

Loch Nevis Loch Nibheis



AQUACULTURE FRAMEWORK PLAN
CONSULTATION REPORT
PLANA UISGE-ÀITEACHAIS
AITHISG CO-CHOMHIRLEACHAIDH

NOVEMBER 2009
SAMHAIN 2009

1.0 BACKGROUND **FIOSRACHADH**

- 1.1 Highland Council is currently revising and expanding its series of aquaculture framework plans. Loch Nevis was identified in the early stages of this process as one of the areas where the existing framework plan published in 1988 required revision. Following an initial scoping exercise for Strategic Environmental Assessment (SEA) purposes in February and March 2009, the draft Loch Nevis Aquaculture Framework Plan was prepared and circulated for public consultation from June to August 2009. In addition, the plan was subject to the SEA process and an Environmental Report was made available as part of the consultation process.
- 1.2 All written comments received as part of the consultation have been appraised and the main issues are outlined below. This report also gives a summary of the amendments which have been incorporated into the revised plan. A full listing of the comments received and the Council's responses to these are set out in table form in Appendix 1. Any paragraph headings or numbers referred to within this consultation report or its appendix relate to the consultative draft plan, although every effort has been made to maintain the same paragraph numbers throughout the revised document.

A number of verbal comments were received during meetings with councillors and the public. These too have been used to amend the plan where appropriate.

2.0 CONSULTATION PROCESS AND OVERVIEW OF RESULTS **PRÒISEAS CO-CHOMHAIRLEACHAIDH IS TAR-SHEALLADH AIR TORAIDHEAN**

- 2.1 The publication of the draft plan was advertised in the Lochaber News, Mallaig and Inverie Post Office, the Council's Fort William and Mallaig Service Points and its planning offices in Fort William and Inverness. Copies were also sent to the statutory consultees in the SEA process and the relevant finfish and shellfish farm operators, landowners, community councils and interest groups. During the consultation period, Council officials gave presentations to the Mallaig, Caol and Fort William councillors and held open public meetings in Inverie and Mallaig.
- 2.2 15 written responses were received from a range of organisations, comprising over 60 individual comments.
- 2.3 The majority of the respondents welcomed the updated plan. A few organisations provided specific comments but did not state their overall view. One respondent was not content with a section of the draft plan.

The plan was commended for its high quality, comprehensive and detailed assessment of the character, significant environmental features and socio-economic activities of the loch and for its clearly defined map.

- 2.4 The main points raised on the area policies by the public consultation came from the Crown Estate, SNH, Tom McClean Enterprises and the Scottish Salmon Producers' Organisation. SEPA mainly commented on the accompanying Environmental Report. Most of the comments from the other respondents e.g. Scottish Sea Farms and The Lochaber District Salmon Fishery Board, related to details in the supporting text or map rather than the detail of the draft policies.
- 2.5 SNH's comments covered a number of points but their main concern was in evaluating the existing and potential development in Ardintigh Bay.
- 2.6 Strutt and Parker responded on behalf of Sir Cameron Mackintosh, The Mackintosh Foundation, Tarbet Trust and Nevis Estates Ltd. They commented on the area policies where they had either ownership or direct views. Overall, they were in favour of a presumption against further development.
- 2.7 The Crown Estate suggested that proposals should consider any wider strategic net benefit that might accrue across management areas or loch systems. Also, the plan objectives should have a greater emphasis on economically sustainable aquaculture.
- 2.8 Tom McClean objected to the suggestion that some of the finfish or shellfish production at Ardintigh should be relocated to sites nearby to relieve a degree of congestion in this area. He also objected to the draft plan's suggestion that finfish production at Ardintigh should be reduced if the Council were to support expansion of the finfish farms between Earnsaig and Stoul.
- 2.9 Scottish Sea Farms provided a range of helpful technical input covering topics such as economic development, navigation and water quality.

3.0 CHANGES MADE TO THE PLAN IN RESPONSE TO COMMENTS RECEIVED

ATHARRACHAIDHEAN DON PHLANA MAR FHREAGAIRT AIR BEACHDAN A FHUAIREADH

- 3.1 **Planning Policy Context and Objectives:** The Crown Estate discussed the policy zones and said they should not be viewed in isolation when considering specific proposals. In practice this would not happen anyway because strategy for the loch as a whole and the wider context would normally be considered as well as the site-specific factors. The Crown Estate also asked for greater emphasis on

ensuring the economic sustainability of aquaculture and suggested a less prescriptive approach to scale might encourage developers to more fully explore the productive potential of sites. This however seemed to imply that the plan should allow for larger and larger production units in some areas, whatever the market dictated, irrespective of the landscape sensitivity of this nationally designated area and other interests in the loch.

- 3.2 The Council's response emphasises that scale has to be a consideration in good local planning guidance as well as the basic principle of whether a certain activity is or is not acceptable in a given area. This is because an open-ended approach on scale can easily lead to overdevelopment and for development to be sustainable it is important that other interests in the area besides aquaculture are taken into account. The parameters of business viability are constantly changing and the recommendations on scale of aquaculture activity in the plan indicate what the Council feels it can comfortably support taking the various interests into account. They do not preclude applications for larger-scale proposals but these would be appraised on their individual merits and the Council's support could not be assumed in advance.
- 3.2 A minor amendment to the wording of the "Objectives" section was made to strengthen the link between the economic value of aquaculture and sustainability.
- 3.3 **Scale of Aquaculture Development and Potential:** This section of the plan was amended to clarify that there would be a reduction in visual and landscape impacts if separation distances were amended, which would be in addition to the potential disease mitigation elements.
- 3.4 **Economic Development:** The employment figures were amended to give a clearer indication of direct employment levels through aquaculture in the loch.
- 3.5 **Navigation:** The text was clarified re navigation issues.
- 3.6 **Water Quality:** This section had the greatest number of technical comments. The text was amended to clarify issues concerning the use of underwater lighting, Acoustic Deterrent Devices and other predator control methods.
- 3.7 **Game Fisheries:** The key point arising from this section was in relation to Area Management Agreements (AMAs). Whilst SEPA wanted the AMA to be made compulsory, the Lochaber District Salmon Fishery Board did not want the AMA to be taken into consideration at all. In addition, Scottish Sea Farms stated that the AMA was 'established and active'. Given the conflicting opinions, a sentence has been added to acknowledge these comments. However, it is outwith the Council's remit to make the AMA compulsory.

- 3.8 **Strategy and Area Policies:** The Scottish Salmon Producers Association welcomed the plan and its support for the continuation of finfish farming in Loch Nevis but noted there was little scope for further expansion. Strutt & Parker LLB on the other hand, writing on behalf of the owners of the Nevis Estate, were generally supportive of the plan and asked for a presumption against further development in zones C to G other than in Braomisaig Bay which they felt should only be used to reduce the concentration of aquaculture installations at Ardintigh. SEPA considered the plan to be well set out, covering all the important issues, but felt the process of Strategic Environmental Assessment could have been used more effectively. SNH generally supported the strategy and area policies and felt there would be overall benefits to biodiversity and the special qualities of the Knoydart National Scenic Area.
- 3.9 Nearly all of the detailed comments on the area policies related to policy zone F, which is the main aquaculture development area in Loch Nevis. Mr Tom McClean, who holds the finfish farm lease at Ardintigh and also farms mussels and clams nearby was particularly concerned at the draft plan's policy recommendation to encourage relocation of some of his production to space it out better. His lengthy submission also expressed concern at the draft plan's policy recommendation that any future expansion of the other finfish sites in zone F (between Earnsaig and Stoul) should be conditional on reducing the size of the finfish farm at Ardintigh. He felt the combined effect of these policies would involve him in additional costs and reduced income. This section of the plan has therefore been revised to flag up the potential value of relocation without making it a policy imperative. The policy which has been retained for zone F presumes in favour of aquaculture installations which are "discreet in their scale, spacing and the design of their surface equipment" and continues to safeguard the area 1 km either side of the point at Stoul.
- 3.10 **Policy Map:** The map was amended to add a mooring point at Doune. Another viewpoint was added at Eilean na Glaschoille and key place names mentioned in the text were also included on the map.

Appendix 1

Tabulated comments, responses and amendments
resulting from public consultation on

Loch Nevis Aquaculture Framework Plan Consultative Draft