



# Planned Edge Planning issues at the land/sea interface

a workshop on the difference in marine and land governance, and the consequences of this for marine renewable energy development and island and coastal communities.

Workshop Outcome:

# Themes

Workshop was sponsored by



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## Introduction

The workshop 'Planned Edge' was held at Environmental Interactions of Marine Renewable Energy Technologies (EIMR), Kirkwall, Orkney Islands, on 4 May 2012. Twenty-nine participants ranged across international specialists in sociology, economics, and marine ecology, to local marine planners and informed members of the island community.

The workshop was sponsored by Natural Environment Research Council (NERC).

## Workshop Aims

This workshop focused on the divisions (and mixtures) between land and sea, the difference in marine and land governance, and the consequences of this for marine energy development. Two specific issues were raised for discussion:

Marine energy projects cross the land sea divide. (1) Will this create conflict between the systems that govern that allocation of marine space and those that control onshore development? (2) How might we reconsider marine and terrestrial planning to support community participation and local ownership?

We captured the discussions via flipchart notes made by participants in groups, as well as fieldnotes of the conversations taken by an ethnographer (Laura Watts). What follows are four themes that we, the authors and organisers of the workshop, have compiled from these notes. We hope that they will feel familiar to readers who were participants in the workshop, and may also help inform those who have a care and concern for the future planning of marine renewable energy.

Please contact us if you would like to discuss these themes further.

# 1

## Transferable and Non-transferable Experiences



There are a variety of approaches to marine planning, and particularly local community participation around the globe (e.g. indigenous communities are participants in MPAs in NZ and Canada). How might the everyday experience of making these approaches work be transferred elsewhere? What caveats and concerns might be shared, and between whom? We have also been working across land/sea planning boundary for decades as part of cable laying, ports, harbours etc. What planning experiences from other industries might transfer to marine energy? What are the salient differences in place and locality? For example, marine energy sites are often new sites of industrialisation, and existing planning paperwork does not appear to 'see' the distinctions between marine energy and other maritime developments.

The transfer of experience is important not only in planning but in marine and terrestrial governance. Some countries have a more decentralised structure than others which influence their approach to marine space. The UK, for example, is much more centralised than Spain. We also need to recognise that the scale of marine activity now envisaged is an entirely new phenomenon. Experience must be placed in the context of possible cumulative effects in the future. Also the nature of the main activity will vary the response (e.g. industry in UK; tourism in Spain).

Being 'indigenous' really gets you to the table and recognised internationally by treaty and convention. While it may at first seem difficult to compare the experiences of indigenous groups in the Pacific or North America with experiences of Europe it may not be as farfetched as it first seems. Indeed this is not a new concept in Scotland. The Scottish Crofting Foundation has spent considerable effort (2008) promoting the claim that crofters are indigenous people of the Highlands and Islands based on culture rather than race or genetics. Jo Grimond's 'way of life' argument over the 1970s oil developments (which led to the special powers under the ZCC Act) came close to some kind of indigenous claim - and he succeeded with it.

## 2 Rift and Suture



As you cross between land and sea you cross a major rift in planning. Land and sea planning systems are separate, with their own distinct 'time' (or temporality), and their own distinct 'shapes' and ways of creating boundaries. Rather than maritime and land planning happening at different times, how might these systems be synced? Stakeholder response and local community engagement could then be integrated, creating a single or joint consultation to a whole plan, rather than disparate parts. This would benefit the local community by improving understanding of overall developments, avoid stakeholder fatigue (and cost to SMEs), and also benefit developers who could project plan more effectively. It might also have environmental benefits by supporting a consideration of the land and sea ecosystem as a whole (since effects and impacts are often across land/sea divides). In summary, how might we 'suture' the land and sea planning systems together?

The essence of this is recognised but not developed in the UK and Scottish Marine Acts and their provisions for marine spatial planning. An MSP roughly equates to a Regional Development Plan on land and there are loosely defined requirements for one to recognise the other and vice versa. The National Marine Plan rather optimistically expects that the overlap (marine plans got to high tide and land plans to low tide) will get everyone working together.

'Ownership' and property rights are at the heart of the difference. The terrestrial system is driven by the concept of private property. Private property and rights hardly exist at all in the sea although there may well be a sense of ownership (see below 3)

### 3 Visible and Invisible



How does the visibility of a development affect the benefits that might accrue? Should a community be more participant in a planning process if they have a greater visual impact? From previous research in the wind industry there is a correlation between ownership and a sense of visual impact. How might community ownership, or part ownership in the infrastructure (e.g. in an electricity substation) shift perception of the marine energy device? Are there expectations around the ‘invisibility’ of marine energy devices and the marine energy industry that need to be explored and understood?

This comes back to the question of “How do people relate to the sea?” raised by Group 1. Visual sense and accessibility give the feeling of ownership even where no property right exists. Several participants explored the idea that community ownership or partnership in the onshore infrastructure may perceptions. Community ownership of a wave or tide power station is a bit farfetched, given the technologies involved and difficulties of operating in the marine environment, but ownership or partnership in the onshore infrastructure might have possibilities.

A caveat concerning community ownership (or payments) was raised by one participant. How to spend the revenue and potential unfairness between communities are real concerns but better ones to have than no resources. In Orkney, I think we have to see the Orkney Islands Council (the local council) as the principal unit of localism spreading the benefit across the communities in the county.

## 4 Language and Silence



The language in planning needs to be considered with care. The language of ‘compensation’ is not necessarily the most helpful; rather ‘fair return for use of local resource’ is more helpful. Interestingly this is the form of language used to frame the debate around the Sulom Voe oil terminal development in Shetland in the 1970’s. Similarly, rather than a focus in planning and discussions on ‘impact’ can this be shifted to a focus and emphasis on ‘benefits’ of marine energy? Who has a voice in planning, and who does not? Which stakeholders are able to speak, and which are silenced? What kinds of knowledge are present, and which are not? For example, in the current infrastructure planning process in the UK, you only have 40 days to put together an evidence-based objection, which is extremely difficult (both in terms of organisation and cost) for small local groups.

The ‘capacity’ to participate is an important question. There is quite a literature on participation as the new tyranny where well resourced government departments and NGOs go through the motions while communities and individuals lose out because they have neither the time nor the knowledge to take part. More locally accountable institutions help. Local decision making powers and a negotiating platform are essentials.