issue licences and guidance for the killing of seals to protect the welfare of farmed fish. Another section of Marine Scotland, the Fish Health Inspectorate, issues consents for an Aquaculture Production Business Authorisation under the Aquatic Animal Health (Scotland) Regulations 2009⁶.

362 Under the Water Environment (Controlled Activities) (Scotland) Regulations 2011⁷, the Scottish Environment Protection Agency (SEPA) regulates activities which may pose a risk to the water environment. For finfish farming, SEPA sets limits on the types and amount of fish (maximum allowable biomass) that can be held in a cage configuration and the amount of medicines (chemotheraputants) that can be discharged into the environment from the fish cages. Known as a CAR licence, sites are assessed on the likely effects of discharges on an individual and cumulative basis, from a development on both the water column and the benthic environment. CAR licences are not required for shellfish farms. A parallel licensing regime exists under the Marine Act where chemotherapeutants are released from well boats following sea lice treatment.

Current status

363 Orkney and North Highland has a mix of both finfish and shellfish farming, mainly involving salmon, mussels and oysters. In Sutherland, there are several shellfish farms and two finfish farms in Loch Eriboll and a large oyster farm in the Kyle of Tongue but there are no active shellfish sites along the north coast of Caithness. Orkney has numerous finfish sites, mainly situated on the more sheltered eastern and southern coasts of the mainland, Hoy and Westray.

364 Current Scottish Planning Policy (2014)⁸ has a presumption against further marine finfish farm developments on the north (and east) coasts to safeguard migratory fish species.

Pressures

365 Some key industry-specific pressures are the ability to attract suitably skilled staff, a perceived lack of space for new sites, suitably robust equipment that can deal with the challenging marine environment and in the case of shellfish, water quality. Work under way by Marine Scotland for the *Spatial Planning for Aquaculture* project will map areas of constraint and opportunity.

Sectoral Policy 2: Aquaculture

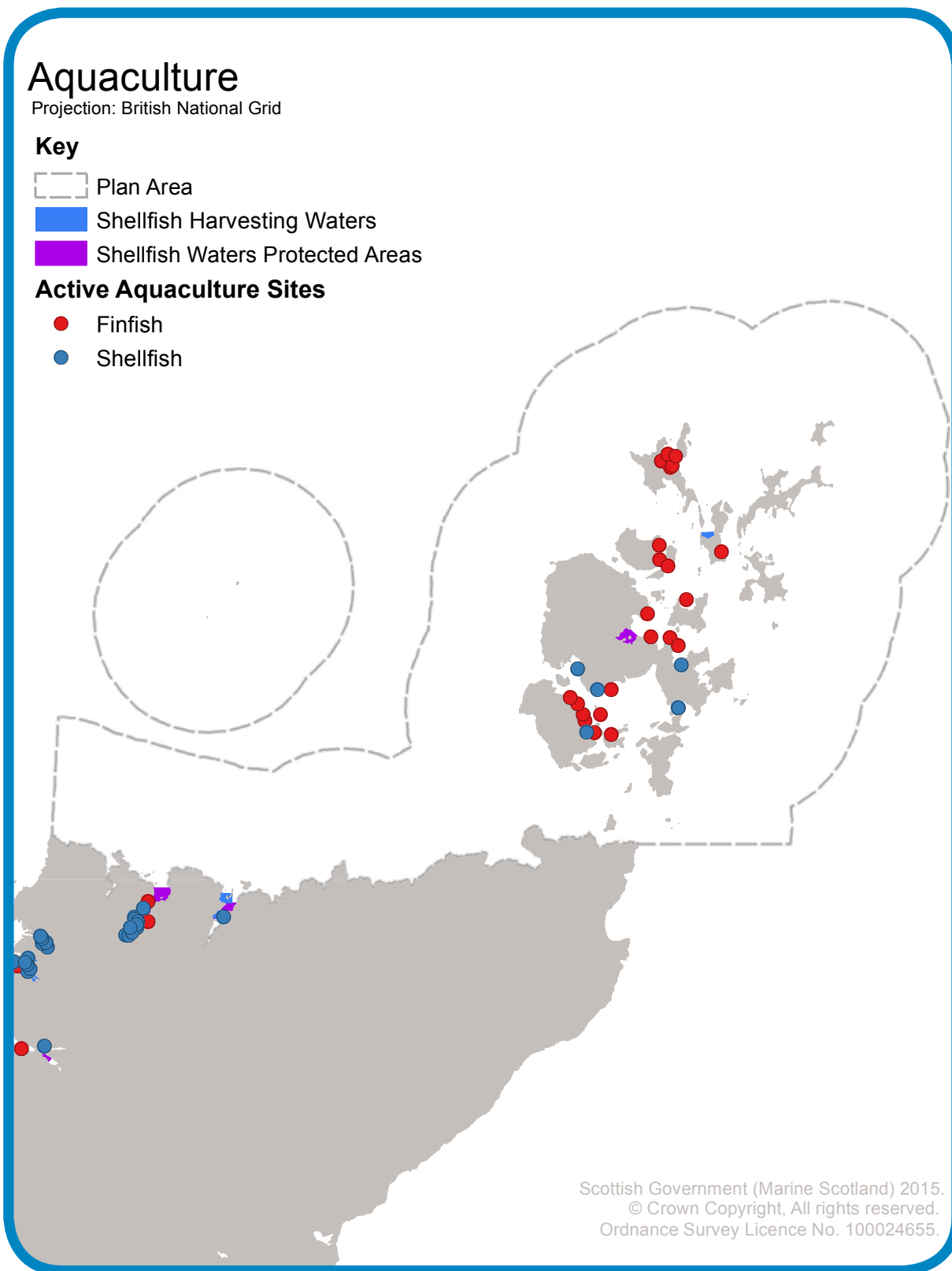
Aquaculture developments may be supported in principle by the Plan where they are in compliance with:

- Local Development Plans for Orkney Islands Council or Highland Council
- Aquaculture Supplementary Guidance for Orkney Islands Council or any Aquaculture Supplementary Guidance for Highland Council

Justification

366 This policy highlights the main considerations to be taken into account for this industry, which represents a significant element of the marine activity in the PFO.

Supporting spatial information



Map 15: Active finfish and shellfish aquaculture sites and shellfish water designations in the Pentland Firth and Orkney Waters Plan area.

Future considerations

367 Subsequent regional marine plans will provide continued guidance and support for this sector where appropriate.

368 If there is a desire from the sector to move sites further offshore, further guidance may be needed on the impacts of new technologies and practices. Similar issues are also seen in other EU member states, with a view to promoting the development of fish farming further offshore. If in due course, developers wish to consider aquaculture sites beyond three nautical miles or as progress is made on multi-trophic aquaculture, whereby more than one species is farmed at a single site, further policy guidance or legislation may be required.

Further information

¹ Town and Country Planning (Scotland) Act 1997 (as amended)

<http://www.legislation.gov.uk/ukpga/1997/8/contents>

² Town and Country Planning (Marine Fish Farming) (Scotland) Regulations 2013

<http://www.legislation.gov.uk/ssi/2013/277/contents/made>

³ Orkney Aquaculture Supplementary Guidance

<http://www.orkney.gov.uk/Service-Directory/R/aquaculture-supplementary-guidance.htm>

⁴ Draft Highland Aquaculture Supplementary Guidance (due Spring 2015. This will update existing aquaculture framework plans.)

⁵ Marine (Scotland) Act 2010

<http://www.legislation.gov.uk/asp/2010/5/contents>

⁶ Aquatic Animal Health (Scotland) Regulations 2009

<http://www.legislation.gov.uk/ssi/2009/85/contents/made>

⁷ Water Environment (Controlled Activities) (Scotland) Regulations 2011

<http://www.legislation.gov.uk/ssi/2011/209/contents/made>

⁸ Scottish Planning Policy 2014

<http://gov.scot/Publications/2014/06/5823>

Scotland's Marine Atlas

<http://www.gov.scot/Topics/marine/science/atlas>

Scotland's Aquaculture

<http://aquaculture.gov.scot/>

An Assessment of the Benefits to Scotland of Aquaculture

<http://www.gov.scot/Topics/marine/Publications/publicationslatest/farmedfish/AqBenefits>

Seaweed consultation report

<http://www.gov.scot/Publications/2014/11/5316>

Marine Scotland – Running a Fish Farm

<http://www.gov.scot/Topics/marine/Fish-Shellfish/18716>

The siting and design of aquaculture in the landscape: visual and landscape considerations (2011)

<http://www.snh.gov.uk/publications-data-and-research/publications/search-the-catalogue/publication-detail/?id=113>

The Crown Estate: Aquaculture Guidance

www.thecrownestate.co.uk/coastal/aquaculture/

SEPA: Aquaculture Guidance

http://www.sepa.org.uk/water/water_regulation/regimes/aquaculture/marine_aquaculture.aspx