



Marine Planning
Marine Scotland
Area 1-A South
Victoria Quay
Edinburgh
EH6 6QQ

13 November 2013

Dear Sir / Madam,

Consultation on the relationship between the statutory land use planning system and marine planning and licensing

Thank you for the opportunity to comment on this draft Circular.

The Institute for Archaeologists

The Institute for Archaeologists (IfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

IfA has over 3,000 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors. IfA's Maritime Affairs Group (MAG) (to which most professional maritime archaeologists in the United Kingdom belong) and its Scottish Group (which has over 200 members practising in the public, private and voluntary sector in Scotland) advise the Institute on matters falling within their respective remits.

Furthermore, IfA is a member of the Built Environment Forum Scotland (BEFS), a network organisation that brings together non-governmental organisations and professional bodies that work with Scotland's built environment.

The relationship between the statutory land use planning system and marine planning and licensing

Question 1: Is the Draft Circular on the relationship between the land use and marine planning systems helpful?

1.1 Yes. The integration of terrestrial and marine regulation is both desirable and necessary.

Question 2: Does the Draft National Marine Plan appropriately set out the requirement for integration between marine planning and land use planning systems?

2.1 Yes, at page 10.

Question 3: Do you agree with the suggestions for good practice in paragraphs 30-39, and do you have any other suggestions?

3.1 Yes. Further support will be required for local authorities effectively to carry out their key role,

for instance, in developing the necessary expertise in matters relating to the marine historic environment and maintaining and supporting Sites and Monuments Records (SMRs) and Historic Environment Records (HERs). SMRs and HERs have a crucial part to play in developing the common evidence base and should be expanded fully to integrate marine data.

Other comments of the draft Circular

Under paragraph 6

The last line of the third bullet point refers to historic monuments (my underlining). In the light of the wording of section 73 of the Marine (Scotland) Act 2010 (establishing historic marine protected areas) and a wider definition of the historic environment in policy (see, for instance, paragraph 2.6.6.1 of the UK Marine Policy Statement), it would be better to refer to 'assets' rather than 'monuments'.

Under paragraphs 10 and 11

These paragraphs rightly highlight the need to balance economic, social and environmental considerations (paragraph 10) and the presumption in favour of sustainable development (paragraph 11). What needs to be made explicit, however, is that sustainable development requires the balancing of economic, social and environmental considerations (see paragraph 2.5.2 of the UK Marine Policy Statement) and that *[t]he marine environment provides national economic and social benefits including for heritage assets, seascape and cultural services of coastal and marine activities, as well as directly contributing to the quality of life and well being of coastal communities.*' (paragraph 2.5.4 of the UK Marine Policy Statement and see also paragraph 2.6.6.2).

Under paragraph 15

This paragraph correctly sets out the requirement in section 5(4)(a)(i) of the Marine (Scotland) Act 2010 for Marine Plans to set out *'economic, social, marine ecosystem and climate change objectives for a marine plan area'* but the Circular should make clear that a marine ecosystem approach includes the management and protection of the marine historic environment.

Under paragraph 60

There are 2 typographical errors in the second line where the first word should read *'license'* and the penultimate word should read *'licences'*.

Under paragraph 78

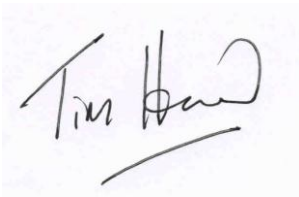
This paragraph deals at the outset with conservation of the marine environment (including the marine historic environment) in Scotland, but switches in the last 2 sentences to marine nature conservation. This distinction should be made clear and the latter sentences separated from the remainder of the paragraph.

Under paragraph 86

There is a typographical error in the fifth word of the second sentence which should read *'licence'*.

If there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink on a light-colored background. The signature reads "Tim Howard" in a cursive style, with a horizontal line underneath the name.

Tim Howard LLB, Dip Prof Arch
Policy Advisor

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