

# **The Town and Country Planning (Marine Fish Farming) (Scotland) Amendment Order 2025**

## **Response from Argyll and Bute Council**

Good afternoon,

**Do you agree with local authorities being designated as the planning authority for considering proposals aquaculture developments from 3-12 nautical miles?**

Agree

**Are you content with the proposed boundaries of marine planning zones under the SSI?**

Agree

**Do you have any other concerns or views on the SSI, particularly with regards to cost and resource/expertise implications for local authority planning departments?**

**Resourcing regulatory activity:** It is highlighted that extension of the marine planning zone does potentially present new challenges to regulators, particularly in the event of a requirement to directly access or monitor activity at remote and exposed site locations. Experience within Argyll and Bute date would suggest that the planning assessment of inshore aquaculture development is usually able to be undertaken without a requirement to directly accessing the water environment, with the limited exception in circumstances where development is located close to inaccessible areas of land – it is anticipated that development of more remote locations may increase the requirement for access to the water environment to facilitate the planning assessment. However, provided that statutory planning fees for aquaculture development are set at a level which allows for full cost recovery in the administration, monitoring and enforcement of planning applications which will ordinarily be in difficult to reach locations this is not in itself an insurmountable challenge. It is noted that the Scottish Government has identified the potential to have a two tier fee structure with higher fees for offshore sites – this would be welcomed.

**Lack of consistency with other regulatory regimes/consultees to the planning process:** It is noted that other respondents to the 2024 consultation highlighted that the extension of marine zones would give rise to a lack of alignment with other regulatory regimes, most notably in the control of discharges to the marine environment with SEPA's remit under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 only extending to 3 nautical miles. Argyll and Bute Council would agree that this is an issue that requires to be addressed in any change to consenting regimes, and barring full alignment of all relevant regulatory regimes would require clear updated guidance from the Scottish Government on the roles of various agencies in the regulation of aquaculture development, and an update to Schedule 5 of the Town and Country Planning (Development Management Procedures)(Scotland Regulations 2013 which identifies statutory consultees to the planning application process.