

# Marine Directorate & Offshore Wind Directorate – What's happening in 2023



Scottish Government  
Riaghaltas na h-Alba



## Chair – David Pratt

### 11:00 to 12:00

- National Marine Plan 2 – Rachael Scrimgeour & Kirsten Dinwoodie
- Offshore Wind Sectoral Planning – ScotWind Iterative Plan Review and INTOG Sectoral Marine Plan – Drew Milne
- UK Government Reforms and Offshore Wind– Joel Hankinson & Lewis Hurley
- Scottish Marine Energy Research – An update on projects – Zoe Hutchison
- LOT Streamlining Project Update – Kirsten Thorburn

### 12:00 to 12:30

- Panel – Rachael Scrimgeour, Drew Milne, Lewis Hurley, Zoe Hutchison, Mike Bland & Zoe Crutchfield

# Chair – David Pratt

## Marine Directorate

- Operations Portfolio - Licensing Operations Team
  - Streamlining
  - Offshore Energy Consents
  - Marine Licensing
- Corporate Strategy and Digital Portfolio
  - National Marine Plan
  - Regional Marine Plan
  - Marine Licensing and Offshore Energy Consenting Policy

## Offshore Wind Directorate

- ScotMer
- Sectoral Marine Plan and Iterative Plan Review
- Offshore Wind Environmental Policy



# National Marine Plan 2 – Rachael Scrimgeour & Kirsten Dinwoodie

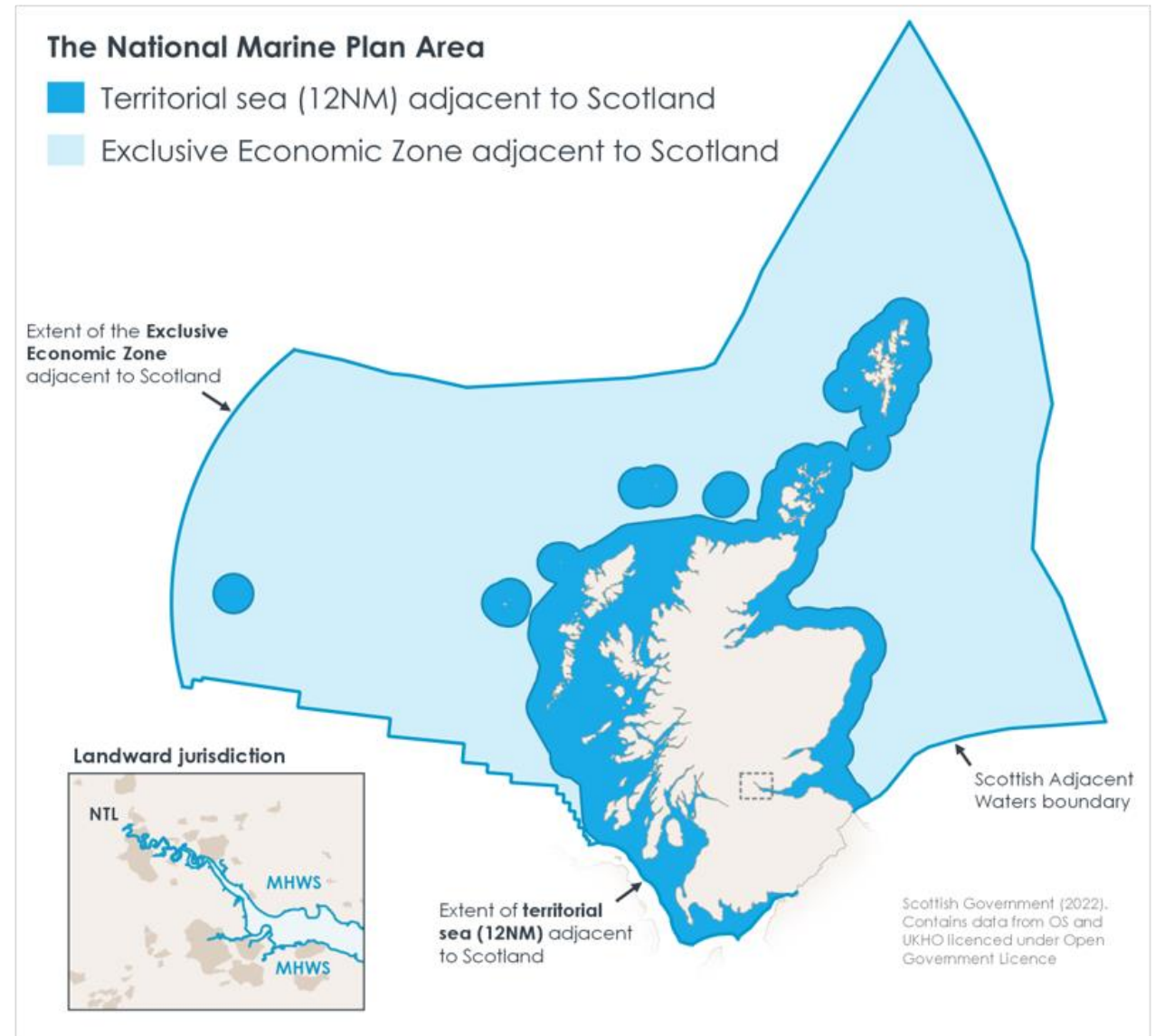


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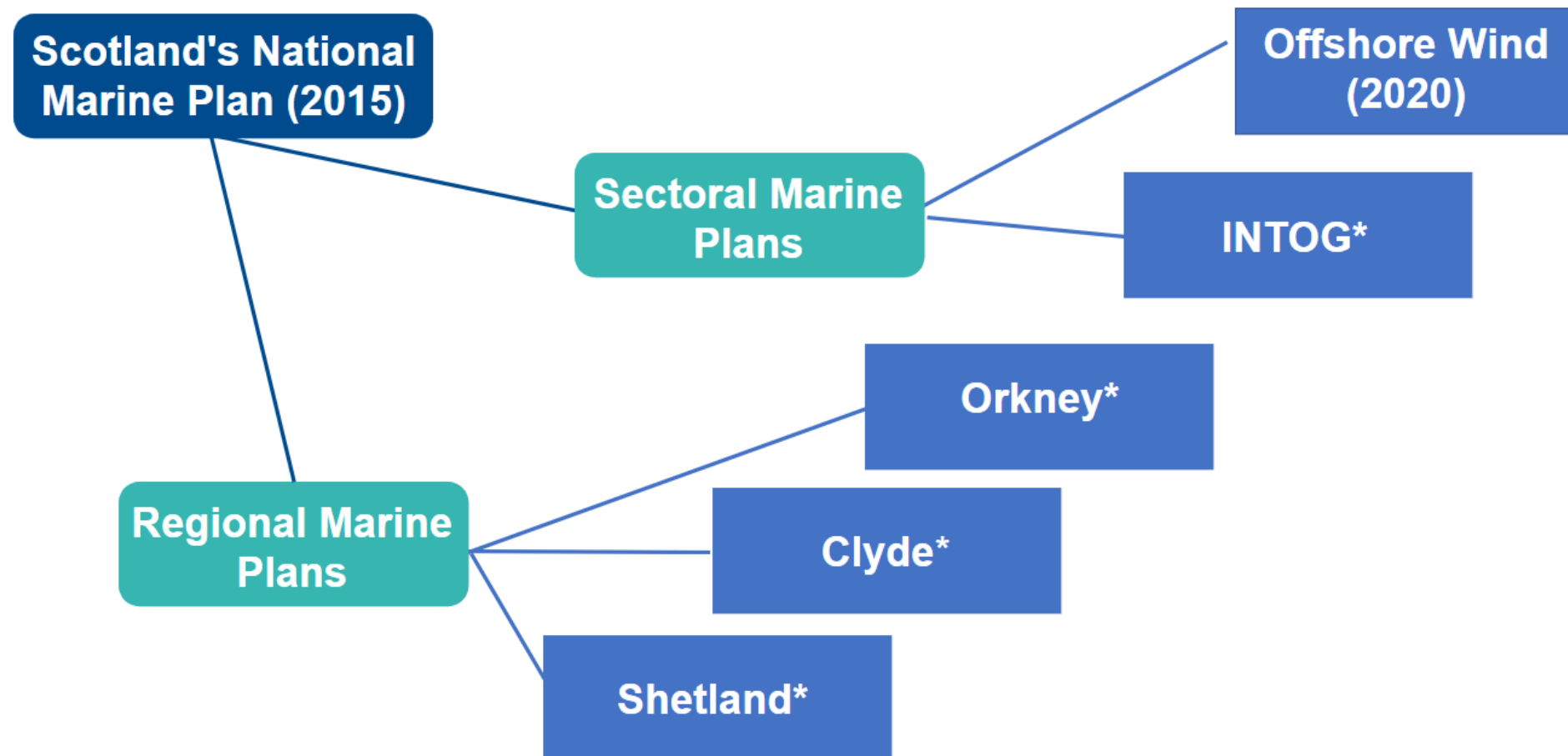


# Marine Planning in Scotland

- Governed by the “Marine Acts”
- First National Marine Plan adopted in 2015
- Statutory document providing overarching policy framework, guiding our use of marine space and resources
- Existing plan reviewed in 2018 and 2021 – concluded there is a need to update to better reflect emerging issues



# Marine Planning in Scotland



\*denotes "in progress"

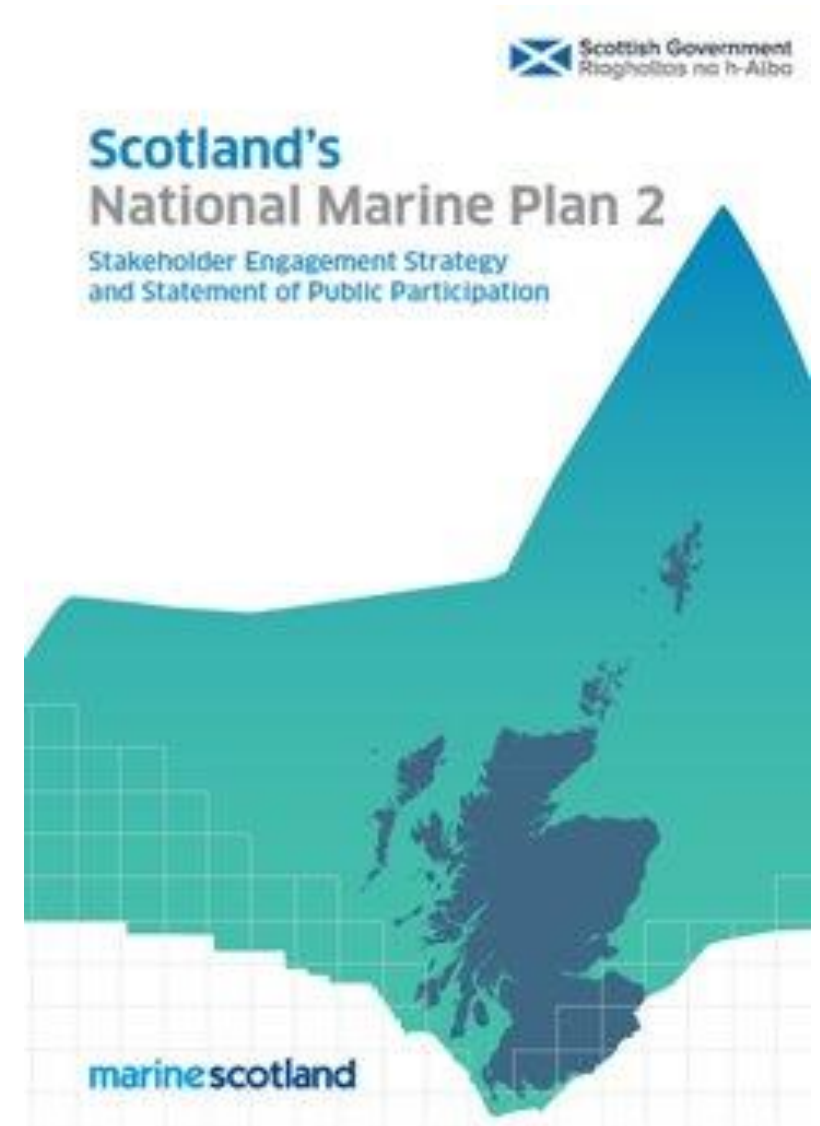
# Scotland's National Marine Plan 2

NMP2 formally announced in October 2022

The purpose of NMP2 is to “*address the global climate and nature crises by carefully managing increased competition for space and resources in the marine environment.*”

NMP2 will:

- Deliver a **new policy framework** for licensing and consenting decisions
- Account for **increasing competition for marine space** and aim to balance existing and emerging uses
- Provide a **key mechanism for delivering Scotland's Blue Economy Outcomes 2022** and wider strategic ambitions
- **Statutory document** affecting decisions by all public authorities in marine space





# Plan Development Process

- Plan will contain both high-level and specific objectives
- Developing a prioritization framework to account for increased competition for space
- Draft Plan is subject to a range of plan-level assessments to determine potential impacts of policies on environmental, social and economic receptors
- Supported by internal and external stakeholders throughout process
- All available for public consultation





# Progress so far:

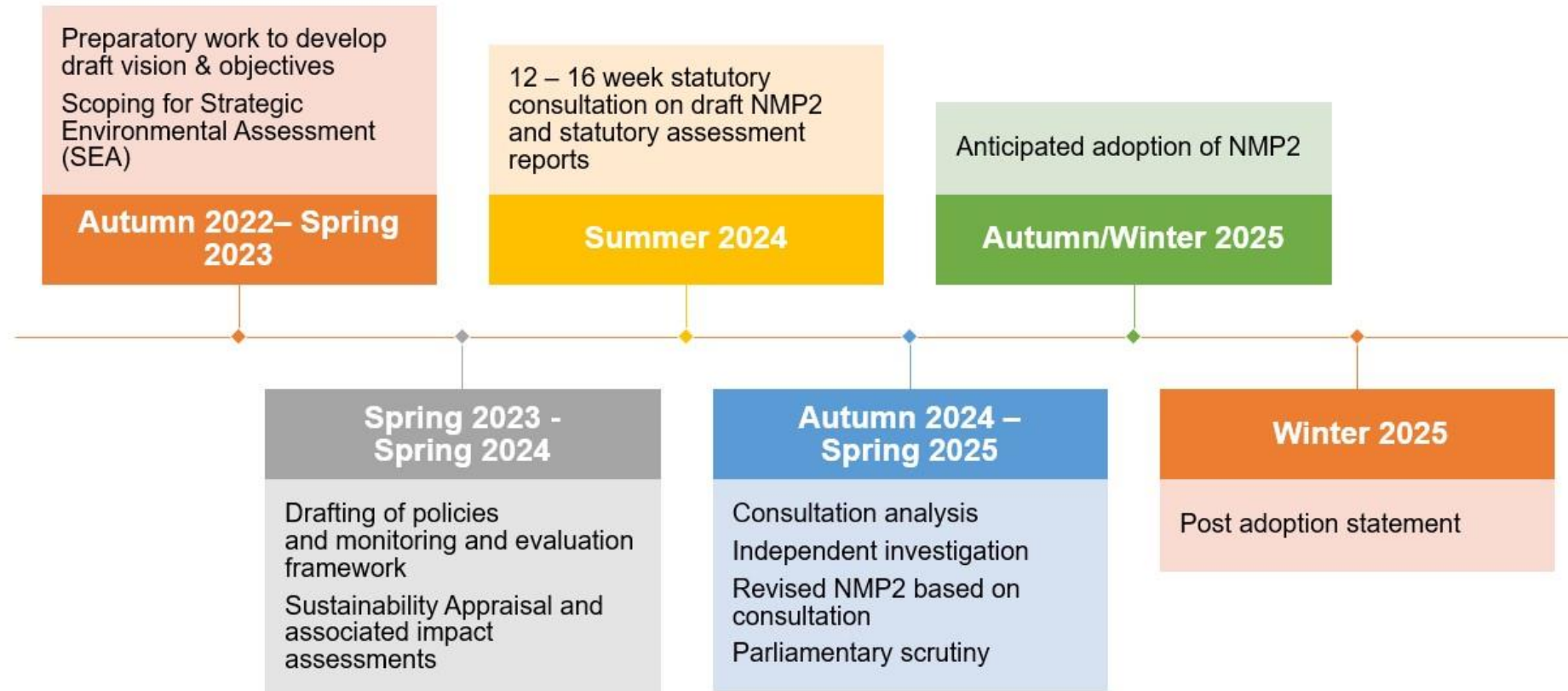
- ✓ Undertaking appraisal of existing plan
- ✓ Review of Scottish & UK Government commitments
- ✓ Steering Group for assessments established
- ✓ Draft Scoping Report for Strategic Environmental Assessment
- ✓ Procurement for Sustainability Appraisal and associated assessments
- ✓ Preliminary work for additional assessments
- ✓ Stakeholder engagement – targeted events and broader webinars

## Scotland's National Marine Plan 2

Stakeholder Engagement Strategy  
and Statement of Public Participation



# Anticipated Timeline



# Thank you for listening

Reach us at;

[NationalMarinePlanning@gov.scot](mailto:NationalMarinePlanning@gov.scot)

Find out more at;

[National marine planning - Marine planning - gov.scot \(www.gov.scot\)](http://www.gov.scot)

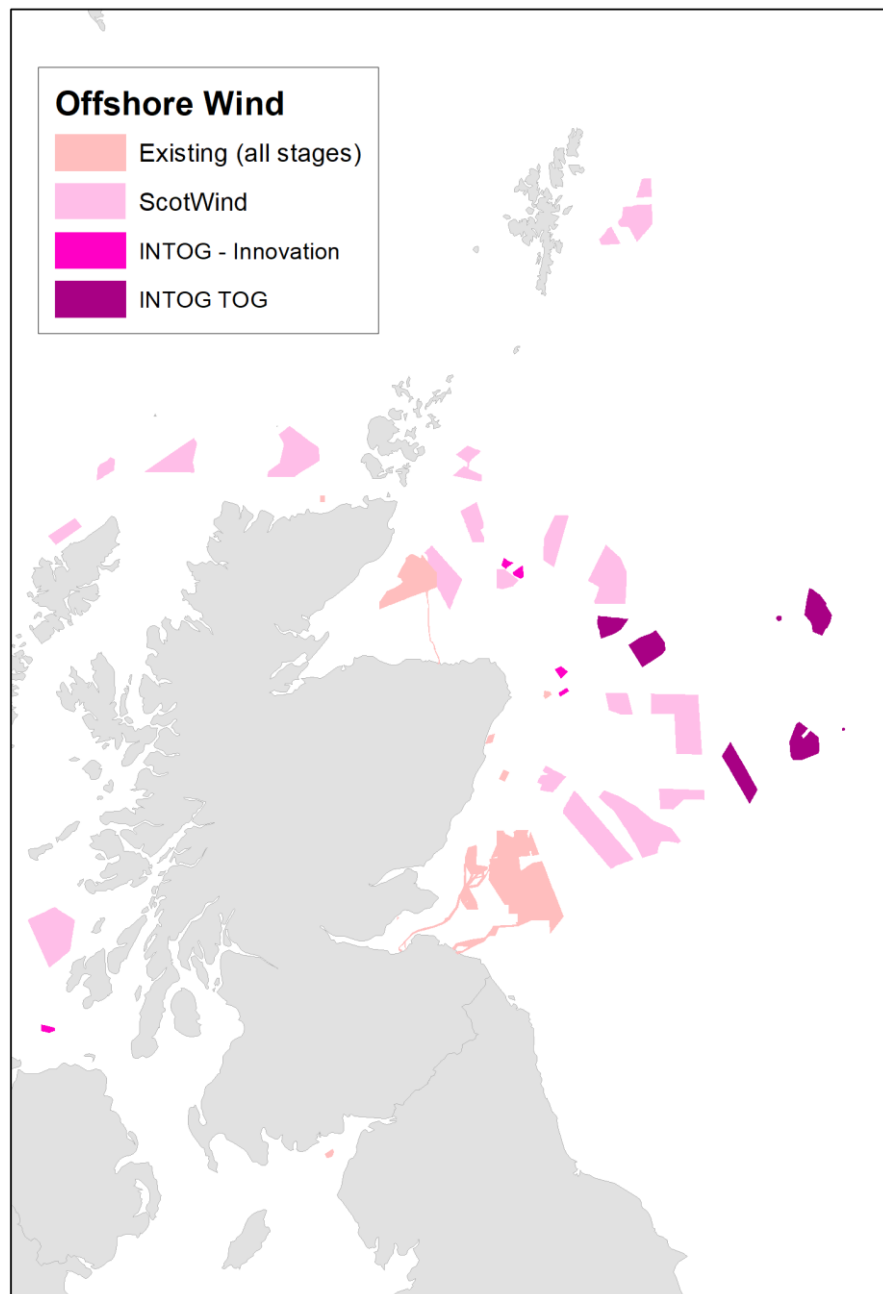
# Offshore Wind Sectoral Planning – ScotWind Iterative Plan Review and INTOG Sectoral Marine Plan – Drew Milne



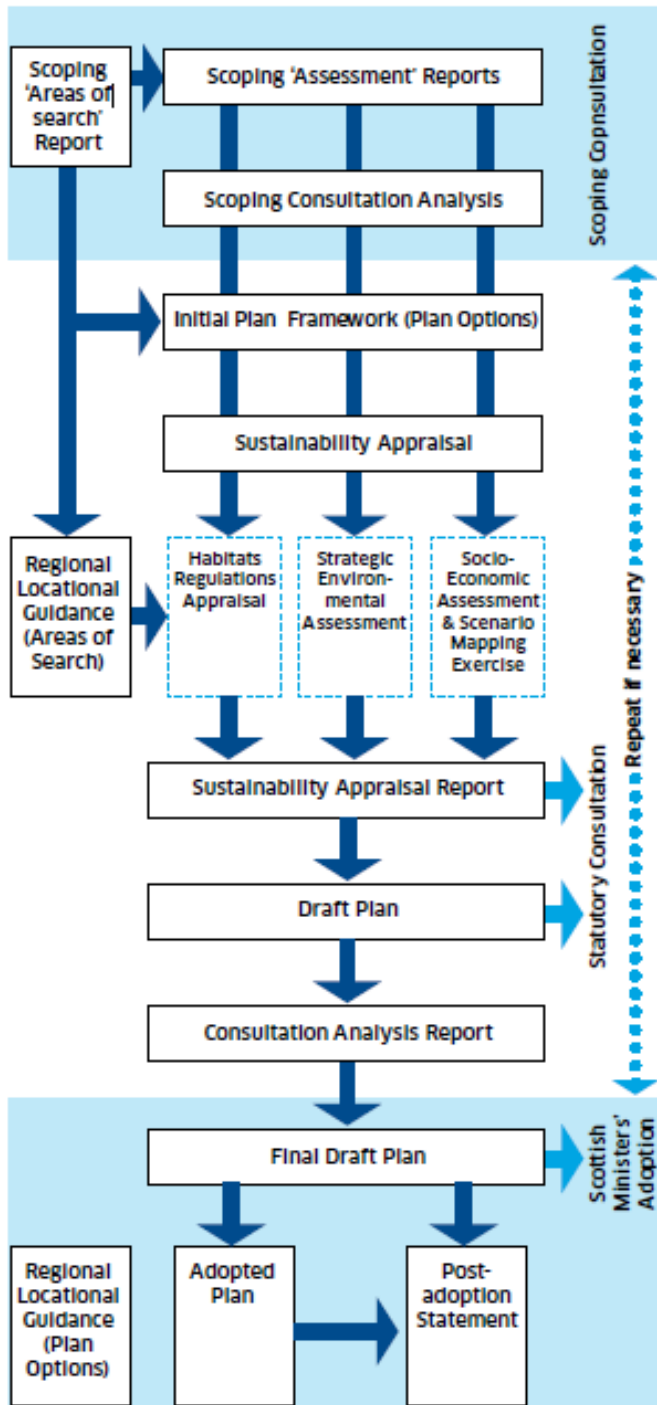
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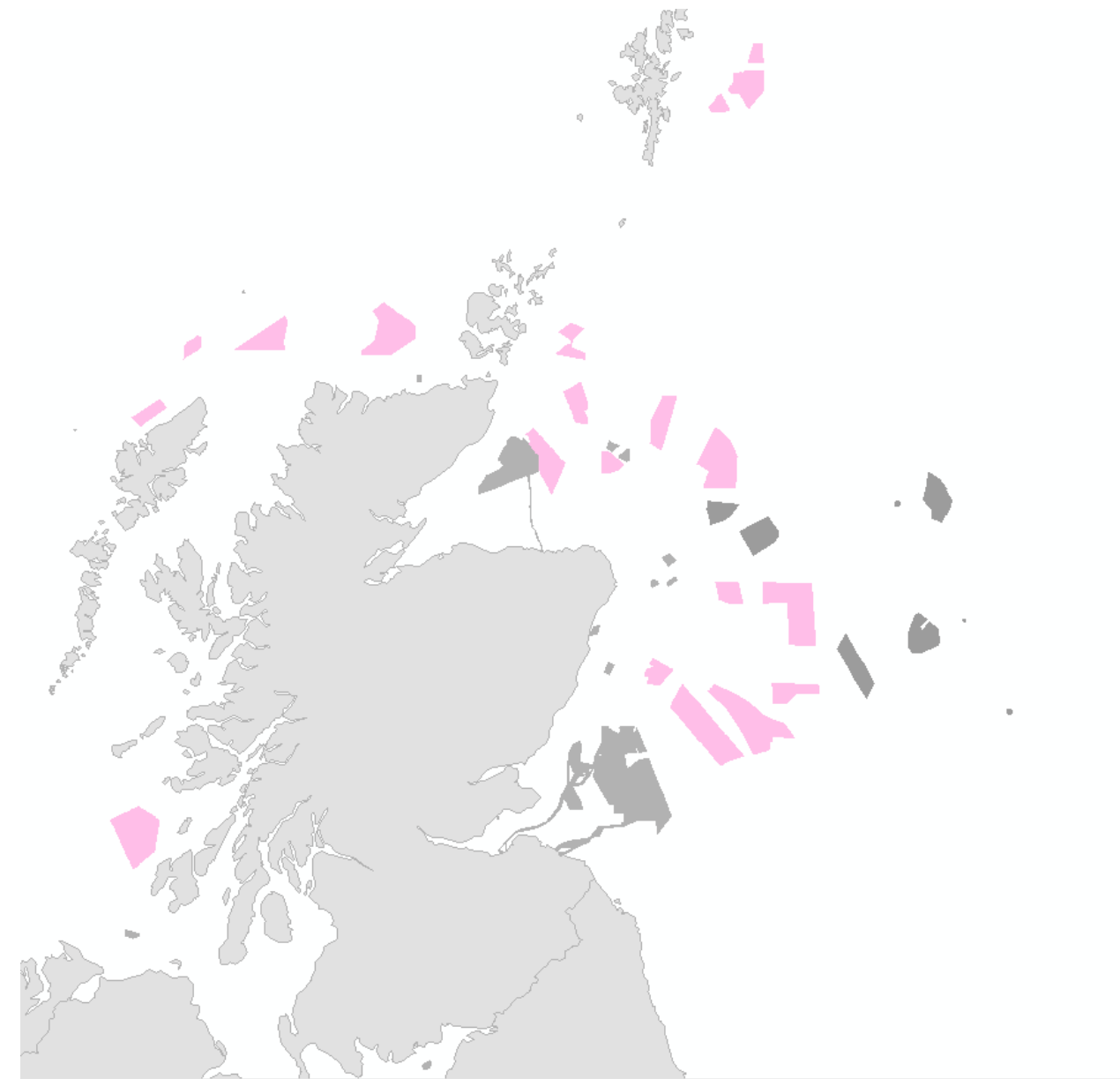
## Sectoral Marine Planning Iterative Plan Review and INTOG



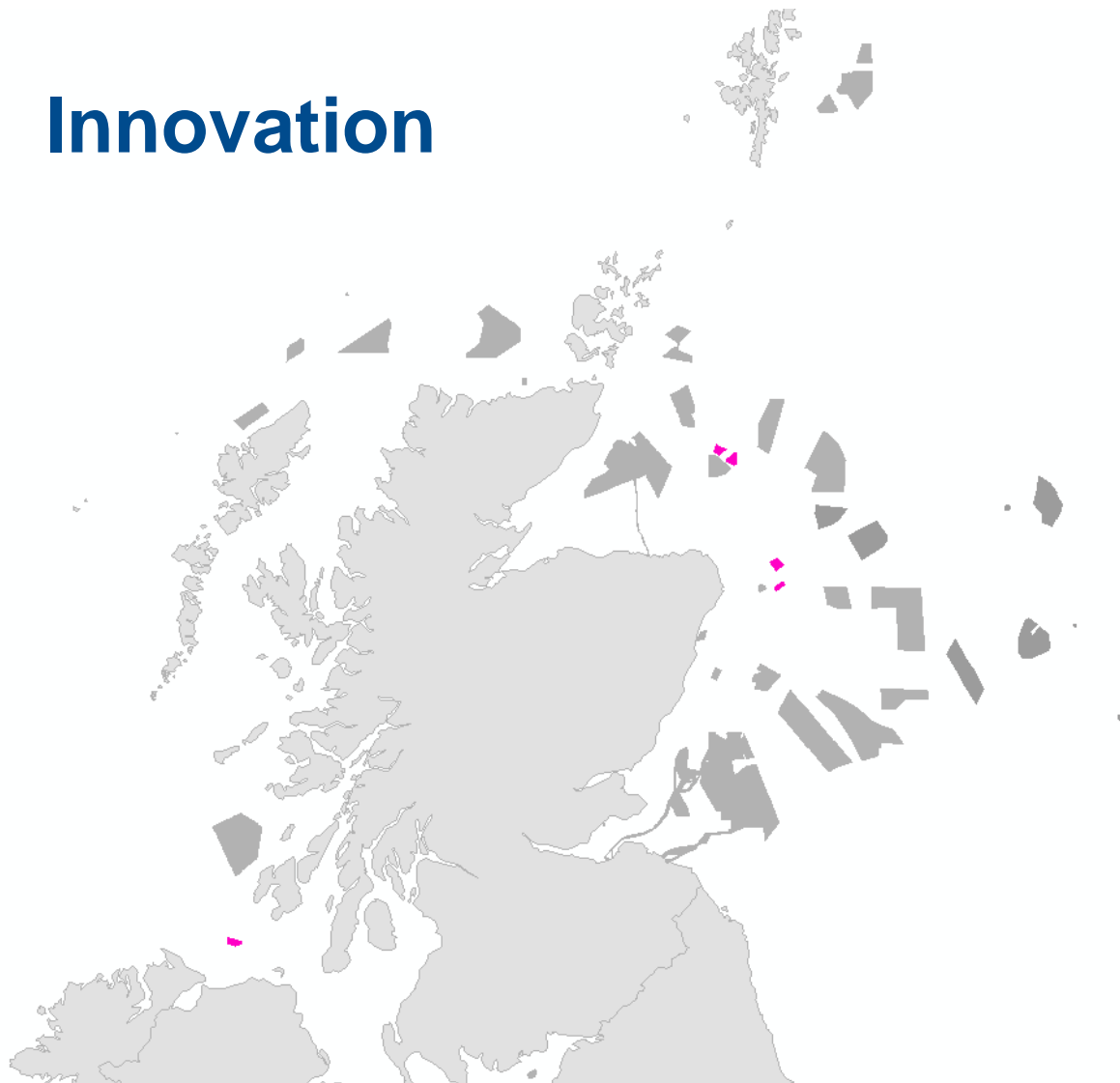
- Designed to identify sustainable options for future commercial scale developments (>100MW)
- Integrated process bringing together
  - Spatial Planning
  - Strategic Environmental Assessment
  - Habitats Regulation Appraisal
  - Socio-Economic Impact Assessment
  - Statutory consultation
- Supports seabed leasing processes and sustainable management of our seas.
  - INTOG
  - ScotWind

## ScotWind

- 20 Option Agreements
- 28 GW potential capacity
- 14 floating wind projects & 6 fixed
- 7900 KM<sup>2</sup>
- Call for Evidence
  - Updated information on several projects
  - Fed into the IPR assessments, updating potential capacities, density and additional information (such as intended cable routes where known)



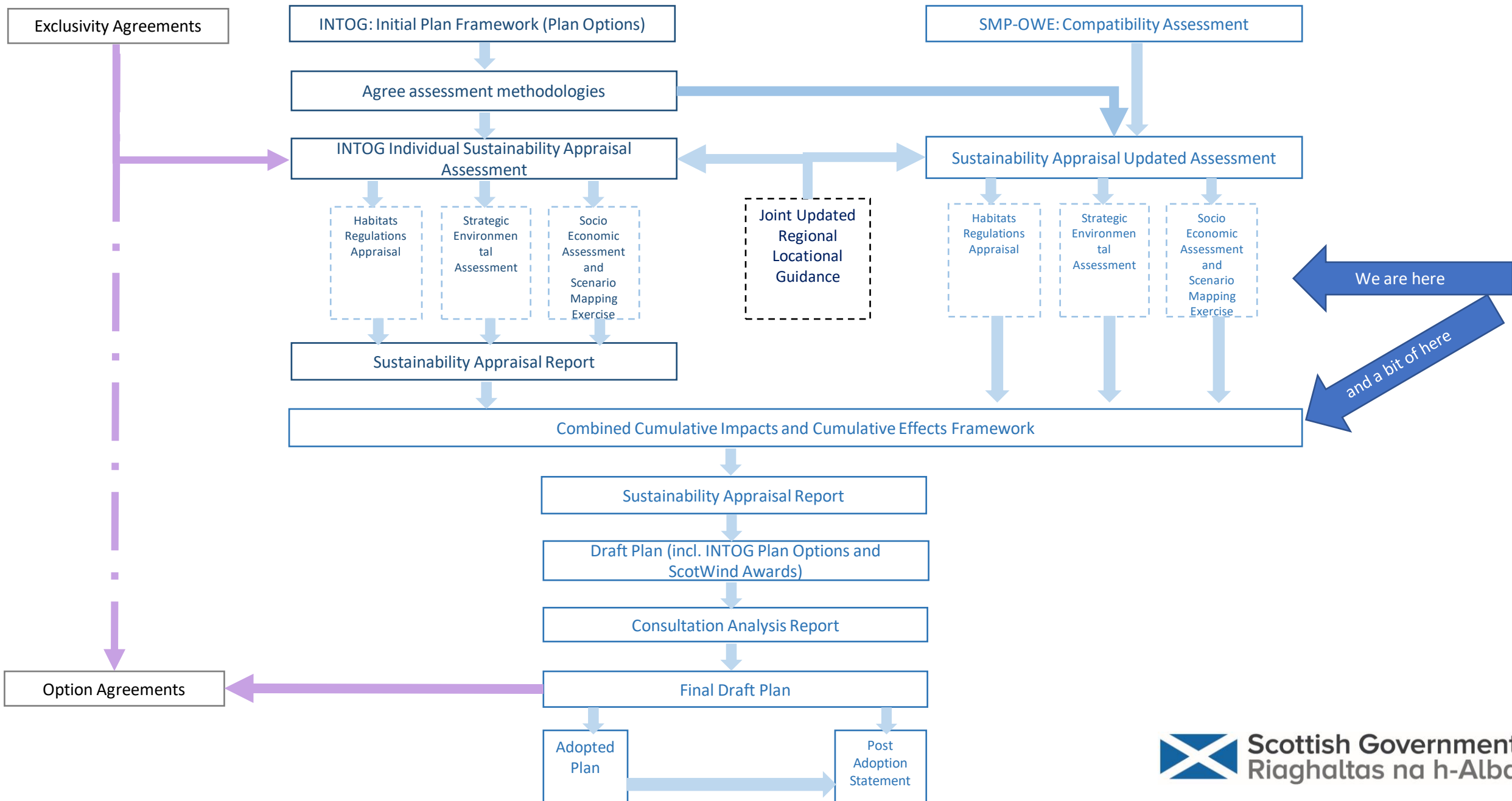
# Innovation



## INTOG

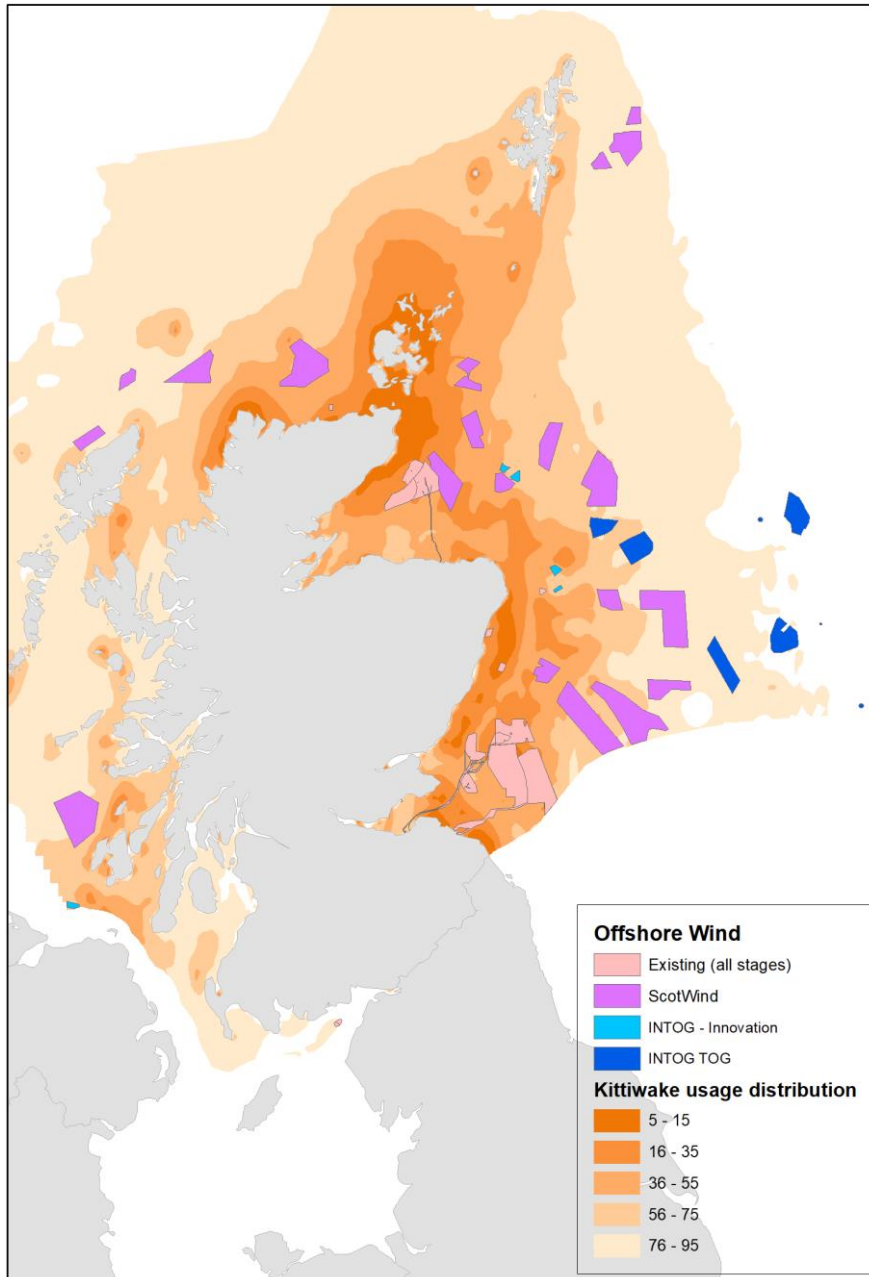
- 13 Option Agreements
- 5 Innovation (IN) projects
- 449 MW
- 140 KM<sup>2</sup>
- 8 Targeted Oil and Gas Projects (TOG)
- 5 GW
- 1535 KM<sup>2</sup>



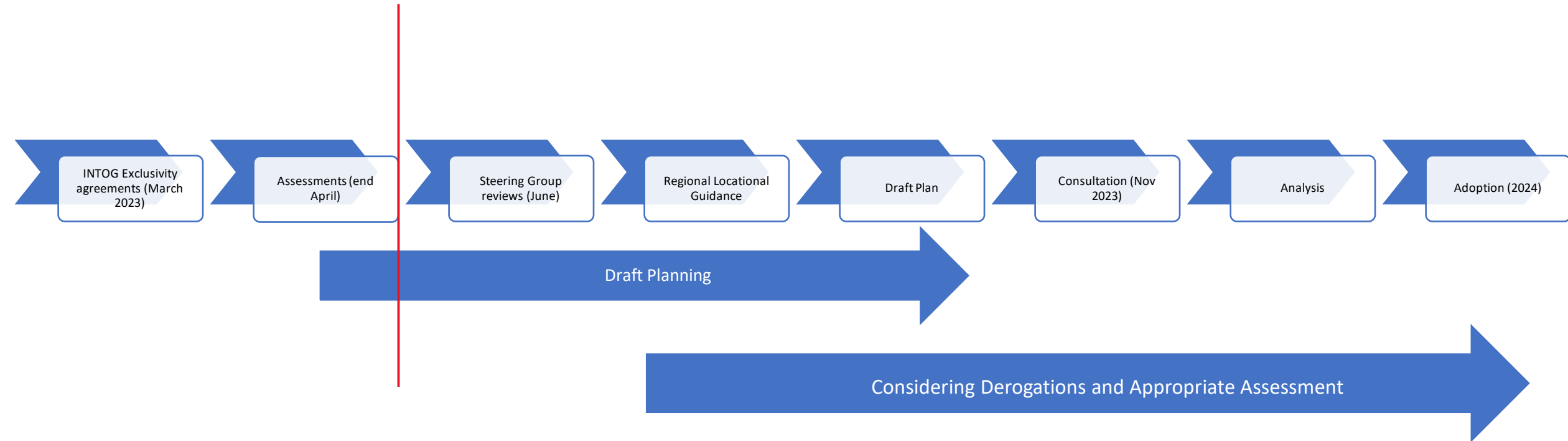


## Key Areas

- **Cumulative Impact**
  - North east and east regions
  - Birds
  - Marine Mammals
  - Impact to other users (Fishers)
- **Plan-level derogations**
- **Cumulative Effects Framework**
  - To help quantify impact at a plan-level
- **Social and Economic research to support SEIA and Consultation**



# Next Steps



# Scottish Marine Energy Research Programme (ScotMER) - Alexander Gilliland & Zoe Hutchison



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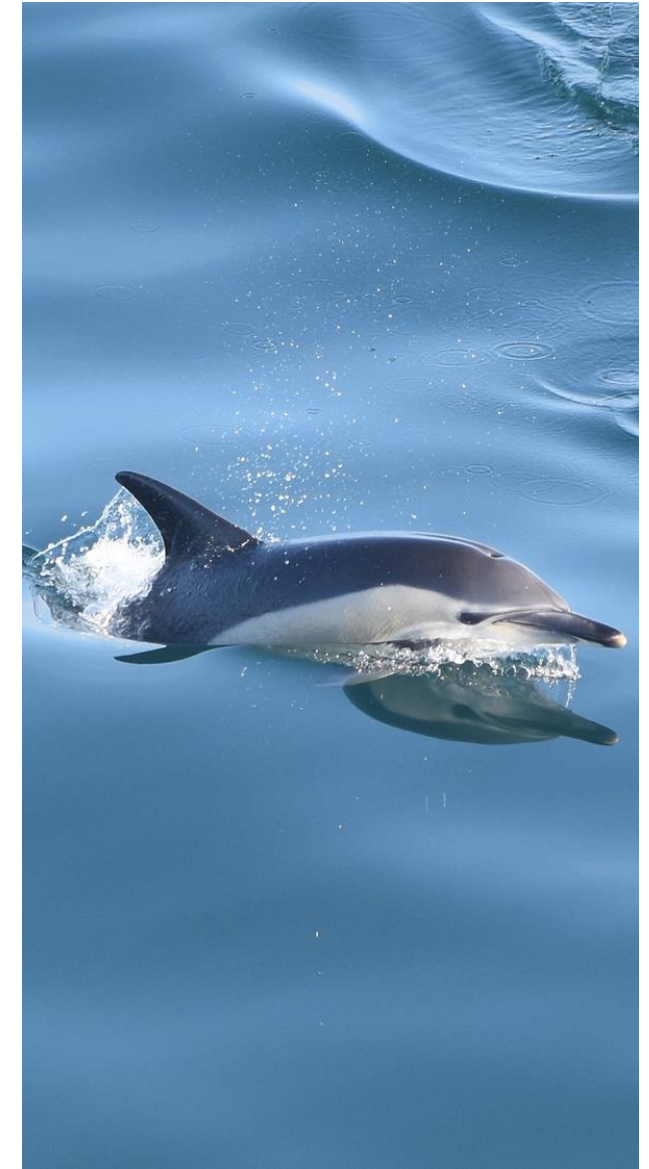




# The ScotMER Programme

A multi-million-pound programme to improve the evidence base on the impacts of offshore energy on the marine environment.

Decision making in the marine environment will be based on sound scientific and socio-economic evidence. (General Principal 19, Scotland's National Marine Plan)



# ScotMER Receptor Groups



- Members include:
  - Scottish Renewables Developer Representatives
  - Academia
  - Statutory Nature Conservation Bodies
  - Fishing Industry
  - Environmental NGO's (RSPB, BTO etc.)
- Meet twice a year
- Special Sessions
  - eDNA, Primary Productivity

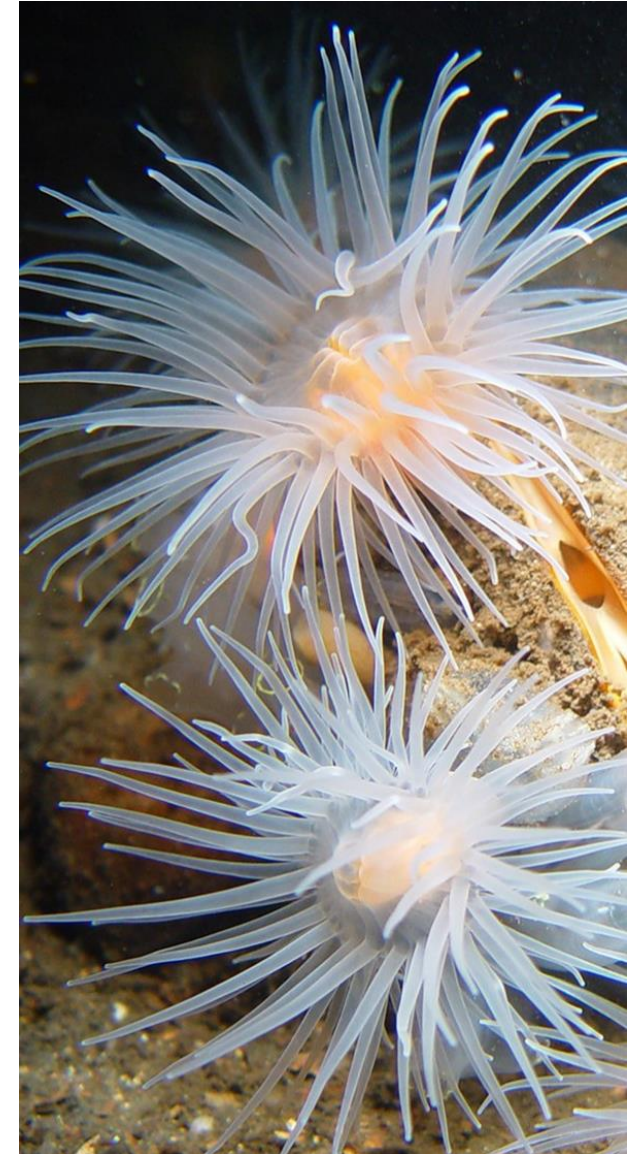
# ScotMER Publications

All seven evidence maps were updated in January 2023.

Published on the Scottish Government website:

[www.gov.scot/policies/marine-renewable-energy/science-and-research](https://www.gov.scot/policies/marine-renewable-energy/science-and-research)

All reports produced from ScotMER research projects are also available via the link above.





# ScotMER Symposium

## 5th ScotMER Symposium 2023

31st of January to the 2nd of February 2023

- Virtual event over three days
- Broad audience, over 750 registered attendees
  - Industry 45%, Public Bodies 31%, Academia 19%
- International representation with attendees from 25 countries
- Sessions focusing on a wide variety of issues
- Recordings available on Marine Scotland – YouTube

## 6th ScotMER Symposium 2024

Early February 2024



© Jack Lucas



# ScotMER Research

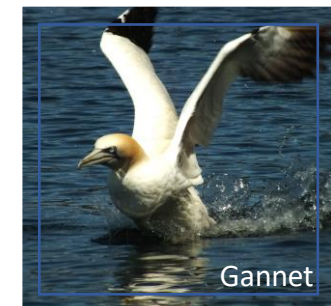
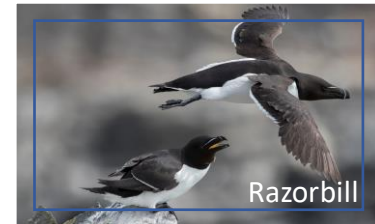
# ScotMER Research - Ornithology

## Seabird behaviour at sea

- Flight behaviour
- Nocturnal behaviour
- Foraging and commuting

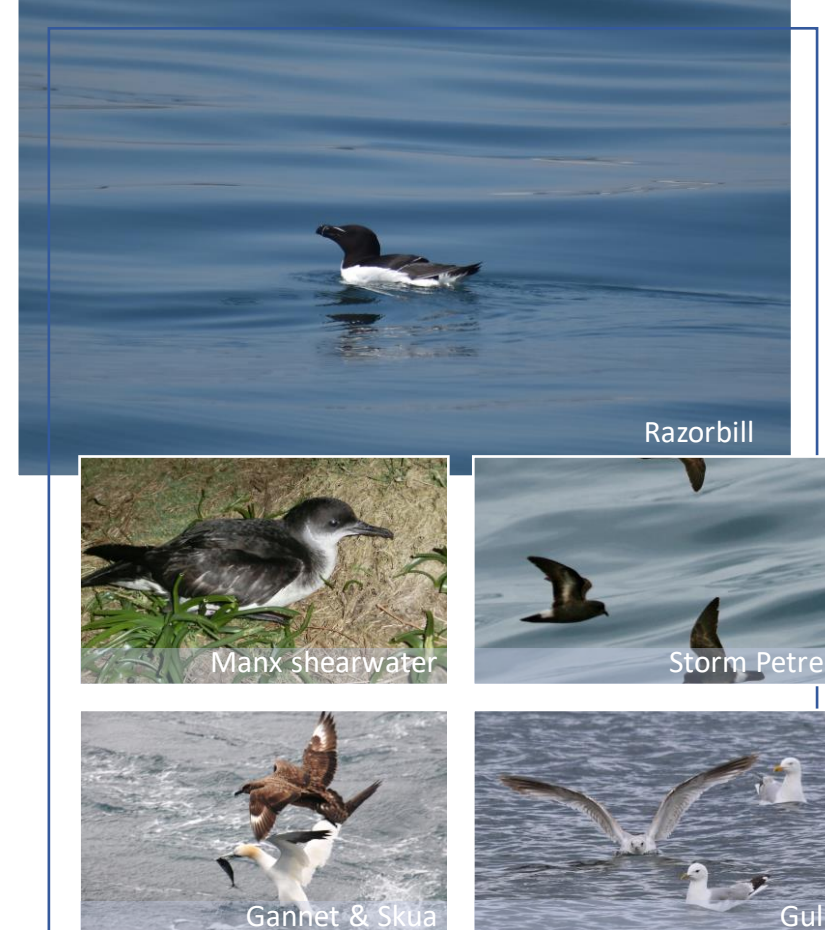
## Focus on tools

- Bird sensitivity mapping tool
- Stochastic Collision Risk Modelling tool
- Cumulative Effects Framework



# ScotMER Research - Ornithology

- Feasibility studies
  - Tracking seabirds at sea
  - Compensatory measures
- Petrel movements around the Western Isles
- Modelling population dynamics
- Current status of seabird colonies in light of avian influenza
- Displacement of guillemots and razorbills
- Foraging ranges to improve apportioning of impacts to protected colonies



# ScotMER Research – Marine Mammals

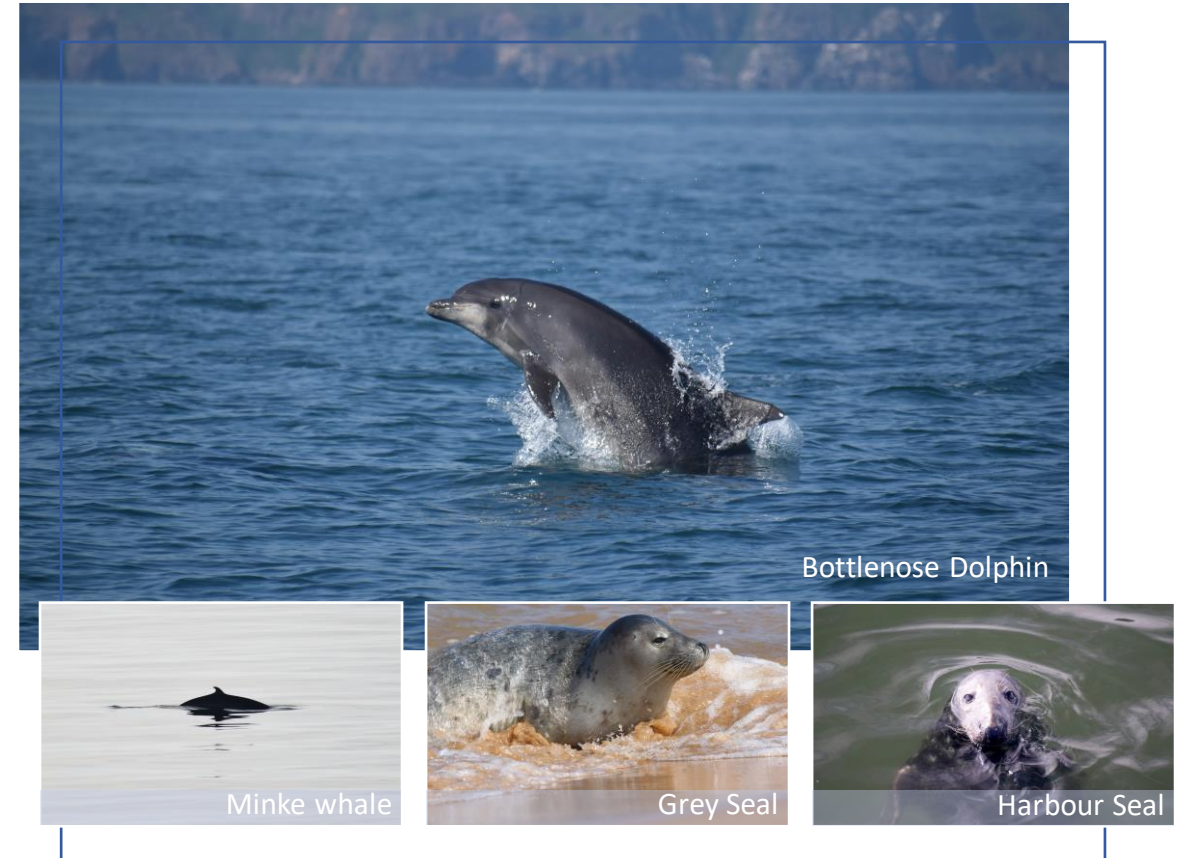
Improving methods

- Pile driving noise models
- Abundance estimates
- Interim Population Consequences of Disturbance (iPCOD)

Seal tagging in Shetland to understand at sea behaviour better in the NE areas

Expansion of the acoustic monitoring network

Best practices for noise abatement methods





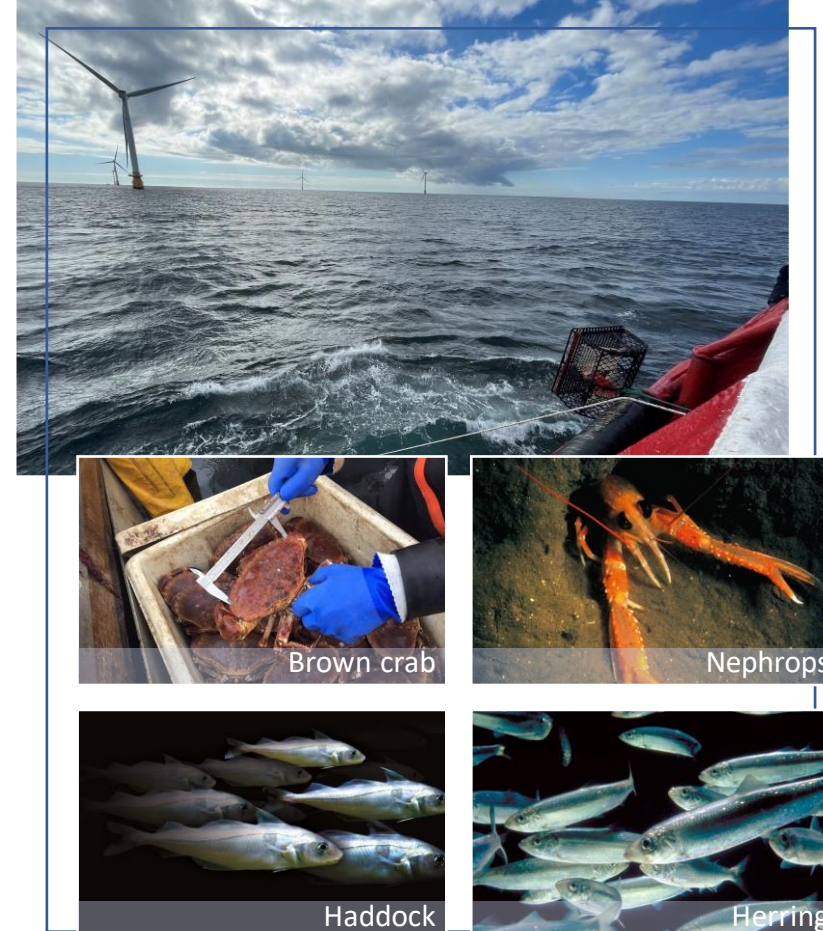
# ScotMER Research – Fish & Fisheries

Mapping essential fish habitats

Characterising electromagnetic fields and potential impacts

Recommendations to design effective monitoring approaches

- Marine fish and shellfish species
- Commercial fisheries





# ScotMER Research – Diadromous Fish

Diadromous fish review

Salmonid movements from rivers to offshore areas

- West coast
- Moray Firth

Exploration of potential impacts on migrating juvenile salmon



# ScotMER Research

## Benthic



© Flora Kent

- Monitoring methods & recommendations
- Identification of new methods

## Physical Processes



© Crown Copyright

- Development of 'mini FLOWBEC'
- Large scale physical processes

## Socioeconomics



© John Kenfield

- Views of local communities
- Phases of current & upcoming developments
- Supply chain

# Thank you for listening

Reach us at;

[ScotMER@gov.scot](mailto:ScotMER@gov.scot)

Find out more at;

[Science and research - Marine renewable energy - gov.scot \(www.gov.scot\)](https://www.gov.scot/science-and-research/marine-renewable-energy)

# UK Government Reforms and Offshore

## Wind - Lewis Hurley & Joel Hankinson



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# Legislative Reforms to Environmental Assessments

- UK Government led legislation to reform:
  - Habitats Regulations Appraisal (HRA) – for offshore wind
  - Environmental Impact Assessment (EIA)



Leveling up and Regeneration Bill	vii
PART 6	
ENVIRONMENTAL OUTCOMES REPORTS	
Setting environmental outcomes	
138	Power to specify environmental outcomes
Power to require environmental outcomes reports	
139	Environmental outcomes reports for relevant consents and relevant plans
Defining the consents and plans to which this Part applies	
140	Power to define "relevant consent" and "relevant plan" etc
Assessment and monitoring	
141	Assessing and monitoring impact on outcomes etc
Safeguards, devolution and exemptions	
142	Safeguards: non-regression, international obligations and public engagement
143	Requirements to consult devolved administrations
144	Exemptions for national defence and civil emergency etc
Enforcement	
145	Enforcement
Reporting	
146	Reporting
General	
147	Public consultation etc
148	Guidance
149	Interaction with existing environmental assessment legislation and the Habitats Regulations
150	Consequential repeal of power to make provision for environmental assessment
151	EOR regulations: further provision
152	Interpretation of Part 6

## Energy Security Bill Policy Statement

Offshore Wind Environmental Improvement Package Measures

Open consultation

## Environmental Outcomes Report: a new approach to environmental assessment

Published 17 March 2023



# UK Energy Bill: HRA Clauses

- Part of the Offshore Wind Environmental Improvement Package (OWEIP)
  - Powers to develop new HRA regulations for offshore wind projects
  - Enable measures to compensate for impacts on the marine environment to be taken at a strategic level across multiple projects
  - Set up a marine recovery fund to help deliver these strategic measures
- Apply only to offshore wind projects and related infrastructure

# UK Energy Bill: HRA Clauses - Operation

- Power to amend / replace existing HRA processes
- Regulation-making powers to Scottish Ministers (Scottish inshore area) and Secretary of State (offshore area)
- Regulatory differences or a 'regulatory gap' mitigated by consultation to ensure alignment
- Design to enable the delivery of strategic compensatory measures
- Optional framework (Marine Recovery Fund) to support developers
- Seek to shorten the overall HRA process

# UK Energy Bill: HRA Clauses - Reflections



- What are our concerns with the reforms?
- What challenges do we see in their operation?

## Levelling-up Bill: Part 6

- Part of the wider UK Government programme to ‘level up the country’
- Provide powers for UK Ministers to introduce a new system of Environmental Outcomes Reports (EORs)
- Extends across environmental assessment regimes including those relevant to offshore wind
- Seek to simplify and streamline assessment processes



## Levelling-up Bill: Part 6 - Operation

- Power for Secretary of State to require EORs for relevant plans and projects
  - Failure to produce report would prevent consent being granted
- Power for Secretary of State to specify environmental outcomes against which relevant plans and projects are assessed
- Form and content of reports to be prescribed in future regulations
- Assessment and monitoring to be addressed in regulations
- Commitment to prevent regression of environmental protection

# Levelling-up Bill: Part 6 - Reflections

- What are our concerns with the reforms?
- What are the challenges for offshore wind?



# Summary

- Change is coming
- Strive for clarity of procedures
- Assessments that work
- Clear communication

# Streamlining Project Update – Kirsten Thorburn



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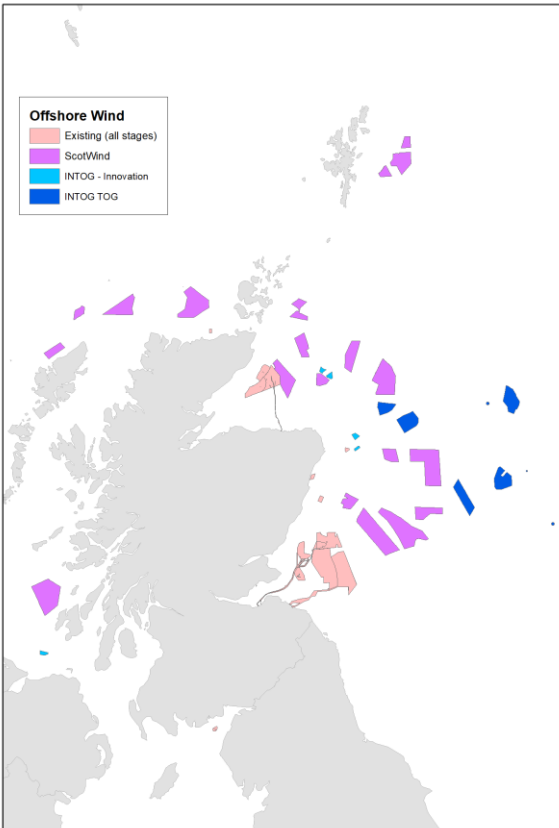




## Proposals for improving the consenting and licensing process for offshore renewables

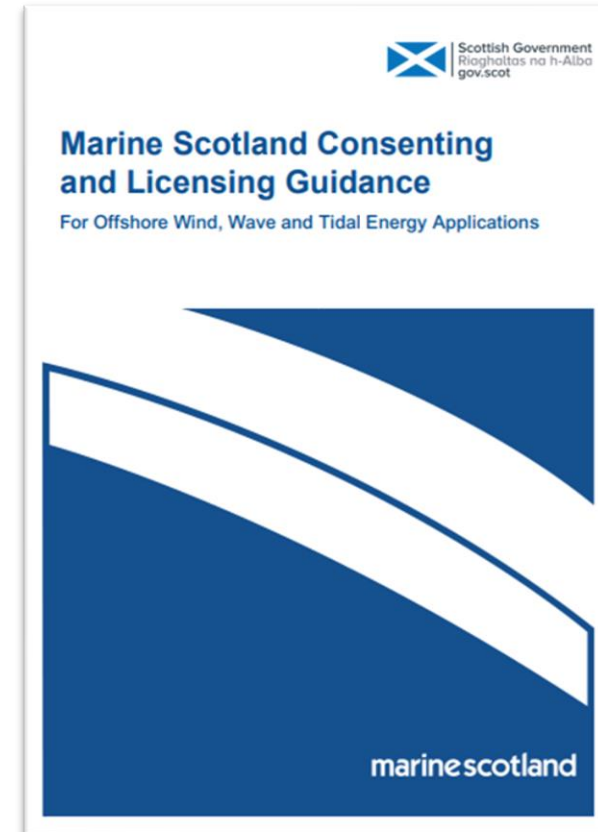


# Why



Learning from  
consented projects

Significantly more  
offshore renewable  
energy projects  
proposed



Dated  
guidance

# Aims (within current regulatory framework)

Pre-application

- Improved stakeholder engagement earlier in the process

Application

- High quality
- Design envelope
- Sufficient information on mitigation (stakeholders have suitable information to make representations)

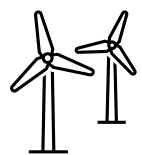
Determination

- Robust and effective controls
- Meet timescales

Post-consent

- More efficient use of resource (variations, post-consent approvals, additional marine licences)

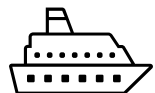
# Targeted stakeholder engagement



Developers



Environment



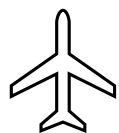
Navigation



Fishers



Planning and  
roads



Aviation

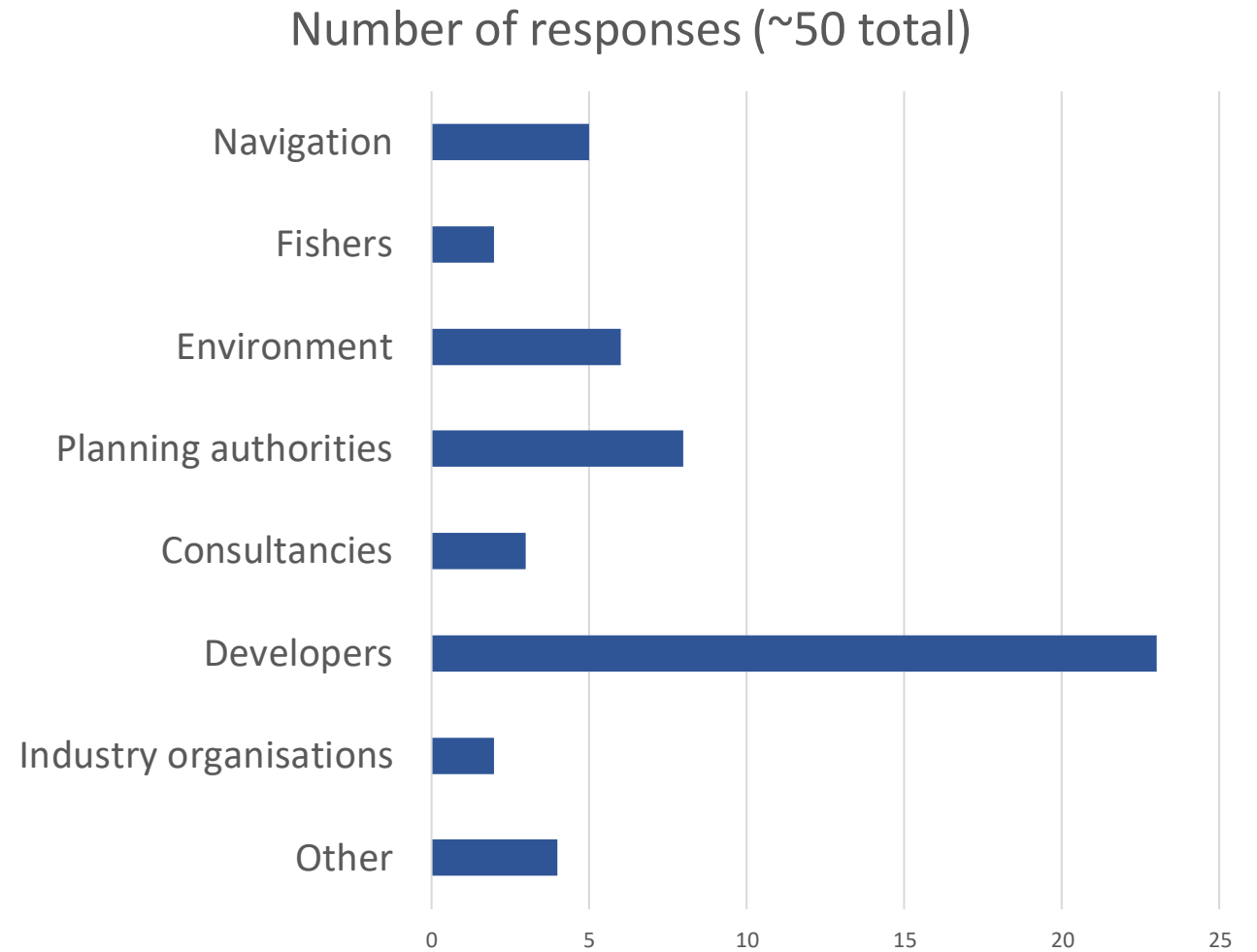
10 weeks  
(10 February – 21 April 2023)

Sent to  
~130 organisations

Informal meetings  
w/c 13 March 2023



## Stakeholder feedback



## Next steps

- Summary of feedback and response
- Some content updated on gov.scot website
  - Format and structure
  - Marine licence exemptions
  - Marine licence timescales
- Take forward actions and update guidance



## Panel Session – Chair David Pratt

- Rachel Scrimgeour – Senior Policy Officer, National Marine Plan
- Drew Milne – Senior Manager, Sectoral Marine Planning
- Lewis Hurley – Senior Manager, Marine Planning and Policy
- Zoe Hutchison - Senior Policy Officer, ScotMer
- Mike Bland – Section Lead, Streamlining Team
- Zoe Crutchfield – Head, Licensing Operations Team