



Supporting Implementation of **M**aritime Spatial Planning in the **C**eltic Seas

Component: C1.2.4: Case studies on approaches to MSP

CS-3 Planning across borders: Case Study of the Solway Firth

Deliverable 12: Report on approaches to cross-border cooperation, including stakeholder engagement mechanisms

Sub-component: D12.5: Options for the Solway Marine Region in terms of marine planning



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About SIMCelt

SIMCelt - Supporting Implementation of Maritime Spatial Planning in the Celtic Seas was a two-year €1.8 million project co-financed by DG MARE and focussed on promoting the development of transnational cooperation to support the implementation of EU Directive 2014/89/EU in the Celtic Seas (Figure 1). Led by University College Cork, the project consortium comprised both planners and researchers from seven partner institutes representing a mix of governmental authorities and academic institutes from Ireland, France and the UK. The consortium was particularly interested in developing meaningful cooperation between neighbouring Member States to support implementation of spatially coherent plans across transboundary zones of the Celtic Seas, building on previous work and leveraging new opportunities to identify and share best practice on technical, scientific and social aspects of transboundary MSP.

Acronyms

EU: European Union

GES: Good Environmental Status

KM: Kilometres

LDP: Local Development Plan

MCAA: Marine and Coastal Access Act 2009

MMO: Marine Management Organisation

MPP: Marine Planning Partnership

MPS: Marine Policy Statement

MSA: Marine (Scotland) Act 2010

MSFD: EC Marine Strategy Framework Directive

NAFC: North Atlantic Fisheries College

NM: Nautical miles

NMPi: National Marine Plan interactive

SFP: Solway Firth Partnership

SIMCelt: Supporting Implementation of Maritime Spatial Planning in the Celtic Seas

SNMP: National Marine Plan

SSMEI: Scottish Sustainable Marine Environment Initiative

UK: United Kingdom

Terminology

The UK tends to refer to “marine planning” rather than “Maritime Spatial Planning” but practical discussion of the discipline amongst EU Member States tends not to differentiate between the two phrases. Throughout this report, therefore, the phrases “marine planning” and “marine or maritime spatial planning” are used interchangeably.

Key recommendations for transboundary maritime spatial planning¹

Option 1: Consider lessons learned in the planning process from the operation of established marine plan authorities

Option 2: Strategic, proactive cooperation between planning authorities can reduce duplication of effort in a transboundary ecosystem

Option 3: Engage effectively and in an on-going manner with neighbouring marine plan authorities and terrestrial planners

Option 4: Make use of existing methods of pan-estuary stakeholder engagement mechanisms, such as the Solway Firth Partnership

Option 5: Consider successful existing conflict resolution mechanisms that could be adapted to mitigate other situations

Option 6: Ensure policies/objectives/priorities will not have detrimental effects on neighbouring ecosystems

Option 7: Have a robust and comprehensive Plan that is still flexible enough to accommodate emergent activities/technologies

Option 8: Aim for the alignment of plan reporting periods to reduce stakeholder fatigue, reduce duplication of effort and improve efficiency

¹ In no particular order

1. Introduction

The [SIMCelt Project](#) (Supporting Implementation of Maritime Spatial Planning in the Celtic Seas) allowed the opportunity to look in detail at cross-border and transboundary issues connected to maritime spatial planning (MSP). The Solway Firth was examined as a case study for marine planning across borders due to its unique position as a waterbody with a national boundary running through it, a third national boundary at 12 Nm and also because one area was already subject to a National Marine Plan whilst marine plans at different scales were still in the process of being developed for the other areas. As a result, there are multiple challenges in ensuring different national objectives are satisfied by the implementation of different marine planning legislation and that the separate marine planning regimes satisfy the requirements of overarching UK policies and EU Directives.

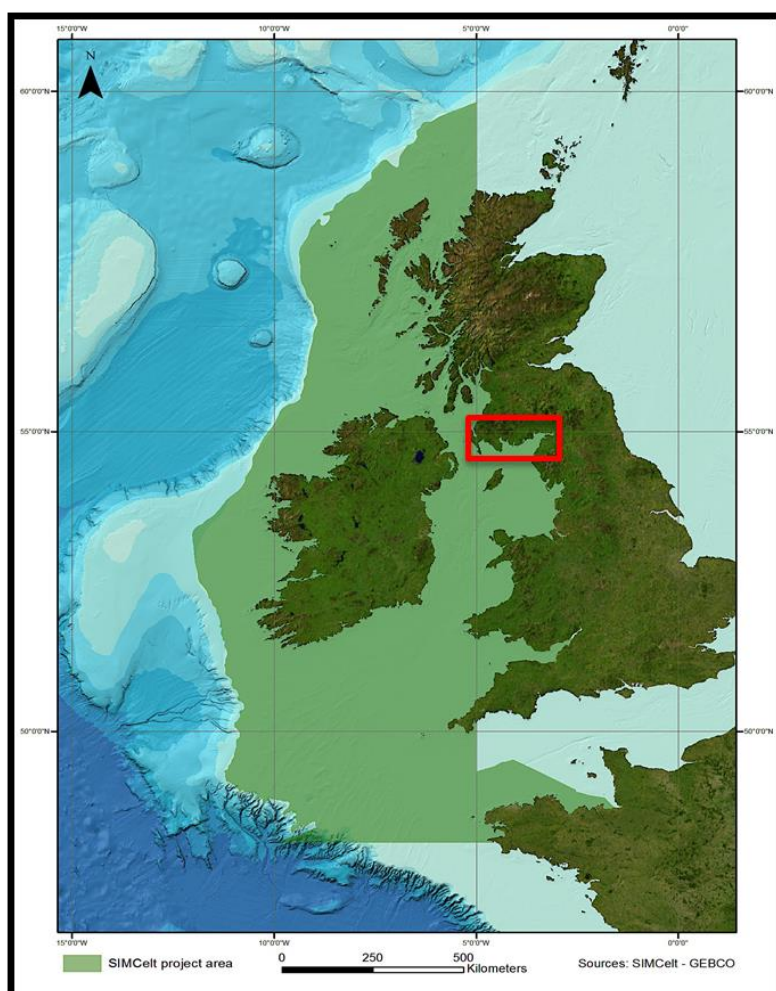


Figure 1: SIMCelt study area² with the red polygon indicating the Solway Firth

² SHOM (2017)

Marine Plan implementation requires formal agreements that reflect accountabilities across the administrative bodies to ensure horizontal integration.³ Ecosystems do not recognise human boundaries but are subject to the effects of interactions between different pieces of marine legislation and national policy priorities. To help encourage a coherent and coordinated approach to planning and management across a marine region, economic, social and environmental aspects that support sustainable development in the maritime sector and apply an ecosystem-based approach should be considered⁴. As part of the planning and management process, cooperation across boundaries is expected and methods for achieving objectives should not adversely affect the pursuit and achievement of those of another administration.

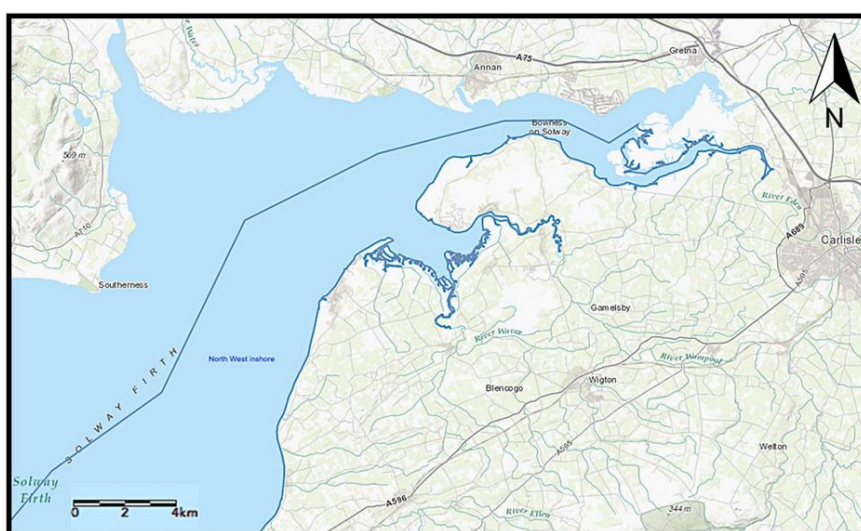


Figure 2: The Solway Firth with lines indicating the boundary between the Scottish National Marine Plan (northern waters) and the English Marine Management Organisation's North West Inshore Plan (southern waters) ⁵

This is one of a series of documents as part of a Planning Across Borders case study for the wider SIMCelt project. Together, they provide information on different aspects of marine planning for a particular cross border ecosystem that is already subject to a complex governance structure, with different jurisdictions affecting the estuary and taking different approaches to marine planning over different timescales. This particular report examines options for marine planning in the context of the Solway Marine Region and provides a set of specific recommendations, looking forward to when a Regional Marine Plan may be produced.

³ Cormier et al (2015)

⁴ EU Maritime Spatial Planning Directive (2014/89/EU)

⁵ MMO (2016)

The other documents in the series are available from the SIMCelt website (www.simcelt.eu):

- **SIMCelt – C1 - C 1.2.4 – D12 – D 12.1** Initial comparison of requirements and differences of UK primary legislation pertinent to marine planning
- **SIMCelt - C1 – C 1.2.4 – D12 – D 12.2** References to marine and coastal planning within Local Development Plans relevant to the Solway Firth
- **SIMCelt - C1 – C 1.2.4 – D12 – D 12.3** Report on Sectoral Interactions around the Solway Firth in relation to marine planning
- **SIMCelt – C1 – C 1.2.4 – D12 – D12.4** Particular cross-border issues for the Solway Firth

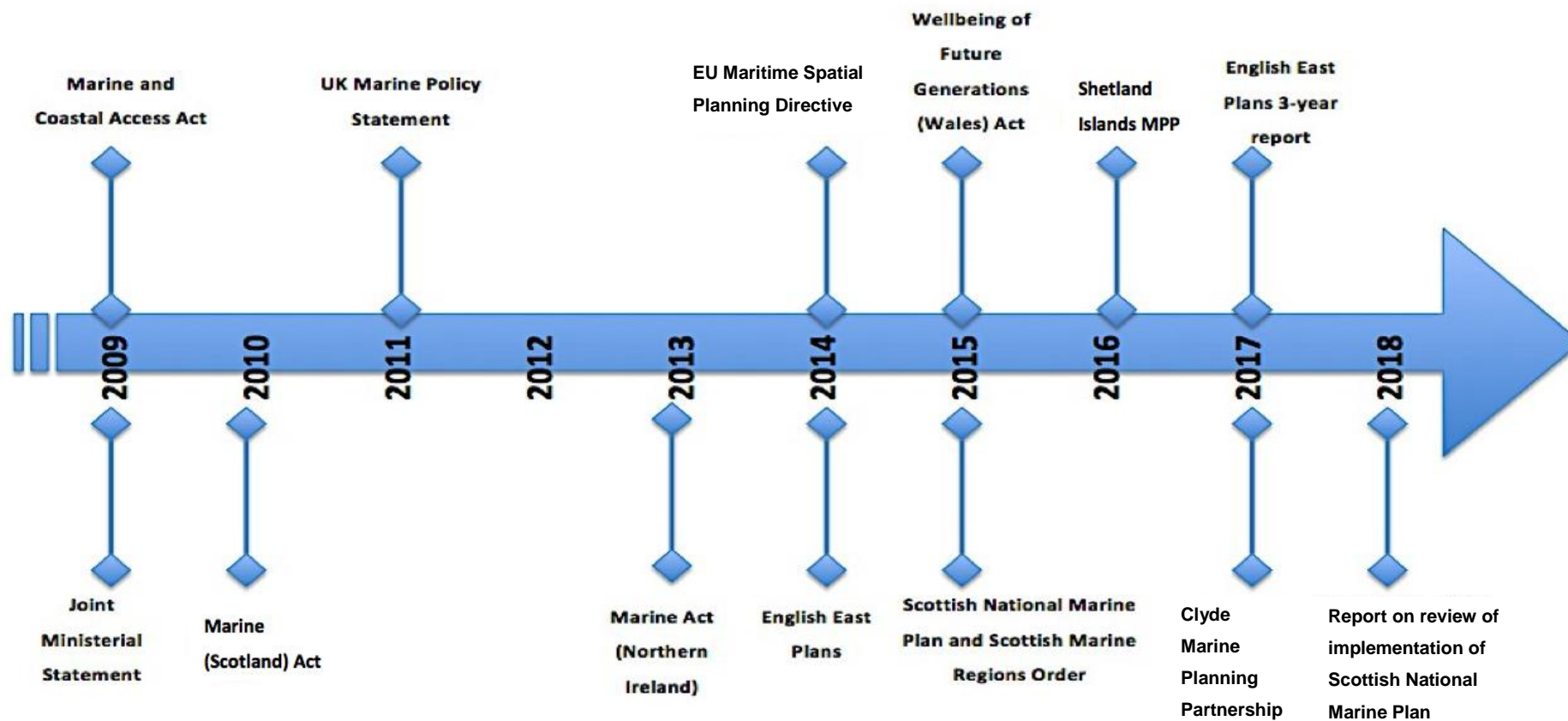
Figure 3 illustrates the progression of marine planning in the UK. The Marine and Coastal Access Act (MCAA) created the legal basis for marine planning in UK regional seas. It is an Act to:

“Make provision in relation to marine functions and activities; to make provision about migratory and freshwater fish; to make provision for and in connection with the establishment of an English coastal walking route and of rights of access to land near the English coast; to enable the making of Assembly Measures in relation to Welsh coastal routes for recreational journeys and rights of access to land near the Welsh coast; to make further provision in relation to Natural England and the Countryside Council for Wales; to make provision in relation to works which are detrimental to navigation; to amend the Harbours Act 1964; and for connected purposes”

The Marine Management Organisation (MMO) is the responsible authority for completing marine plans for English inshore and offshore waters. This will be achieved through a network of inshore and offshore Plan Areas.

The Marine (Scotland) Act (MSA) is an Act of the Scottish Parliament to make provision in relation to functions and activities in the Scottish marine area, including provision about marine plans, licensing of marine activities, the protection of the area and its wildlife including seals and regulation of sea fisheries; and for connected purposes. Scotland prioritised the development of its National Marine Plan, adopted in March 2015. The Marine (Scotland) Act enables the creation of Scottish Marine Regions, which will allow more detailed marine planning to take place to complement the high-level and strategic policies of the National Marine Plan.

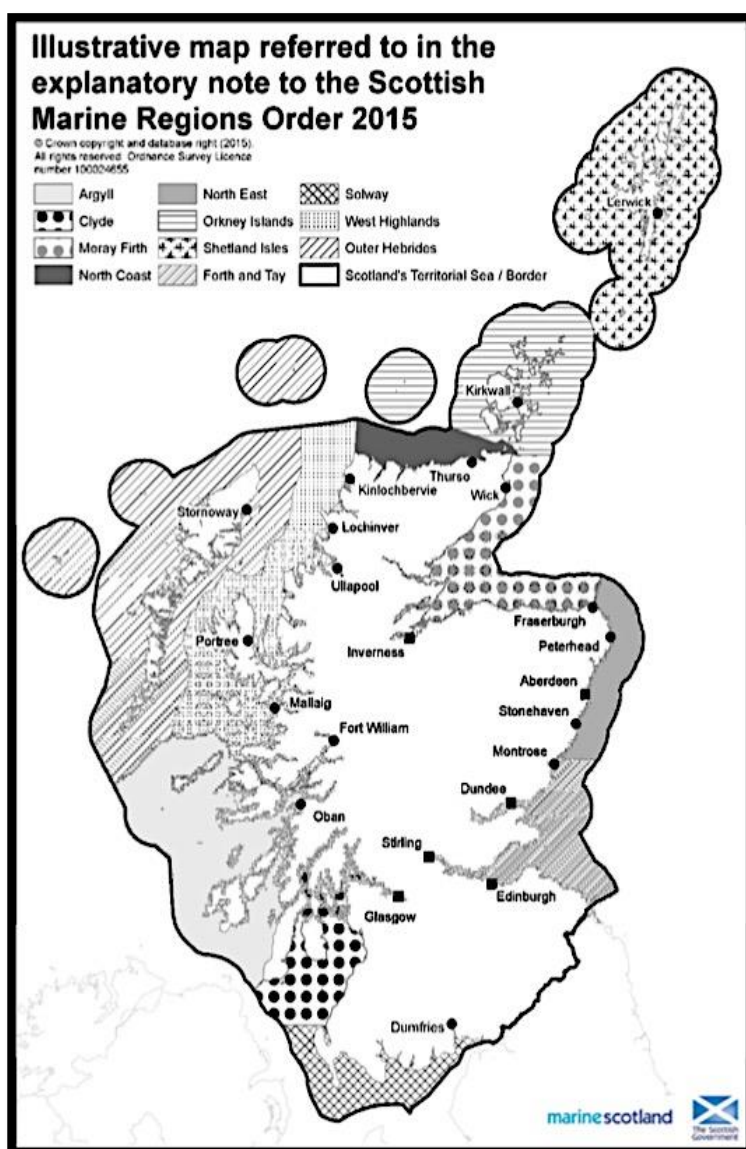
Figure 3: Timeline of marine planning in the UK⁶



⁶ For more detailed information on UK marine legislation, refer to SIMCelt – C1 - C 1.2.4 – D12 – D 12.1: Initial comparison of requirements and differences of UK primary legislation pertinent to marine planning

Following the adoption of the [Scottish Marine Regions Order in 2015](#), Scotland created 11 marine planning regions covering territorial waters up to the 12 Nm limit⁷. Scottish Ministers may delegate regional marine planning powers over these Regions to Marine Planning Partnerships (MPPs). These powers will not include licensing or consenting, which will remain the responsibility of consenting bodies such as [Marine Scotland](#) and Scottish Local Authorities. Marine Scotland will provide support to the Partnerships, for example by giving access to research and science, the provision and hosting of data through [National Marine Plan interactive](#) (NMPi), and guidance on policy development.

Figure 4: Scottish Marine Regions as described in the Scottish Marine Regions Order 2015⁸



⁷ Argyll, Clyde, Forth and Tay, Moray Firth, North Coast, North East, Orkney Islands, Outer Hebrides, Shetland Isles, Solway, West Highlands

⁸ Scottish Government (2015)

2. Marine Planning affecting the Solway Firth – the situation in 2018

During the lifetime of the SIMCelt project (2015-18), marine planning within the Solway Firth area has progressed significantly.

The Scottish Government published its Scottish National Marine Plan in March 2015, which put in place a series of general and sectoral policies covering the waters on the northern half of the Firth. Although the Scottish Marine Regions Order has identified the Solway Marine Region, there are currently no plans for starting the process to develop a Regional Marine Planning Partnership for the area.

In 2016, the English Marine Management Organisation began the process of gathering data to underpin the development of a Marine Plan for the North West Inshore and Offshore waters. The Inshore Waters cover the southern half of the Solway Firth. During 2017 and 2018, two rounds of stakeholder engagement have taken place along the length of the North West Marine Area. This Call for Evidence has identified and considered a number of issues relating to Governance, Environment, Social and Economic themes. Stakeholders in the North West would like the MMO's Marine Plans to provide environmental protection, sustainable development, be joined up with other Plans whilst assisting developers/applicants and to achieve policy and socio-economic benefits⁹.

The draft Northern Irish Marine Plan, which abuts the Solway Firth at the 12 Nm limit on its western edge, awaits the opportunity for public consultation due to on-going domestic political circumstances.

The Isle of Man, although outwith the scope of both the EU MSP Directive and the UK Marine and Coastal Access Act, has undertaken its own marine planning process. The entirety of the Isle of Man marine area is zoned and a zoning approach for marine planning is in consultation. The Isle of Man Marine Plan will be the overarching framework to enable management of the Isle of Man territorial sea through a consenting regime, a Manx Marine Environmental Assessment and marine policies. The principles of the Marine Plan are to enable sustainable economic development through an ecosystems approach and joined-up development inclusive of stakeholders in an Irish Sea context with transnational cooperation. The Manx Government published its [Statement of Public Participation](#) in 2012.

⁹ <https://marinedevelopments.blog.gov.uk/wp-content/uploads/sites/93/2017/07/Iteration-1-engagement-summary.pdf>

3. What may happen for the Solway Marine Region?

Scotland adopted its [National Marine Plan](#) (SNMP) in 2015 and is in the process of planning for its [11 Marine Regions](#).¹⁰ The first Regions to receive Direction from Scottish Ministers to begin the planning process and form Regional MPPs were the [Shetland Islands](#) in 2016, and [Clyde](#) in 2017. The Orkney Islands Marine Region was announced as the third area in 2017 but there is no confirmed timetable for the roll-out of the other Marine Regions.

Whenever a Direction to plan for the Solway Marine Region is issued, the Solway Regional Marine Plan will be expected to meet the legislative requirements of the [Marine \(Scotland\) Act 2010](#), including:

- Undertaking an Assessment of the condition of the region
- Summarising the significant pressures and consequences of human activity
- Keeping under review the characteristics of the region, including:
 - The purposes of its use
 - The communication, energy and transport systems
 - The living resources it supports
- Setting economic, social, marine ecosystem and climate change objectives
- Stating the contribution of Marine Protected Areas and other designated areas
- Stating policies for sustainable development of the region
- Developing a Statement of Public Participation and carrying out consultation.

In English waters, the Marine Management Organisation is continuing to plan for its remaining Inshore and Offshore Areas, with all Marine Plans to be completed by 2021. The North West Plan will be designed to be compatible with the Marine and Coastal Access Act, UK Marine Policy Statement (MPS), and adjoining marine and terrestrial development plans, including the Scottish National Marine Plan as that is already in place. Any subsequent Solway Regional Marine Plan will need to be compatible with the MSA, MPS, SNMP and adjoining marine and terrestrial development plans, including the Marine Plans for the English waters on the southern side of the Solway Firth.

Options for how this can be achieved

The [Maritime Spatial Planning Directive](#) (2014/89/EU) provides legislation to create a common framework for MSP in the EU. While each EU Member State will be free to plan its own maritime activities, local, regional and national planning in shared seas will be made more

¹⁰ Argyll, Clyde, Forth and Tay, Moray Firth, North Coast, North East, Outer Hebrides, Orkneys Islands, Shetland Islands, Solway and West Highlands.

compatible through a set of minimum common requirements. The 2011 [Marine Policy Statement](#) is the framework for UK marine planning systems and provides the high-level policy context within which national and regional plans will be developed. The Scottish National Marine Plan states that Regional Marine Planning Partnerships will take different forms in different regions, depending upon what is most appropriate for local circumstances. This approach is different to the centralised approach of the Marine Management Organisation but the flexibility is recognition that Scotland's coastal areas are diverse and will be useful when planning in a unique transboundary ecosystem.

Learning from other regional approaches

The Shetland Islands and the Clyde Marine Planning Partnerships, details of which are described below, are already undertaking Regional Marine Planning. Their experiences will be available for other, subsequent Marine Planning Partnerships to consider as they establish what will be appropriate for their own areas.

Although there is currently no timeframe for establishing a Solway Marine Region, the SIMCelt project has offered the opportunity to consider options for how it might be done, especially in a cross-border ecosystem. There is no need to fully reinvent the wheel for marine planning in the Solway Marine Region as some applicable guidance has already been provided from other transboundary initiatives (Table 1).

The MMO's North West jurisdiction encompasses the Southern Solway, and it is in the process of planning for this Area. Similar transboundary marine ecosystems can also benefit from examining the methods and approaches of other regional plans that already exist or are in development. Some of these examples are described in Table 1 below.

England

English Plan Areas usually have an Inshore and Offshore Area. Although the MCAA requires a Plan for each Plan Area, for simplicity, single documents for each Area will be produced with distinctions made as to which policies are relevant to the inshore and/or offshore areas. The English approach to inshore policies are relevant to the Solway Marine Region, as the Scottish Marine Regions only encompass the inshore zone (out to 12 nm). The Scottish National Marine Plan covers offshore waters of the Scottish Solway.

Table 1: Previously identified recommendations for cross border marine planning¹¹

Data and information sharing	Governance	Cross border cooperation
<ul style="list-style-type: none"> • Coherence of shipping centre lanes across national borders and shared guidelines for safety at sea • Common planning evidence on cross border fisheries should be provided through ICES • Consider small vessels without AIS for sea traffic/landings • Development of common data sources such as the SIMCelt Data Portal • Efficient exchange of information between key sectors and Marine Planning Authorities • Examine new energy proposals against those existing, including those in neighbouring countries • Facilitate early and efficient information exchange on spatial plans and projects with a cross border impact • Planners should strengthen information sharing with sectoral agencies that act as contact points for international agencies e.g. IMO and ICES • Provide continuous access to comprehensive up-to-date data on planning areas e.g. Scottish National Marine Plan Interactive and MMO Marine Evidence Base 	<ul style="list-style-type: none"> • Assure sea safety and navigational requirements are adequately addressed through MSP process • Develop common criteria outlining protection measures impacting other activities • General Ecosystems Based approach in MSP checklist • Identify key conflict and synergy areas • Where appropriate raise cross border issues at national political level • Increased stakeholder involvement, particularly national authorities and relevant agencies • Planners have capacity to identify and redirect conflicts to relevant agencies • Planners have willingness to expand knowledge from cross border collaboration • When analysing cross border conflicts and synergies, international organisations should be involved to gain a harmonised representation of interests 	<ul style="list-style-type: none"> • Avoid inappropriately planning human activities which may negatively impact cohesion and connectivity in cross border protected/valuable areas e.g. Solway Firth European Marine Site • Bilateral and trilateral meetings/workshops improve effective communication • Cross border cooperation is needed for: Sensitivity/risk analysis, monitoring and research programmes, conditions for successful coexistence, cumulative effects assessments and information on key spawning grounds • Planners can develop suggestions or direct to a relevant agency for cross border issues • Mutual learning of different countries' planning systems and legal frameworks • Need long-term Celtic Seas vision for offshore renewable energy • Provide early warning to neighbouring Celtic Seas states on any proposed spatial plans and significant projects • Through cross border cooperation, MSP can accommodate the seas as open ecosystems

UK marine plans are designed to be, within reason, compatible with those other plans that may lie adjacent to that plan area. This is important in the case of the Solway Firth, as the estuary is bisected by the Anglo-Scottish border and also has a 12nm boundary with Northern Ireland.¹²Schedule 6 of the Marine and Coastal Access Act states:

¹¹ABPmer (2016), Urtane et al (2017), Baltic SCOPE (2017a), Baltic SCOPE (2017b)

¹² The Solway also shares a 12nm boundary with the offshore waters of the Isle of Man

“In preparing or amending a marine plan for a marine plan area in its region, a marine plan authority must take all reasonable steps to secure that the plan is compatible with the marine plan for any marine plan area (whether or not within its marine planning region) which is related to that area”¹³

And:

“The marine plan authority for the English inshore region, or the Welsh inshore region, must also take all reasonable steps to secure that any marine plan for a marine plan area in its marine planning region is compatible with the relevant Planning Act plan for any area in England, Wales or Scotland which is related to the marine plan area”¹⁴

In England, under the [Localism Act 2011](#), there is a [duty to cooperate](#) which places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters. This cooperation is designed to improve integration between land and sea regimes with options for communities to develop Neighbourhood Plans.

The [Coastal Concordat](#) for England sets out key principles which marine regulators, advisors and English Local Authorities follow to reduce unnecessary regulatory duplication, provide better sign posting, streamline assessment and increase transparency and consistency of advice. However, during the SIMCelt project, the Cumbrian Councils had yet to officially adopt the Concordat¹⁵.

The English Marine Management Organisation produced a [guide](#) for local councils to better understand how marine and terrestrial planning will interact. The MMO is a statutory consultee for land use planning and Councils are key stakeholders for marine planning.

The 2017 three-year [report](#) on the implementation of the MMO’s East Marine Plans found that a third of Local Authority Plans had been updated since the Marine Plans had been adopted and that all of these updates now made reference to the East Marine Plans. However, the report also found that there was no significant trend in terms of Local Authorities making marine

¹³ Schedule 6 (3) 1

¹⁴ Schedule 6 (3) 2

¹⁵ Defra (2014)

matters a greater proportion of the overall focus of their Plans compared with previous versions.¹⁶ This is a challenge for the Solway Marine Region to consider in due course. Preliminary work to establish the extent of consideration of marine and coastal issues in Local Authorities' Local Development Plans has been undertaken as part of the SIMCelt Solway Firth Case Study: see SIMCelt - C1 – C 1.2.4 – D12 – D 12.2L References to marine and coastal planning within Local Development Plans relevant to the Solway Firth.

Marine Management Organisation's East Plans

The [East Plans](#) were the first of the MMO Plans and were published in 2014. The area was chosen as it had the greatest and most diverse range of activities for consideration and the greatest potential for change. The East Inshore Marine Plan Area includes the coastline stretching from Flamborough Head to Felixstowe, extending from Mean High Water out to 12 nm, including inland areas such as the Broads and other waters subject to tidal influence, and covers an area of 6,000 km². The East Offshore Marine Plan Area covers the marine area from 12 nm out to the maritime borders with the Netherlands, Belgium and France, a total of approximately 49,000 km² of sea.

Although the East Plans are for a different jurisdiction and on the east coast of the UK, compared to the west coast Solway Firth, the basis of some policies may be transferable to activities in the southern part of the Solway Firth. Development of the North West Marine Plans has drawn on the experience of the East Plans. In due course, as the first regional Plans to be adopted, the East's policy cycle of monitoring and review will provide a useful indication to Scottish Marine Planners about what may also happen with the North West Marine Plans when they eventually reach that stage of implementation. In 2017 the East Plans were reported on and the conclusion reached was that a review was not needed as overall; objectives remain relevant and integral to realising the East Plans' Vision.¹⁷

Language of the East Plans follows that of the UK Marine Policy Statement, using "must" and "will" for clarity and stronger direction in policies. In other instances, "should" is used, which provides greater flexibility. Experience of the iterative procedures of developing marine planning policies for the North West Plan suggests that the same language as the East Plans will be used.

¹⁶ Defra (2017)

¹⁷ Defra (2017)

Marine Management Organisation's North West Plan

The English [North West Plan](#) abuts the Scottish Solway Marine Region, which is currently covered by the high-level and strategic policies contained within the Scottish Marine Plan. The North West Inshore Marine Plan Area extends from Mean High Water out to 12 nm, covers approximately 1,280 kilometres of coastline stretching from the Solway Firth border with Scotland to the River Dee border with Wales, taking in some 4,900 km² of sea. The North West Offshore Marine Plan Area includes the marine area from 12 nm extending out to the seaward limit of the Exclusive Economic Zone, a total of approximately 2,200 km² of sea. The North West Marine Plan areas have a very dense level of activity, particularly ports and shipping and oil and gas production facilities. Offshore wind farms are active with several sites leased by The Crown Estate in operation or under construction¹⁸. Fishing, both for shellfish and finfish, remains an activity benefiting local employment and with economic significance.¹⁹

The North West offshore area is relatively small compared to other offshore Plan Areas, so a single Plan will be produced to encompass both areas. The [iterative](#) development of the Plan provides opportunity to identify issues and tailor policies specific to the Area, through the input of local knowledge. Stakeholder engagement is continuous and feeds into Plan development up until the Draft North West Plan is published.

Scotland

An agreement between the UK and Scottish Governments in 2009 allowed Scottish Ministers to draft a National Marine Plan that covers both Scottish inshore and offshore waters²⁰. The 11 Scottish Marine Planning Partnerships are evolving, in a staggered manner, with Shetland Islands and the Clyde MPPs formed. These two MPPs have begun the planning process, and in regards to compatibility with adjoining plans, the MSA states:

"In preparing or amending a regional marine plan for a Scottish marine region ("area A"), the Scottish Ministers must take all reasonable steps to secure that the plan is compatible with any regional marine plan for any Scottish marine region which adjoins area A. They must also take all reasonable steps to secure that any regional marine plan is compatible with the development plan for any area which adjoins area A"

¹⁸ See: <https://www.thecrownestate.co.uk/energy-minerals-and-infrastructure/offshore-wind-energy/our-portfolio/>

¹⁹ MMO (2013)

²⁰ For further details, see SIMCelt - C1 – C1.2.4 – D12 – D12.1: Initial comparison of requirements and differences of UK primary legislation pertinent to marine planning

For the Solway Plan, this will refer to compatibility with the Clyde Regional Marine Plan (if it is implemented by such a time) and any other development plans, such as the Local Development Plans of the terrestrial authorities of the Solway.²¹

The Clyde

The setup and operation of the two existing Scottish MPPs provide a guide on how the Solway MPP could be established. The Clyde Marine Region area extends from the Normal Tidal Limit of the River Clyde in Glasgow City centre, seawards to the outer firth in Argyll and Ayrshire. It includes the Mull of Kintyre, the Clyde's sea lochs, and the islands of Arran, Bute, Great Cumbrae and Little Cumbrae.

The [Clyde Marine Planning Partnership](#) is made up of more than 20 organisations and statutory bodies (Table 2) who have a stake in how the Clyde is managed. The membership reflects the range of interests around the Clyde from fisheries and aquaculture to tourism and recreation, business and industry to nature conservation and wildlife. The members of the Partnership are locally based in the region or operate at the regional level meaning they have a wealth of expertise and knowledge to bring to the development of the regional marine plan. The principal role of the MPP is to prepare a marine plan for the Clyde Marine Region; however, their constitution also allows other aspects of Integrated Coastal Management such as relevant research and practical projects.²²

The Clyde has already produced several documents that will aid the development of marine planning in the region. As part of Phase Three of the [Scottish Sustainable Marine Environment Initiative](#),²³ the Clyde and Shetland Isles produced non-statutory marine spatial plans. The Draft Clyde Marine Spatial plan is relevant to the future Solway Marine Plan as the Clyde neighbours the Solway Firth to the northwest. Other [projects](#) relevant to marine planning include:

- [Clyde 2020](#) –A Vision for the Firth of Clyde Ecosystem

²¹ Dumfries and Galloway Council, Allerdale Council, Copeland Council, Carlisle Council and Cumbria County Council

²² CMPP (2017)

²³ The Scottish Sustainable Marine Environment Initiative (SSMEI) was a unique and innovative approach to marine planning in Scotland. It aimed to develop and test new approaches to improve the sustainable management of Scotland's marine environment through the establishment of pilot projects. Designed to build upon and complement existing UK marine initiatives, it aimed to gain an understanding of the nature, value, and management needs of Scotland's marine environment and to identify alternative management approaches, with a view to ensuring new management initiatives and possible future legislation result in a truly sustainable framework.

- [Impacts of sea level rise and storm surges in the Firth of Clyde](#)
- [Scottish marine recreation and tourism survey](#)
- [Seascape/landscape assessment of the Firth of Clyde](#)
- [Invasive non-native species](#)
- [Shore side access and infrastructure audit](#)
- [Marine litter](#)

Table 2: Members of the Clyde Marine Planning Partnership (2017)

Interest	Organisation
Environment	Community of Arran Seabed Trust
	Field Studies Council Millport
	Loch Lomond and the Trossachs National Park
	Royal Society for the Protection of Birds
	Scottish Environment LINK
	Scottish Natural Heritage
Commercial	Scottish Sea Anglers Conservation Network
	British Marine
	CalMac Ferries Ltd
	Clyde Fishermen's Association
	Peel Ports Clydeport
	Scottish Canals
Community and planning	The Scottish Salmon Company
	Argyll and Bute Council
	Clydeplan ²⁴
	North Ayrshire Council
	South Ayrshire Council
	Scottish Coastal Forum
	The Crown Estate Scotland
West Coast Regional Inshore fishery Group	
Recreation	Royal Yachting Association Scotland
	Visit Scotland

To broaden the awareness of marine planning within local authorities wider than the people who attended Clyde MPP meetings, Marine Scotland facilitated an 'Information Exchange' event in February 2016 (shortly after the Clyde MPP constitution was signed). As well as planners, also invited were other local authority employees who dealt with: flooding, roads and environment and biodiversity, as marine planning touches on all these aspects. The aim of the meeting was to explain the purpose behind marine planning, and to remind invitees of their role as per the [Planning Circular.](#)²⁵ The event also offered the opportunity for questions regarding the process to be answered by the planning team.

²⁴Clydeplan is the strategic planning authority which represents West Dunbartonshire, Inverclyde, Glasgow City and Renfrewshire who are in within the region

²⁵ The Planning Circular details the requirements for the relationship between statutory land use planning system and marine planning and licensing.

The Clyde MPP has also conducted individual meetings with the planning authorities to discuss where issues within their Local Development Plan (LDP) processes overlap with marine planning matters, and thus to give consideration to land/sea interactions. Clyde MPP stays abreast of LDP development and responds to consultations, where appropriate, highlighting issues for consideration, such as relevant national marine policies that should be considered/included. The Clyde MPP²⁶ also undertakes research, which may be relevant to the planning process (for example, the [Seascape/Landscape Assessment or Impacts of Sea Level Rise and Storm Surges in the Firth of Clyde](#)).

Regional Marine Plan policies will be developed through targeted workshops and working groups which are sector and issues based, and are open for anyone to attend according to which they find most relevant. There are no targeted workshops for the Local Authorities planned at the time of writing. These may not be appropriate for the Clyde region as the authorities all have different sections or interactions with the marine environment, so issues vary widely. For example, Argyll and Bute Council has a large coastline with dispersed and peripheral coastal communities: their main issues consider aquaculture and marine litter. Alternatively, Glasgow City Council is mainly concerned with urban riverside redevelopment or large scale infrastructure projects (City Deals). At present, there are proposals for new bridges across the Clyde, which could help provide economic and social benefit as per National Marine Plan General Policies 2 and 3²⁷.

Shetland Islands

The Shetland Fisheries Training Trust (operating as the [NAFC Marine Centre](#)) and the [Shetland Islands Council](#) received the Direction from Scottish Ministers to prepare a Plan in 2016. As a result of work undertaken by the Scottish Sustainable Marine Environment Initiative (2006-10), the Shetland Islands Council had already adopted the 4th edition of the non-statutory [Shetland Islands Marine Spatial Plan](#). An Advisory Group will guide the development of this non-statutory Plan into a statutory Regional Marine Plan for the Shetland Marine Region (Table 3). As part of the development of the Plan a Statement of Public Participation will be published. Several reports have already contributed to the planning process in Shetland including:

- [A State of the Environment Assessment for the Shetland Islands](#)
- [4th Edition of the Shetland Islands Marine Spatial Planning](#)
- [Shetland Seascape Character Assessment](#)

²⁶ Or its predecessor, the Firth of Clyde Forum

²⁷ GEN 1 General Planning Principle: There is a presumption in favor of sustainable development and use of the marine environment when consistent with the policies and objectives of this Plan

GEN 2 Economic benefit: Sustainable development and use which provides economic benefit to Scottish communities is encouraged when consistent with the objectives and policies of this Plan

- [A Biosecurity Plan for the Shetland Islands](#)
- [Invasive Species Monitoring](#)
- [Regional Locational Guidance for Marine Renewables](#)

Table 3: Advisory Group members of the Shetlands Islands Marine Planning Partnership

Interest	Organisation
Environment	Royal Society for the Protection of Birds
	Scottish Environment Protection Agency
	Scottish Natural Heritage
	Shetland Amenity Trust
Commercial	BP (British Petroleum)
	Scottish Salmon Producers Organisation
	Seafood Shetland
	Shetland Fishermen's Association
	Shetland Islands Council Port and harbours
	Shetland Shellfish Management Organisation
Community and planning	Community Council Chair
	Community Planning
	Shetland Islands Council Development Planning
Recreation	Visit Scotland

Reporting periods for Marine Plans in the Solway Firth

Marine Plans prepared under both the Scottish and English marine planning regimes have requirements for reporting and reviewing the implementation of the Plans over time. Dependent upon when both Plans are adopted (the North West Plan is expected by 2021), in the future there may be an opportunity for the two authorities to align consultations. This would improve marine planning coherence between the two authorities and may also reduce stakeholder fatigue.

The monitoring and periodical reporting on implementation of the English Marine Plans is a legal requirement under the MCAA (Section 61), and includes the need to keep matters under review (Section 54). At intervals not more than three years after each marine plan is adopted there is a duty to report on:

- The effects of policies in the marine plan
- The effectiveness of those policies in securing plan objectives and
- The progress towards achieving any objectives set out for that region in a marine plan and the Marine Policy Statement

Once prepared the reports are laid before Parliament on behalf of the Secretary of State by the [Department for Environment, Food and Rural Affairs](#), for a decision on whether or not to amend

or replace the marine plan. The first three-year report on the East Marine Plans report has been [published](#) and found that the Plans do not need review or amendment; overall all Plan objectives continue to progress towards the East Vision and objectives, as well as the [UK High Level Marine Objectives](#).

The Marine (Scotland) Act requires that the Scottish National and Regional Marine Plans will be reported on within 5 years²⁸ of Plan adoption²⁹. After publishing a report, the Scottish Ministers must then decide whether or not to amend or replace the Plan in question³⁰. The matters that must be kept under review for the MSA are similar to those required by the MCAA:

- 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
- The progress being made towards securing that the objectives in the regional marine plan secure the objectives in the national marine plan.

For example, if the North West Plan were to be adopted in 2021, it would then be reported on in 2024, 2027 and so on. In theory, if the Solway Regional Plan were to be adopted in 2022, its five-year report would align with the North West Plan's 2027 reporting cycle. This then gives rise to the option for aligned consultation on the two Plans.

Engaging with terrestrial plans

The core principles of both marine and terrestrial planning are the same in enabling sustainable development and both place stakeholder participation at the centre of the planning process. However, regional marine planning is conducted differently in England and Scotland. The MMO centrally carries out marine planning in each of its Plan Areas. Scottish Ministers have chosen to enable delegated regional MPPs to act on their behalf. As Scottish regional planning progresses, it will be prudent for the eventual Solway MPP to learn from best practice engagement strategies of existing MPPs. The strategy for terrestrial engagement of the neighbouring Clyde MPP provides useful options for how the Solway MPP could similarly progress.

²⁸ The National Marine Plan reports every three years as the Marine and Coastal Access Act 2009 governs the offshore region and it is simpler to have one reporting timescale for the Plan.

²⁹ Marine (Scotland) Act 2010, Part 3, Section 16, paragraphs 5,6

³⁰ In March 2018, in response to a Review of the first three years of implementation of the Scottish National Marine Plan, Scottish Ministers [decided not to replace or amend the National Marine Plan](#).

4. Practical options for a particular cross border sector

Marine planning has a facilitative role to ensure marine economic opportunities can be realised and the UK Marine Policy Statement (and the National Planning Policy Framework) has a presumption in favour of sustainable development. A series of Marine Plans across the UK will ensure a just system of opportunities for the sustainable use of marine space. Plans will be statutory in nature and provide options for sustainable development, with practical policies on how best to achieve coexistence with other activities. This section will explore the practical options for a theoretical offshore tidal development. This sector was chosen due to the recent development of new technologies for capturing tidal power and the interest of the sector in the Solway Firth³¹.

Requirements for renewable energy

Secure, sustainable and affordable energy is of central importance to economic and social wellbeing of the UK, as outlined in the MPS. The offshore renewable energy sector is growing rapidly in response to policy targets of both the UK and the EU. The UK as a whole must have 15% renewable energy consumption by 2020 to meet the requirements of the [EU Renewable Energy Directive 2009/28/EC](#). Scotland has greater renewable ambition than the rest of the UK by aiming to have 100% of its electricity (not accounting for heat and transport) demands met from renewables by 2020³². The Draft [Scottish Energy Strategy](#) aims that by 2030, 50% of Scottish heat; transport and electric will be generated from renewable sources.³³

Following the publication of the UK Government commissioned [Hendry Review \(2016\)](#), which gave backing to the concept of tidal generation, proposals for tidal energy generation in the Solway could be one of a number of tidal pathfinder projects in English waters. For example, the proposed offshore [tidal impoundment](#), [Solway Tidal Bridge](#) or [Tidal Lagoon West Cumbria](#) should be considered over the lifetime of the North West Plan³⁴ (and may have implications for any future Solway Regional Marine Plan).

The Solway Firth as a resource

After Canada, the UK has the 2nd greatest tidal range resource in the world, with the Solway Firth having the UK's second greatest tidal range and creating potential for an offshore or shore attached tidal development. As identified in Marine Scotland's sectoral plans for [tidal](#) and offshore [wind](#) energy, the Solway Firth has been identified as a location of good generation

³¹ See SIMCelt document "Report on Sectoral Interactions around the Solway Firth in relation to marine planning"

³² Scottish National Marine Plan (2015), Chapter 11

³³ Scottish Government (2017)

³⁴ MMO (2017)

potential. The mean annual tidal stream power density in the Solway Firth was 0.59 kWm^{-2} (Figure 5).³⁵

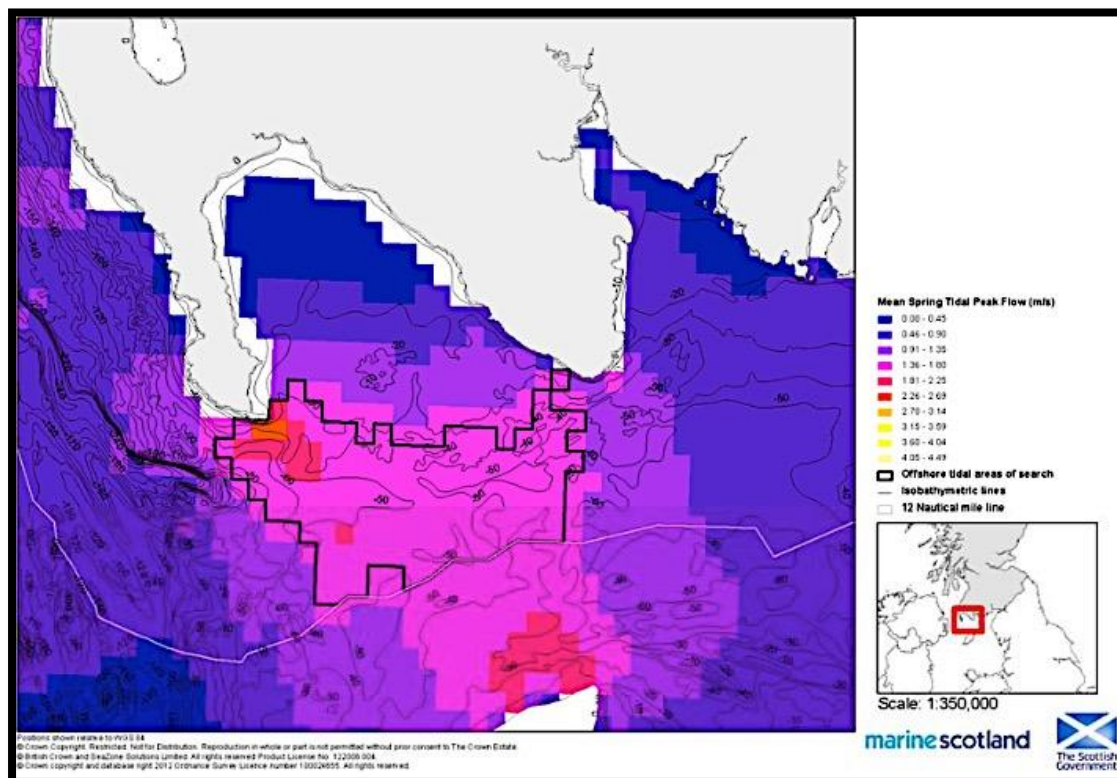


Figure 5: Tidal resources in the Solway Firth³⁶

A new cross border development?

In the context of the Solway Marine Region, a similar situation to the established E-on Robin Rigg windfarm could develop, whereby the physical structures are in Scottish waters but the cabling makes landfall in England. When large structures impact both communities, careful management through aligned marine planning policies are needed to ensure fair benefits. E-on provides financial benefit to coastal communities through its [Community Benefit Fund](#) that is made available to both Community Councils in Dumfries and Galloway (in Scotland) and Cumbria (in England) that are affected by the windfarm.

The Robin Rigg windfarm is an example of a cross border development that was achieved prior to the existence of marine planning. In preparation of a Solway Marine Plan, consideration of how this was achieved, following Government objectives in a cross border context, will help ensure policies do not create an unnecessary barrier to development. Examples of guiding

³⁵ Marine Scotland (2012)

³⁶ Marine Scotland (2012)

policies for offshore developments can be seen in the general planning principles of the Scottish National Marine Plan.

Considering the local effects

The Solway Firth area (either in Scotland or England or both) could experience regeneration through job creation and industry diversification from a new offshore energy development, particularly if UK supply chains could be created and maintained during the siting process.³⁷ For example, during the construction phase, aggregates sourced from nearby quarries may provide a boost to the local workforce. There is also potential to maintain or enhance sustainable shipping to support offshore energy platforms. Planning policies from each jurisdiction might influence where supporting onshore infrastructure is placed.

The evidence base on the environmental impacts during construction, operation and decommissioning phases need to be better researched but will improve with environmental monitoring of similar projects elsewhere for example, the [Pentland Firth tidal array](#) along with Environmental Impact Assessments from other developments.

The role of marine planning

Annex 1 identifies some of the suite of considerations that must be considered for any new offshore development of a cross border nature, such as would be needed for a proposal in the Solway Firth. A cross border venture similar to Robin Rigg would need to consider multiple planning regimes and obtain licences required from each. Cross border developers would have to be aware of the differences between marine planning legislation and the approaches taken on different sides of a border.

Besides creation of a mechanism for economic growth, increasing development of renewable energy and other offshore infrastructure presents a challenge of cumulative impacts on other competing sectors. Displacement issues are arising more frequently in a busier marine environment. To mitigate this, the UK Marine Policy Statement requires marine plans to:

“Reduce real and potential conflict, maximise compatibility between marine activities and encourage coexistence of multiple uses”

³⁷ Securing a competitive local supply chain is an objective of Chapter 11 (offshore wind and marine renewable energy) of the Scottish National Marine Plan.

Marine planning is not yet fully aligned with offshore renewable energy, as a number of significant developments, like the Robin Rigg wind farm located in the Solway Firth, were completed before marine plans were implemented. Specific issues can arise in cross border developments for example, when resources are not available at the same time on each side of the border. In anticipation of this, joined-up thinking and alignment of the offshore energy planning process is required when developing marine plans.

Examples of guiding policies for offshore developments can be seen in the general planning principles of the Scottish National Marine Plan. Terrestrial legislation has already created more streamlined options for development. Certain statutory provisions extend to Scotland in the UK [Growth and Infrastructure Act 2013](#), enabling Scottish Ministers to direct that planning permission should be granted for ancillary onshore components and related infrastructure. This allows developers choice to submit a single proposal for a development with marine and terrestrial works, streamlining the planning process across the land/sea interface. This could make the Solway more attractive for inward investment.

A future Solway Regional Marine Plan will need to be forward thinking in nature as the ecosystem is subject to natural and anthropogenic changes in activity. The [Analysis of the East Plans](#) identified the benefit of including policies signposting fledgling sectors (i.e. technologies such as tidal power), and in encouraging consideration by other sectors of areas which might be needed for their sector in the future.³⁸

Considering adjoining plan areas

If an offshore tidal development was considered, due consideration would need to be given to adjacent planning regimes. In the case of the Scottish Solway Firth, the neighbouring administrations are England, Northern Ireland and the Isle of Man.

The cross-border waters of Lough Foyle and Carlingford Lough are still subject to dispute between the Republic of Ireland and Northern Ireland. However, the Loughs Agency, as an overarching organisation, manages the waterbodies for commercial and recreational purposes relating to marine, fisheries and aquaculture matters. The UK and Irish Governments agreed a [Memorandum of Understanding](#), which provides streamlined guidance on consenting and licensing procedures for offshore renewables in the absence of agreed maritime boundaries.

³⁸ MMO (2014)

The Solway shares a 12 nm boundary with Northern Ireland and so the available shared renewables information, energy regulators and system operators are relevant for an offshore proposal. Similarly, [The Isle of Man Marine Infrastructure Management Act 2016](#) was also designed to streamline the development consenting process.

If a proposed development were to be clearly visible to both sides of the border, developers should show how each jurisdiction would benefit and how the underlying ecosystem would be affected in each area.

4. Recommendations

Maritime spatial planning needs to be cyclical, adaptive and prescribed, rather than complex, fragmented and emergent.³⁹ Scottish and English marine plans for the Solway Firth need to be as simple as possible, clear, concise, and a practical resource for use on an everyday basis. Ideally, the Solway Firth marine area should be considered in its entirety as an ecosystem, rather than purely by administrative zones.

Recommendation 1: Both planning regimes should have due regard to the Solway Firth marine ecosystem in its entirety

If implemented correctly, marine planning can successfully combat issues of fractured governance. The more alike policy structures are in adjoining jurisdictions,⁴⁰ the more likely cross-border planning will succeed. The shared UK High Level Marine Objectives should go some way in providing this within UK Administrations. Marine Plans have the capacity to consider a longer-term perspective than the plan period to ensure relevance is maintained and that they are responsive to innovation, whilst accentuating local distinctiveness. English Plans have a 20-year Vision that is flexible enough to accommodate and anticipate a range of future demands and activities. A future Solway Regional Marine Plan would need a similar degree of flexibility, whilst also providing a robust framework for decision-making.

Recommendation 2: A future Solway Marine Planning Partnership and the English Marine Management Organisation should establish a clear working arrangement

Marine planning around the Solway Firth must strive to benefit the local area as a whole, not just coastal communities but those who travel to and use the marine environment for business or leisure. The challenge for both the MMO and a future Solway Marine Planning Partnership will be planning for an ecosystem attached to two different governance structures. Policies will need to consider that some ecosystem services and human activities may move and fluctuate across the border, and that this be driven by anthropogenic factors, or by a changing natural environment.

³⁹ Jones et al. (2016)

⁴⁰ Scotland, England, Northern Ireland and the Isle of Man

Recommendation 3: A future Solway MPP should have appropriate engagement mechanisms designed to suit local stakeholders, that foster greater ownership, understanding and compliance of the marine planning process

As part of this, both the MMO and a future Scottish Solway Marine Planning Partnership will need to determine how different socio-economic processes relate to marine planning, including considering the effects of climate change, environmental change and coastal change. A Plan for the Solway Marine Region will need to provide added value and greater local detail to the strategic Scottish National Marine Plan. The Plans have the task of meeting the needs and activities of people and organisations that may operate in one jurisdiction but live and experience the effects of policies in another. This could be achieved by using the existing Solway Firth Partnership to provide a direct point of contact between equivalent organisations operating on each side of the border.

Recommendation 4: Foster stronger direct lines of communication between the West Coast Regional Inshore Fishery Group and the North West Inshore Fisheries Conservation Authority

Marine planning is not intended to negate existing and new voluntary collaborative arrangements that resolve competition for space between or within certain sectors. Other guidance and evidence is also available that can benefit MPPs throughout the process. For example, Scottish Natural Heritage produced [Guidance](#) on Coastal Character Assessment that will aid in assessing the condition of the marine region. The classification and description of coastal character, supplemented by judgements on coastal landscapes' sensitivity can aid MPPs to inform future use and sustainable development.

Recommendation 5: Existing agreements and mechanisms for stakeholder engagement and policy delivery should be considered and marine planning should strive to further reduce sectoral conflict and improve coexistence in the Solway Firth

The Solway Firth has existing mechanisms for regular and effective cross border communication which will be important and valuable for a future regional marine planning approach in the Solway Marine Region. An example of this cross border communication is during the Solway Firth Partnership's three-monthly Advisory Group Meetings, where corporate members (Table 4) have a 'roundtable' discussion on their organisation's news, updates and existing projects. The updates are given in a largely informal manner but minutes taken allow members to reflect upon the activities taking place on both sides of the border and which may have relevance for marine planning.

Recommendation 6: The MMO and Marine Scotland should continue to share data and information effectively when progressing Plans

Table 4: Corporate members of the Solway Firth Partnership

Scottish representatives	English representatives
	<ul style="list-style-type: none"> Associated British Ports
<ul style="list-style-type: none"> Crown Estate Scotland Dumfries and Galloway Council Nith District Salmon Fishery Board Scottish Environmental Protection Agency Scottish Natural Heritage Scottish Water 	<ul style="list-style-type: none"> Annan District Salmon Fishery Board Allerdale Borough Council Carlisle City Council Copeland Borough Council Cumbria County Council Environment Agency Marine Management Organisation Natural England North West Inshore Fisheries Conservation Authority

Recommendation 7: Terrestrial planning authorities should be given every opportunity to engage with marine planning in the Solway Firth

Engagement with local representative bodies, such as the Advisory Group meetings of the Solway Firth Partnership, or the Cause and Effect Workshops for the MMO North West Plan, reach a significant audience of important stakeholders. Their input to Marine Plan development is essential but necessary resources should be provided in order to secure their ongoing involvement in the process and feed back progress on marine planning to interested individuals.

Recommendation 8: Effort should be made to align the reporting periods of Solway Regional, North West and if possible, terrestrial plan reporting periods to reduce stakeholder fatigue and ensure continued cross border cooperation

5. Conclusions

There is no one-size-fits-all approach for cross-border ecosystem planning but the evolving marine planning process in the Solway Firth could provide an example of how this may be achieved in other transboundary ecosystems.

Increased communication between marine planning authorities like Marine Scotland and the English Marine Management Organisation may lead policy makers and practitioners to emulate policies of neighbouring jurisdictions. By exploring commonalities in priorities of both marine and terrestrial authorities, shared action plans can address a common issue, area or resource in the Solway Firth. For example, planners on both sides of the border could use the [Scotland's Dynamic Coast](#) database to assess the impact of coastal erosion, which is a significant local issue.

Coherent planning is underpinned by having the visions of the North West Plan and a future Solway Regional Marine Plan align in a way that allows national priorities to be achieved, without compromising the Vision of the UK Marine Policy Statement or the High Level Marine Objectives.

Marine plans need to be cautious in giving precedence to incoming projects over existing activities, and should not interfere with established management processes and systems. New developments should be able to demonstrate that they can coexist in the already busy environment of the Solway Firth.

Transboundary integration in marine planning should be a high priority, as there are different timelines for Scottish, English, Welsh, Isle of Man, Northern Irish and Irish marine plan production. Activities could potentially shift as plans are being introduced and developers seek certainty for their proposals. For example, if an activity is no longer possible in Welsh waters, it could be adopted in English or Scottish waters (or vice versa).⁴¹

The Solway Firth is a highly biologically diverse marine environment with a rich history of nature conservation and landscape designation. This shows evidence of a high level of willingness to continue Ecosystems Based Approach to marine planning and management. As a cross border single ecosystem, marine planning in the Solway may directly benefit from a synergistic stakeholder forum, potentially provided by the Solway Firth Partnership, that takes accounts of marine and terrestrial perspectives from both sides of the border as marine planning regimes mature.

⁴¹ MMO (2017)

The key recommendations for transboundary maritime spatial planning identified from this report are:

1. Consider lessons learned in the planning process from established marine plan authorities
2. Strategic, proactive cooperation between planning authorities can reduce duplication of effort in a transboundary ecosystem
3. Engage effectively and in an on-going manner with neighbouring marine plan authorities and terrestrial planners
4. Make use of existing pan-estuary stakeholder engagement mechanisms, such as the Solway Firth Partnership
5. Consider successful existing conflict resolution mechanisms that could be adapted to mitigate other situations
6. Ensure policies/objectives/priorities will not have detrimental effects on neighbouring ecosystems
7. Have a robust and comprehensive Plan that is still flexible enough to accommodate emergent activities/technologies
8. Aim for alignment of plan reporting periods to reduce stakeholder fatigue, reduce duplication of effort and improve efficiency

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Annex 1: Selected legislation and policies governing offshore renewable energy development in the Solway Firth

Sector	Type (current or in development)	International	Scotland	England and Wales	Northern Ireland	Ireland	Isle of Man
Marine planning legislation & Policies	Authority	European Union	Marine Scotland, Regional Marine Planning Partnerships	Marine Management Organisation	DAERA, Loughs Agency	Loughs Agency, Inter-Departmental Marine Coordination Group, Dept. Housing, Planning, and Local Government	Dept. of Infrastructure
	Legislation/ Policies	MSFD 2008, MSP Directive 2014, UK-Ireland MoU for Offshore Renewables, Integrated Maritime Policy 2007	MCAA 2009 for offshore, Scotland Act 2010, UK Marine Policy Statement 2011, Scotland's National Marine Plan 2015, Regional Marine Plans	Marine and Coastal Access Act 2009, UK Localism Act 2011, UK Marine Policy Statement 2011, Regional Marine Plans, Wellbeing of Future Generations (Wales) Act 2015	Marine and Coastal Access Act 2009, UK Marine Policy Statement 2011, Marine Act (NI) 2013, NI Marine Plan	Foreshore Acts, 1933-2011 Harnessing Our Ocean Wealth an Integrated Marine Plan for Ireland	Marine Infrastructure Management Act 2016, Isle of Man Marine Plan, Primary legislation for IoM Territorial Seas
Licenses	Authority		Crown Estate, Marine Scotland	Crown Estate, Marine Management Organisation	Crown Estate, Loughs Agency	Loughs Agency (consultee) Dept. Housing, Planning, and Local Government	Dept. of Infrastructure
	Legislation/ Policies		Marine Scotland Act 2010, MCAA 2009	Marine and Coastal Access Act 2009	Marine Act (NI) 2013, MCAA 2009	Consent required under :Foreshore Acts, 1933-2011 Electricity Act, 1999 Planning and Development Acts, 2000-2017; and Regulations under EIA, SEA and Habitats	Marine Infrastructure Management Act 2016, Primary legislation for IoM Territorial Seas,

Directives.									
Shipping and ports	Authority	1982 UNCLOS, Int. Maritime Organisation	Transport Marine and Coastguard Agency	Scotland, Scotland, and Coastguard Agency	Dept. for transport, Marine and Coastguard Agency, Trinity House	Dept. for Infrastructure, EU Programmes and Gateways Unit	Dept. for Transport, Tourism and Sport-	Dept. of Infrastructure, Northern Lighthouse Board.	Dept. of
	Legislation / Policies	Int. Convention for the Safety of Lives at Sea 1974, MARPOL 1977, Int. Convention for Control and Management of Ships Ballast Water and Sediments 2004, Integrated Maritime Policy 2007	2016 National Transport Strategy	Draft National Transport Strategy for England and Wales	Ireland's Ports Policy	Primary legislation for IoM Territorial Seas			
Pipelines and cabling (Figure 2)	Authority	Int. Cable Protection Committee, European Subsea Cabling Association, North Sea Countries Offshore Grid Initiative	Crown Estate, Marine Scotland	Crown Estate, Marine Management Organisation to 12 nm	Crown Estate, DAERA			Dept. of Infrastructure	
	Legislation / Policies	1884 Int. Convention for the protection of submarine cables, 1982 UNCLOS, EU	Electricity Act 1989, MCAA 2009, Marine Scotland Act 2010	Electricity Act 1989, Utilities Act 2000, Competition Act 1998, Enterprise Act 2002	Marine Act (NI) 2013			Primary legislation for IoM Territorial Seas	

		TEN-E Strategy 2014, eHighway 2050 project, ISLANDS 2010, ISES II Project 2013-2015, Gas Infrastructure Europe								
Energy	Authority	Council of European Energy Regulators	Marine Scotland, Dept. of Business, Energy and Industrial Strategy, Scottish Energy Advisory Board	Dept. of Business, Energy and Industrial Strategy	Dept. of Business, Energy and Industrial Strategy	Sustainable Energy Authority of Ireland, Dept. of Economic Development, Dept. of Communications Climate Action and Environment	Dept. of Infrastructure			
	Legislation	EU Renewable Energy Directive, Europe 2020 and 2030 Energy Strategy, EU Energy Roadmap 2050,	Energy and Climate Directorate, Blue Seas Green Energy 2011, Offshore Wind Route Map 2013, National Renewables Infrastructure Plan	UK Climate Change Act 2008, Energy Act 2008, Energy Act 2013, UK Renewable Energy Roadmap 2011,	Strategic Energy Framework 2010, NI Offshore Renewable Energy Strategic Action Plan 2012	Wind Energy Roadmap 2050, White Paper, Offshore Renewable Energy Development Plan 2014	Strategy for Offshore Energy Production 2014, Primary legislation for IoM Territorial Seas, Climate Change Mitigation Strategy			
Funding	Incentives	EU Renewable Energy Directive co-financing	UK Gov. Contracts for a Difference, Feed-In Tariffs Scheme, Carbon Price Floor, Scottish Development International, Scottish Enterprise, Highlands and Islands	UK Gov. Contracts for a Difference, Feed-In Tariffs Scheme, Carbon Price Floor, Levy Exemption Certificate, Centres for Offshore Renewable Engineering	UK Gov. Contracts for a Difference, Feed-In Tariffs Scheme, Carbon Price Floor, Levy Exemption Certificate	Renewable Energy Feed-In Tariff, Grid 25 Strategy, Accelerated Capital Allowances for Energy Efficient Equipment, Ocean Energy Prototype Development Fund,	EU Renewable Energy Directive co-financing (if energy is imported to EU), International Contracts for Difference			

			Enterprise, UKTI, Levy Exemption Certificate,				Renewable Energy R&D Programme, Business Expansion Scheme		
Environmental	Authority	European Commission, OSPAR, Convention on Biological Diversity, Ramsar Convention, Bonn Migratory Species Agreement	Marine Scotland	3 rd Offshore Energy SEA 2016	SEA of Offshore Wind and Marine Renewable Energy in NI 2009, Loughs Agency (fisheries)	SEA on offshore wind, wave and tidal development, Loughs Agency (fisheries), National Parks and Wildlife Service		Dept. of Environment, Food and Agriculture	
	Legislation	1982 UNCLOS, OSPAR Convention, EC Habitats Directive, EC Birds Directive	The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007	The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007, MCAA 2009	The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007, MCAA 2009	Maritime Area and Foreshore (Amendment) Bill, Harnessing Our Ocean Wealth an Integrated Marine Plan for Ireland		IoM Biodiversity Strategy	
	Areas	OSPAR Region III	Solway Firth SPA and SAC, Clyde Sea Sill MPA	Solway Firth SPA, Allonby Bay MCZ, Cumbria Coast SAC, Drigg Coast SAC, West of Walney MCZ	Pisces Reef Complex, Strangford Lough marine nature reserve, candidate SPA, Larne Lough Ramsar site, Murlough candidate SAC	Dundalk Bay SPA, Carlingford Lough SPA		IoM Terrestrial Sea Biosphere Reserve, Ramsey Bay Marine Nature Reserve	
Nearby existing/in development	Ocean energy	X	Robin Rigg, Islay and Argyll Array	Robin Rigg, Walney 2, West of Duddon Sands, Gwynt y Môr	Strangford Lough Array, Torr Head, Fair Head	Arklow bank project		Point of Ayre tidal exploration site, east wind	

projects to consider	Transmissions	MAREX UK-IE	Moyle interconnector, Scot-Eng-Wales HVDC link, Icelink Atlantic Superconnection, Energy Bridge HVDC link Eng-IE	Ormonde, Barrow Burbo Bank extension, North Hoyle, Rhyl Flats, Swansea Bay Tidal Lagoon, Cardiff Bay Tidal Lagoon, West Cumbria tidal lagoon, Newport Tidal Lagoon, Colwyn Bay Tidal Lagoon, Holyhead Deep, West Anglesey Tidal Demonstration Zone Scot-Eng-Wales HVDC link	Moyle interconnector,	East-West Welsh Interconnector, Energy Bridge HVDC link Eng-IE	farm exploration site
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