

Marine Scotland



Consultation on Extension of Permitted Development Rights
and Changes of Use to Finfish and Shellfish Developments

marinescotland

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Marine Scotland
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Purpose

i. This paper consults on the relaxation of planning management for aquaculture development by extending permitted development rights (PDRs) and changes of use to freshwater pen fish farms and marine finfish and shellfish farms. It includes a draft Order (Annex 1), the draft Town and Country Planning (General Permitted Development) (Fish Farming) (Scotland) Amendment Order 2011.

ii. It describes a number of changes which the Government is minded to introduce and seeks views on whether these should be introduced. Subject to the outcome of the consultation the relaxations would be introduced by Order later this year.

iii. We are inviting responses to this consultation paper **by 17 June 2011**.

iv. Please email your response on the Respondent Information Form attached (see "Handling your Response" below) to:

fishfarmreview@scotland.gsi.gov.uk

We would be grateful if you would use the consultation questionnaire provided as this will aid our analysis of the responses received. If you experience any difficulties or have any queries please contact Nick Brown on 0131 244 7157 or Helen Kemp on 0131 244 6418.

v. This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at www.scotland.gov.uk/consultations.

vi. The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces, SG distribution lists and is designed to allow stakeholders to keep up to date with all SG consultation activity and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

vii. We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** found at the end of this consultation paper as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

vii. All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

viii. Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library (see the Respondent Information Form). You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service. Responses will also be available to the public through the Scottish Government consultation web pages.

What happens next?

ix. Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision. Subject to the consultation response we envisage the new permitted development Order coming into force in September 2011.

Comments and complaints

x. If you have any comments about how this consultation exercise has been conducted, please send them to:

John Convery
Aquaculture Planning
Marine Scotland
Victoria Quay
Edinburgh
EH6 6QQ

E: fishfarmreview@scotland.gsi.gov.uk

1. Background to the Consultation

1.1 The Scottish Government supports aquaculture.

1.2 The Government's strategy statement *Delivering Planning Reform for Aquaculture*, published in March 2010¹, explains the importance of the aquaculture industry to both the Scottish economy and to Scottish society by virtue of the value of its production and the jobs it brings to rural and remote areas of the country. It also contains a joint statement from the Cabinet Secretary for Finance and Sustainable Growth and the Minister for Environment that the Scottish Government needs to ensure that there are no unnecessary barriers to impede that growth.

1.3 More particularly, the Government sees a reformed planning system as essential to promoting sustainable economic growth in Scotland. Important changes have been made to the planning system and recent proposals to amend its fee structure continue the Government's aim of making it fairer and easier to set up or expand a business. However, that is still not enough. The Government, its agencies, local authorities and the fish farming industry have all been working to streamline the planning process for aquaculture developments.

1.4 One suggestion is to introduce permitted development rights (PDRs) to the aquaculture industry. Developments and changes of use that do not require an application for planning permission (due to their generally non-contentious nature) have long been a feature of terrestrial planning. Extending permitted development rights to the aquaculture sector will afford farmers a quick and easy route to the physical expansion of their site and enable them to react immediately to changes in demand for, and between, finfish and shellfish products.

1.5 As PDRs have not been a feature of aquaculture planning to date it was necessary to establish a baseline of what is practicable and acceptable to all the parties involved. Consequently, research was commissioned through the Scottish Aquaculture Research Forum (SARF). The stated aims of the project were-

To examine the scope for and, if applicable, make recommendations on, permitted development rights for fin and shellfish farmers. This is to cover both marine and freshwater farm developments. The research should examine all permitted development right possibilities. As a closely related issue, the study will also examine the scope for introducing a specific Use Class or Classes for finfish and shellfish and make recommendations accordingly.

1.6 The resulting report, *Potential for Permitted Development Rights and Use Classes for Finfish and Shellfish Developments* (the 'SARF Report'), was published in September 2010.²

1.7 Following consideration of the SARF commissioned report the Government commissioned supplementary research into two possible PDRs identified by the authors but on which they could not make a recommendation because of the lack of data against which to quantify the potential impacts. These are a change of use from

¹ ISBN 978 0 7559 7823 6. Available at www.scotland.gov.uk/Resource/Doc/304025/0095384.pdf.

² ISBN 978 1 907266 35 5. Available at www.sarf.org.uk/Project%20Final%20Reports/SARF040b.pdf.

finfish to shellfish production and a change of production from salmon to halibut. The supplementary research examined the potential to introduce these changes. The report *Research into Specific Permitted Development Rights for Finfish and Shellfish Developments* was published in October 2010³.

³ Available at www.scotland.gov.uk/Topics/marine/Fish-Shellfish/18716/fish-farm/aquaculturepdrs.

2. Current Regulatory Framework

2.1 Fish farm developments (finfish and shellfish) are regulated under the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006).

2.2 Since 1 April 2007 marine fish farm developments have been subject to local authority planning in the same way as terrestrial developments. Freshwater fish farm developments have always been under local authority control. However, whilst a range of terrestrial developers have statutory entitlement (under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992) to carry out small scale developments or changes without the need to apply for planning permission, aquaculture (including freshwater pen farming) developers do not. The aim of this consultation is to assess views on the proposition to confer permitted development rights to aquaculture developers.

2.3 Non planning aspects of fish farm development are regulated by the Coast Protection Act 1949 and the Water Environment (Controlled Activities) (Scotland) Regulations 2005. That legislation is not affected by the measures proposed in this consultation document.

3. The Proposals

3.1 The SARF commissioned research report identified two sets of potential changes to sites that could be introduced under a permitted development regime. The first of these concerns the replacement of existing equipment with the same or different equipment, with scope to add extra equipment, and a switch between species type that stakeholder interests deemed non-contentious. The second report, commissioned by the Scottish Government, sought more detailed information to determine the scope for changes of use from finfish to shellfish farming and from changing from salmon to halibut farming.

3.2 Having considered the reports, Ministers are minded to introduce legislation which gives farmers permitted development rights to make certain changes or additions to equipment, use temporary equipment and switch between species (subject to certain limitations and conditions). With some sites lying inactive for various reasons (including because they are uneconomic for salmon farming), and with improvements in knowledge and understanding of finfish cultivation, there is increasing scope for aquaculture developers to diversify their business to meet new market opportunities. This is taken into account in our proposals.

3.3 Subject to respondents' views on the desirability and practicality of the individual PDRs being discussed the Government will amend the 1992 Order to bring them into effect. **A draft amendment Order, the Town and Country Planning (General Permitted Development) (Marine Fish Farming) (Scotland) Amendment Order 2011, is attached at Annex 1.**

3.4 The overall objective is to streamline processes to reduce administrative and other burdens while . With environmental and other considerations in mind, this consultation paper has been prepared to achieve that aim. The draft Order provides that the exercise of a PDR will, in some limited cases where it may be deemed necessary, be subject to a prior notification to, and the prior approval of, the relevant local authority. This approach is considered necessary in certain cases to ensure that proper account is taken of the potential impact of certain developments. However, we do not wish to introduce prior notification/prior approval if it is not necessary as this just adds unnecessary time to the process. Views are therefore sought on this issue, in particular, to allow us to determine whether prior notification/prior approval is or is not necessary in the instances identified in this paper.

3.5 While a permitted development right establishes the principle that development can take place (subject to conditions in some cases), prior notification (or PN) is a process whereby the detail of a development (such as the design, colour, size and location) needs to be notified to the planning authority to determine whether their prior approval needs to be given for the development to proceed. The timescale for this is set at 28 days. If the developer has not heard from the local authority by then, they are free to proceed with the development. It is important to ensure that In line with the overall objective, we consider that there are no compelling reasons to introduce a "simple" administrative notification procedure as recommended in the research report.

Finfish farms

3.6 The Government accepts the SARF commissioned report's conclusions that there are a number of equipment replacements or alterations that operators should be permitted to make. These are of a scale that would not impact materially on the local environment. Importantly, they would make a positive difference to the efficient

running of a farm and the development of the business. Ministers are therefore minded to permit finfish farmers to make the following changes to existing equipment under the circumstances described, without the need to for express planning permission. In each case the permitted change would also be dependent on-

- planning permission or an authorisation (as defined in article 14(6)(c) of the Town and Country Planning (Fish Farming) (Scotland) Order 2007) having been granted for the site;
- the planning authority, in cases where it may be required, having issued a negative screening opinion where is itself schedule 2 development under the EIA Regulations (see paragraph 3.7 below);
- the changes being accommodated within the footprint of the existing planning boundary (ie, they are covered by the planning permission or authorisation (not the extent of the Crown Estate lease where that is larger than the planning boundary).

3.7 In May 2010 the Scottish Government consulted on proposals to consolidate, update, and replace Part II of the 1999 EIA regulations, the regulations which apply the EIA Directive⁴ to the Scottish planning system. Following a ruling from the High Court of Justice in *R (on the Application of Baker) v Bath and North East Somerset Council (the Baker case)*, the May 2010 consultation paper introduced proposed changes to legislative provisions determining the need to screen certain planning applications for changes or extensions to existing development, to determine on a case by case basis whether an Environmental Impact Assessment ('EIA') was required. Following that consultation, The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations were introduced before parliament on 23 February 2011. Subject to parliamentary process, those regulations will require that, from 1 June 2011, applications for changes or extensions to an existing Schedule 2 type development are themselves Schedule 2 development where the following two tests are met:

- the relevant thresholds and criteria applied to the development as changed or extended are met or exceeded; and
- in such a case, the change or extension may have significant adverse effects on the environment.

3.8 In cases where both the above tests are met, the change would not benefit from permitted development rights unless the planning authority had adopted a screening opinion to the effect that EIA is not required. In respect of finfish developments, Scottish Ministers consider there will be circumstances in which a change will be of a type or scale that clearly would not impact on the environment, such as those proposed in this consultation paper. In those cases a screening opinion would not be required. Where a screening opinion is required, this will be issued within 3 weeks of receipt of the request instead of the current 6 weeks where combined screening and scoping is undertaken.

⁴ European Directive 85/337/EEC, as amended.

Changes to size, number and type of finfish cages or pens on sites under 15,000m² (Class 21A of the draft Order)

3.9 A farm whose production is from small and medium sized pens will enjoy lower unit production costs if its production surface can be contained within a smaller number of larger cages instead. The Government is aware that improvements to cage design and technology are making the cost of operating cages of 90m and 100m circumference attractive to industry, while also assisting with fish welfare and resulting in net environmental benefits. It is also recognised that there is no discernible visual or landscape impacts (and, indeed, there may even be improved visual impacts) provided that any changes remain within the planning boundary.

3.10 The geometry of the different cage sizes (and type of cage, if changing from square to circle) makes it impractical to expect an existing production surface to remain unchanged following installation of larger cages. The SARF report considered this and concluded that a rounding increase of up to 5% or a maximum of 500m² under PDR would be acceptable. In line with any rounding up, it is considered acceptable to allow an increase in biomass under PDR. However, we wish to seek views on what that increase should be and also on what should any increase be based. While consent has to be sought from SEPA for any increase in biomass, any impacts of an increase have to be considered by the planning authority. For example, should it be a percentage increase based on the farmer's current consent from SEPA under the Controlled Activities Regulations, or should it be based on what the planning permission has been granted for? Importantly, what should the percentage increase or absolute tonnage increase be?

3.11 The SARF commissioned report recommended also that an absolute surface area limit of 15,000m² should be set to ensure that any changes did not result in a farm moving from a local development to a major development, as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Ministers concur.

3.12 To summarise, the Government believes that allowing the operators of small and medium sized farms (ie, those under 15,000m²) to change their configuration in this way is a 'win-win' development. We therefore propose that the operator of a farm of under 15,000m² may change the size, number and type of fish cages (including associated cage grid and moorings), subject to the following provisions or restrictions:

- no pens shall be larger than 100m circumference or 796m² square metres (that equating to the surface area of a cage of 100m circumference);
- the total increased surface area of the sea covered by the cages shall not exceed 5% of the site as currently consented or a maximum of 500m², provided that 15,000m² threshold is not exceeded;
- this permitted development right may be exercised on more than one occasion, provided that the permitted development threshold of 15,000m² is not exceeded.

Question 1: Do you support fish farmers being granted a PDR to replace or change their cage type and sizes as described and what increase in biomass should be allowed? If not, why not?

Add Extra Cage or Pen with no Increase in Biomass (Class 21A of the draft Order)

3.13 In this case, permitted development would be for the purpose of fish health and welfare, such as allowing for the cleaning or maintenance of cages and nets, or to improve stocking density. Taken together with the above changes, Class 21A would allow a total increase of 10% or 1,000 square metres. Any additional increase in cage surface area under this provision would not, however, permit an increase in biomass.

Question 2: Do you agree that a PDR should be available to allow farmers to add extra cages with no increase in biomass? If not, why not?

Replace a feed barge (Class 21B of the draft Order)

3.14 Where a feed barge is already present, it would be disproportionate to ask a developer to seek a further consent for a replacement (with a barge of the same similar design, size and colour) when nothing has changed. A PDR that allows the operator to change his barge will give him the flexibility to replace worn out equipment and adopt new feeding technology without having to expend the effort, time and costs incurred in obtaining planning permission from the planning authority.

We therefore propose that an operator may replace a feed barge (including associated moorings) subject to the following provisions or restrictions:

- like-for-like replacement – at any time;
- where any movement of the current or replacement barge is needed, prior notification will be required.

Question 3: Do you support fish farmers being granted a PDR to change their feed barges as described and to move it elsewhere within the consented area? If not, why not?

Replace a feed barge with a barge of a different size, colour and design (Class 21C of the draft Order)

3.15 With the advancement of technology and improved designs becoming available, farmers may wish, or indeed need, to upgrade their feed barges. We believe that, in such cases, it should not be necessary to have to apply for planning permission. It is important, however, that designs and colours are used which do not have a negative visual or other impact. For that reason, we propose that prior notification to the planning authority is appropriate. There will be operational or practical reasons why a farmer may also want to move a feed barge to a different area within the current planning boundary. This should also be acceptable, subject to prior notification.

Question 4: Do you agree that fish farmers should be able to change the size, colour, design and location of a feed barge subject to prior notification? If not, why not?

Replace top nets and support structure (Class 21D of the draft Order)

3.16 A pen containing fish must also have ancillary netting in place to prevent bird and seal predation. The nets can deteriorate over time and need replaced and the Government considers that like-for-like replacement should not require to go through a planning process. A PDR allowing the operator to replace the netting and/or its

support structure gives him flexibility to change netting or support structure whenever that is necessary.

3.17 We therefore propose that an operator may replace top nets and their means of support, subject to the following provisions or restrictions:

- like for like replacement of top nets – at any time;
- like for like replacement of a top net support structure – at any time.

Question 5: Do you support fish farmers being granted a PDR to change their top netting and top netting support structures as described? If not, why not?

Replace top nets and support structure with different size, colour or design (Class 21E of the draft Order

3.18 This PDR would allow farmers to change top nets or structures with a different size, colour or design to keep up with advancements in technology and enable changes to be made which are of benefit for operational or wider needs. This might, for example, mean that a top net needs to be in a different colour due to more available knowledge on bird predation.

3.19 We therefore propose that an operator may change top nets and their means of support subject to prior notification to the planning authority on the size, colour and design.

Question 6: Do you agree that famers should be able to change the size, colour and design of top nets and their support structure subject to prior notification to the planning authority? If not, why not?

Temporary Equipment

3.20 There are several scenarios that would lead to an operator needing to install equipment not used routinely in the production cycle. For example, an additional pen may be needed temporarily to avoid culling fish where there has a higher than expected survival rate in the earlier part of the production cycle. Also, the operator may wish to trial new equipment. Or, it may be the case that other equipment is necessary, from time to time, such as fish grading machines, to enable flexible and efficient operation of the business. The Government considers that it is an unnecessary burden on the industry to have to obtain planning permission for the short-term use of equipment. A PDR allowing the temporary siting of equipment (subject to limitations as to its use) provides the flexibility that the industry needs to react as quickly as possible to events.

3.21 We recognise that over-production may be an issue but, as part of normal planning, we would expect the farmer to factor this into their consideration and seek a permanent solution. As this is a foreseeable circumstance one would expect the operator to seek consent for the temporary siting of an additional cage when applying for his initial planning permission. Having said that, we accept that many operators will not have done so. We therefore wish to ensure that they are able to bring in an imminent crop without having to secure specific consent for temporary capacity.

3.22 We consider that a single-use PDR for the temporary siting of one production cage on a small-medium sized farm would give operators the flexibility they need without being detrimental to planning control. To provide an audit trail to show when

this one-off PDR has been exercised, we propose that the developer should notify the planning authority when they are about to initiate development and the date on which that development is to start. This is different from prior notification/prior approval – notification of intention to develop under this provision is simply that you are informing the planning authority, not seeking their approval. Once the operator has taken advantage of the PDR he will need to obtain planning permission from the planning authority for any temporary or permanent installations in the future.

3.23 We therefore propose that an operator may install the following temporary equipment, subject to the conditions specified-

A. A SINGLE HARVESTING CAGE (Class 21F of the draft Order)

- may be exercised on any fish farm;
- the harvesting cage may not be larger in surface area than the smallest production pen in use on the site;
- it may be on site for no more than 10 months in any 24 month period;
- it may not be used to feed fish or treat fish with any form of therapeutants.
- notice of intended development to be given to the planning authority

B. A SINGLE PRODUCTION CAGE (Class 21G of the draft Order)

- a circular cage may not exceed 100m in circumference or if it is not a circular cage, it cannot be greater than 796 square metres;
- the PDR may be exercised on farms under 15,000m² only;
- the total surface area of the sea covered by the pens may not increase by more than 20% of the original development, or exceed 15,000m²;
- the additional pen may not be present on the farm for more than 10 months;
- the PDR may only be exercised **once** on any individual farm.
- notice of intended development to be given to the planning authority

C. OTHER TEMPORARY EQUIPMENT (Class 21H of the draft Order)

- does not exceed 1% of the aggregate surface area of existing equipment;
- where there is an existing feed barge, the height of the temporary equipment may not exceed 50% of the height of the feed barge;
- where there is no feed barge the height of the temporary equipment may not exceed 2.5m;

- each item of equipment may not be present on the farm for no more than 3 months in any one year.

3.24. In respect of each of the above, views are sought in particular on the length of time any equipment should be allowed on site.

Question 7: Do you support fish farmers being granted a PDR to install a temporary harvesting cage? If not, why not?

Question 8: Do you support fish farmers being granted a PDR to install a temporary production cage? If not, why not?

Question 9: Do you support fish farmers being granted a PDR to install other temporary ancillary equipment? If not, why not?

Change of Use between species (Class 21J of the draft Order)

3.25 Changing the type of fish being farmed (but remaining within the same category of species) has no discernable planning impact since the same infrastructure is used and there are no important differences in the impacts between the type of species identified. We believe there is an exception to the restriction of remaining within the same category of species and this applies to changing from salmon to halibut. Both species can be farmed using the same equipment and they both also have the same or similar impacts. Removing the need to apply for planning permission provides for more operational flexibility and allows the farmer to diversify his business to respond to market opportunities as quickly as possible.

3.26. We therefore propose that an operator may change the species of fish being farmed, subject to the following restriction:

- only one species is present on the farm at any one time;

Question 10: Do you support fish farmers being granted a PDR to switch production between species? If not, why not?

Other Finfish Issues

3.27 Wrasse are well known as cleaner fish and they use their specialised mouthparts to detach lice and other parasites from fish. There is a considerable history in Norway of wrasse being successfully used in commercial production cycles for example as part of the Hardangerfjord Project and there is growing interest in Scotland. The use of wrasse in this fashion forms part of an integrated pest management approach for the control of sea lice on salmon and reduces the dependence on chemical lice treatments. There a number of scenarios where we need to consider wrasse for planning purposes. For example, the use of wrasse in fish farm management operations, where they are co-stocked in cages beside salmon; the possibility that some farms may need to grow or hold wrasse in a cage or cages next to their salmon cages prior to co-stocking with salmon; and ultimately the need for production cages for the growing of wrasse for the onward sale to finfish farmers.

3.28. This is a new development in fish welfare generally and we are keen to establish whether the proposed PDRs provide sufficient flexibilities to accommodate the considerable benefits in fish welfare and reduced environmental effects that the use of wrasse provides. Or whether there are further measures, within the parameters of permitted development, that would be appropriate and beneficial. It may be, for

example, that some current inactive sites would be appropriate for wrasse production, so a PDR to change from the current use to wrasse production may be appropriate. It may also be the case that there is an upper biomass limit which is acceptable for each of the scenarios under a PDR and we would welcome view on this. We are keen to hear views generally on the issue of wrasse.

Shellfish farms

Change of production from finfish to shellfish (Class 21K of the draft Order)

3.29. The second report commissioned by the Scottish Government built on the SARF commissioned report. It provided more detailed information on the issues relevant for consideration in reaching a view on whether a finfish site should be able to switch to shellfish production (and back again), using the relevant equipment.

3.30. On the one hand the report raises issues about cumulative carrying capacity; and the possibility of farms being in close proximity to sewage outlets. In respect of carrying capacity, the issue is ostensibly that too many mussel farms in an area might take too much nutrient from the water. In practice, in the very small number of densely farmed areas in Scotland, a mussel farmer would be aware that additional farms would not be overly successful due to constrained growth rates. In effect, then, it is expected that this financial pressure would ensure farmers themselves would not create areas with too many mussel farms. The issue of proximity of sewage outlets is also noted. However, it is for a farmer to assess any costs as part of his consideration of whether he wants to change from finfish to shellfish farming. In cases where shellfish is currently farmed, sampling is carried out 4 times per year by the Food Standards Agency under the requirements of the Shellfish Hygiene Directive to ensure that standards are met. Where there is any need for action, the farmer has to clean the shellfish (ie put them through a depuration process) before they can be sold. We do not consider that these issues have any real implications and should therefore prevent a change from finfish to shellfish.

3.31. There are a number of reasons why this change is acceptable, including from a visual/landscape/seascape perspective. Shellfish equipment lies lower in the water than finfish equipment and there are no feed barges required, which could be viewed as a visual improvement. There may also be environmental benefits in combining finfish and shellfish crops or crop rotation. In addition, there are clear economic and social advantages in allowing this change. There are a number of finfish sites lying inactive around Scotland because they are uneconomic for salmon farming due to their size, or the conditions are not right (eg the water is too shallow), or the farm is acting as a firebreak. To allow these farms to convert to shellfish farms would provide an economic opportunity, including for new farmers who wish to enter the market.

3.32. On the issue of being able to change back to a finfish farm, this is on the basis of the terms of the original planning permission or authorisation.

3.33. The overriding consideration is whether such a change would generally be granted planning permission if it was sought. The Government believes that planning permission would generally be granted. We therefore propose that the above changes should be allowed as a permitted development.

Question 11: Do you support a change of use from finfish farming to shellfish farming and back to finfish farming? If not, why not?

Installation of, and changes to, the number and size of long lines on a shellfish farm (Class 21I of the draft Order)

3.34. Ministers accept the SARF commissioned report's conclusions that changing the number and size of long lines on a shellfish farm should be a PDR. This is not a type of change that is likely to impact on the local environment in any meaningful way. Being able to make the changes through a PDR would make a positive difference to the efficient running of the farm.

3.35. We therefore propose that an operator may install, or change the size and number of, long lines subject to the following provisions or restrictions-

- the total surface area covered by the equipment may not increase by more than the greater of 500m² or 10% of the original development (for the purposes of determining surface area a long line will be deemed to occupy 1m² of surface area per 1m of linear distance).

Question 12: Do you support a PDR to install, or change the size and number of, long lines on a farm? If not, why not?

Business and Regulatory Impact Assessment

3.36. A draft business and regulatory impact assessment is attached at Annex 2. We would be grateful for any comments you may have to help us to finalise this document as we finalise the Order.

 SCOTTISH STATUTORY INSTRUMENTS

2011 No.

TOWN AND COUNTRY PLANNING
**The Town and Country Planning (General Permitted Development)
 (Fish Farming) (Scotland) Amendment Order 2011**

<i>Made</i> - - - -	2011
<i>Laid before the Scottish Parliament</i>	2011
<i>Coming into force</i> - -	2011

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 30 and 31 of the Town and Country Planning (Scotland) Act 1997⁽⁵⁾ and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development (Fish Farming) (Scotland) Amendment Order 2011 and comes into force on [] 2011.

Amendment of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992

2.—(1) The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 is amended in accordance with paragraph (2).

(2) After Part 6 of Schedule 1 (agricultural buildings and operations) insert—

PART 6A

Fish Farming

Class 21A

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of—

- (a) replacing an existing finfish pen (including replacement with a different size or design of finfish pen) situated; or**
- (b) installing an additional finfish pen.**

(2) Development is not permitted by this class in respect of any tank or cage which—

- (a) is circular and has a circumference greater than 100 metres; or
- (b) is not circular and is greater than 796 square metres in area.

(3) Development is not permitted by this class if—

⁽⁵⁾ 1997 c.8. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

- (a) the surface area of the waters over which the existing fish farm extends is greater than 15,000 square metres;
 - (b) as a result of the replacement or installation of finfish pens, the surface area of the waters over the fish farm as altered or extended would be—
 - (i) more than 1,000 square metres greater; or
 - (ii) 10% greater,than the area to which the original equipment extended;
- (4) Development is permitted by this class subject to the condition that there is to be no increase in biomass related to the installation of an additional fish pen.

(5) In this paragraph—

“finfish pen” means a tank or cage used for the purposes of fish farming other than for the breeding, rearing or keeping of shellfish (including any kind of sea urchin, crustacean or mollusc);

Class 21B

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of replacing an existing feed barge with a feed barge of the same size, colour and design.

(2) Development is permitted by this class subject to the following conditions—

- (a) where the replacement feed barge is to be located in a different place to the feed barge it replaces, the developer must before beginning the development apply to the planning authority for the approval of the authority in respect of the location of the feed barge;
- (b) the application is to be accompanied by—
 - (i) a description of the proposed location of the replacement feed barge; and
 - (ii) any fee required to be paid;
- (c) the development is not to be commenced before—
 - (i) the applicant has received written approval from the planning authority in respect of the location of the feed barge; or
 - (ii) the occurrence of one of the following—
 - (aa) the receipt by the applicant from the planning authority of a written notice of their determination that prior approval in respect of the location of the proposed feed barge is not required;
 - (bb) the expiry of a period of 28 days following the date on which the application was received by the planning authority without the planning authority giving notice of their determination that such approval is required; or
 - (cc) where the planning authority gives the applicant notice within a period of 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval;
- (d) the development must, except to the extent that the planning authority otherwise agree in writing, be carried out—
 - (i) to the extent to which prior approval is required, in accordance with the details approved;
 - (ii) to the extent to which prior approval is not required, in accordance with the details submitted with the application;
- (e) the development is to be carried out within a period of three years from the date on which all approvals required in accordance with this paragraph have been given.

Class 21C

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of replacing an existing feed barge with a feed barge of a different size, colour or design.

(2) Development is permitted by this class subject to the following conditions—

- (a) the developer must before beginning the development apply to the planning authority for the approval of the authority in respect of the size, colour or design of the feed barge and if the barge is to be located in a different place, its location;
- (b) the application is to be accompanied by—

- (i) a description of the proposed feed barge, including details of the size, colour, design and (where the barge is to be relocated) proposed location of the proposed feed barge; and
- (ii) any fee required to be paid;
- (c) the development is not to be commenced before—
 - (i) the applicant has received written approval from the planning authority in respect of the size, colour, design and (where the barge is to be relocated) proposed location of the feed barge; or
 - (ii) the occurrence of one of the following—
 - (aa) the receipt by the applicant from the planning authority of a written notice of their determination that prior approval in respect of the size, colour, design or location of the proposed feed barge is not required;
 - (bb) the expiry of a period of 28 days following the date on which the application was received by the planning authority without the planning authority giving notice of their determination that such approval is required; or
 - (cc) where the planning authority gives the applicant notice within a period of 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval;
- (d) the development must, except to the extent that the planning authority otherwise agree in writing, be carried out—
 - (i) to the extent to which prior approval is required, in accordance with the details approved;
 - (ii) to the extent to which prior approval is not required, in accordance with the details submitted with the application;
- (e) the development is to be carried out within a period of three years from the date on which all approvals required in accordance with this paragraph have been given.

Class 21D

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of replacing an existing top net or support for a top net with a top net or support of the same colour and design.

(2) Development is permitted by this class subject to the following conditions no structure to support the top net is to be greater in height than 1.5 metres (measured from the surface of the water).

Class 21E

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of replacing an existing top net or support for a top net with a top net or support of a different size, colour or design.

(2) Development is permitted by this class subject to the following conditions—

- (a) the developer must before beginning the development apply to the planning authority for the approval of the authority in respect of the size, colour or design of the top net or support;
- (b) the application is to be accompanied by—
 - (i) a description of the proposed top net or support, including details of the size, colour and design of the proposed top net or support; and
 - (ii) any fee required to be paid;
- (c) the development is not to be commenced before—
 - (i) the applicant has received written approval from the planning authority in respect of the size, colour and design of the top net or support; or
 - (ii) the occurrence of one of the following—
 - (aa) the receipt by the applicant from the planning authority of a written notice of their determination that prior approval in respect of the size, colour and design of the proposed top net or support is not required;
 - (bb) the expiry of a period of 28 days following the date on which the application was received by the planning authority without the planning authority giving notice of their determination that such approval is required; or
 - (cc) where the planning authority gives the applicant notice within a period of 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval;
- (d) the development must, except to the extent that the planning authority otherwise agree in writing, be carried out—
 - (i) to the extent to which prior approval is required, in accordance with the details approved;
 - (ii) to the extent to which prior approval is not required, in accordance with the details submitted with the application;
- (e) the development is to be carried out within a period of three years from the date on which all approvals required in accordance with this paragraph have been given; and
- (f) no structure to support the top net is to be greater in height than 1.5 metres (measured from the surface of the water).

Class 21F

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of installing a temporary harvest pen.

(2) Development is permitted by this class subject to the following conditions—

- (a) the person who intends to carry out development permitted by this Class must as soon as practicable after deciding on a date on which to initiate the development and in any event before commencing the development, give notice to the planning authority as to that date;
- (b) no more than one harvest pen may be kept in place within the fish farm at the same time;
- (c) the surface area of the waters over which the harvest pen extends is no greater than the surface area of the waters over which the smallest production pen forming part of the fish farm extends;
- (d) the harvest pen must not be used to feed fish or to treat fish with any form of therapeutants;
- (e) the harvest pen must not be kept in place within the fish farm for a period greater than 10 months during any period of 24 months.

Class 21G

(1) The placing or assembly of equipment within the area of an existing fish farm for the purpose of installing a temporary production pen.

(2) Development is not permitted by this class in respect of any tank or cage which—

- (a) is circular and has a circumference greater than 100 metres; or
- (b) is not circular and is greater than 796 square metres in area.

(3) Development is not permitted by this class if—

- (a) the surface area of the waters over which the existing fish farm extends is, or would extend as a result of the installation of a production pen under this class be, greater than 15,000 square metres;
 - (b) as a result of the installation of a production pen, the surface area of the waters over the fish farm as altered or extended would be 20% greater than the area to which the original equipment extended;
- (4) Development is permitted by this class subject to the following conditions—
- (a) the person who intends to carry out development permitted by this Class must as soon as practicable after deciding on a date on which to initiate the development and in any event before commencing the development, give notice to the planning authority as to that date; and
 - (b) that the production pen must not be kept in place within the fish farm for a period greater than 10 months and once removed may not be replaced.

Class 21H

(1) The placing or assembly of any temporary equipment within the area of an existing fish farm.

- (2) Development is not permitted by this class—
- (a) in respect of any equipment described in paragraph (1) of any other class within this Part;
 - (b) if the surface area of the waters over which the equipment, if placed or assembled, would extend would be greater than 1% of the surface area of the waters over which (taken together) the tanks or cages comprised in the fish farm extend.
- (3) Development is permitted by this class subject to the following conditions—
- (a) where there is a feed barge within the fish farm any equipment placed or assembled is not to be greater in height (measured from the surface of the water) than one half the height of the feed barge (or where there is more than one feed barge the smallest feed barge);
 - (b) where there is no feed barge within the fish farm any equipment placed or assembled is not to be greater in height (measured from the surface of the water) than 2.5 metres.

Class 21I

(1) The placing or assembly of a long-line (or equivalent structures) for use in shellfish farming within the area of an existing fish farm.

- (2) Development is not permitted by this class if the surface area covered by the equipment would, if placed or assembled, be—
- (i) more than 500 square metres greater; or
 - (ii) 10% greater,
- than the surface area covered by the original equipment.

(3) For the purposes of paragraph (2) the surface area is calculated on the basis that for every one square metre of linear distance covered by the equipment, the surface area of that equipment is one square metre.

Class 21J

(1) Development consisting of a change of use of a fish farm—

- (a) to the breeding, rearing or keeping of a species of salmonid where the established use of that fish farm is the breeding, rearing or keeping of another species of salmonid;**
 - (b) to the breeding, rearing or keeping of a species of whitefish where the established use of that fish farm is the breeding, rearing or keeping of another species of whitefish; or**
 - (c) to the breeding, rearing or keeping of a halibut where the established use of that fish farm is the breeding, rearing or keeping of a species of salmonid;**
- (2) Development is permitted by this Class subject to the condition that only one species of salmonid or whitefish, as the case may be, is present on the fish farm at the same time.
- (3) For the purposes of this Class, “established use” means lawful use within the meaning of section 150 of the Act.

Class 21K

(1) Development consisting of—

- (a) a change of use of a fish farm from a finfish farm (“the original fish farm”) to a shellfish farm and the placing or assembly of equipment for the purposes of that shellfish farm; or
- (b) a change of use of that fish farm from a shellfish farm back to a finfish farm for breeding, rearing or keeping fish of the same species as breed, reared or kept in the original fish farm and the placing or assembly of equipment for the purposes of that finfish farm.

(2) Development is permitted by this Class subject to the conditions that any equipment placed or assembled for the purposes of the fish farm must—

- (i) in the case of a shellfish farm, be located within the area of the equipment of the finfish farm which it replaces; and
- (ii) in the case of a finfish farm, be located within the area of the equipment of the original finfish farm.

(3) For the purposes of this Class—

“finfish farm” means a fish farm for the breeding, rearing or keeping of fish, other than shellfish;

“shellfish” includes any kind of sea urchin, crustacean or mollusc; and

“shellfish farm” means a fish farm for the breeding, rearing or keeping of shellfish.

Interpretation of Part 6A

For the purposes of this Part—

(1) the area of an existing fish farm or of equipment of a fish farm, is the area which, if the anchorage or mooring points used in relation to that fish farm or equipment were to be connected by straight lines, would be enclosed by such imaginary lines.

(2) the following expressions have the following meanings—

“relevant authorisation” has the meaning given in article 14(6)(c) of the Town and Country Planning (Marine Fish Farming) (Scotland) Order 2007⁽⁶⁾;

“equipment” has the meaning given in section 26(6) of the Act⁽⁷⁾;

“original equipment” means in relation to a fish farm, the equipment placed or assembled in respect of that fish farm pursuant to consent granted by—

(a) planning permission granted following an application made under Part III of the Act; or

(b) a relevant authorisation,

or by a combination of such planning permission and a relevant authorisation.”.

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
2011

⁽⁶⁾ S.S.I. 2007/268.

⁽⁷⁾ Section 26(6) was amended to include a definition of “equipment” by section 24 of the Water Environment and Water Services (Scotland) Act 2003 (asp 3).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (“the 1992 Order”). Schedule 1 to the 1992 Order specifies classes of development to which permitted development rights apply. Where such rights apply, an application for planning permission is not needed. This Order extends permitted development rights to the following—

A business and regulatory impact assessment has been prepared in relation to this Order and can be obtained free of charge from the Scottish Government Planning Directorate, Area 2H, Victoria Quay, Edinburgh, EH6 6QQ.

BUSINESS AND REGULATORY IMPACT ASSESSMENT

Title of Proposal

Extension of Permitted Development Rights and Changes of Use to Finfish and Shellfish Developments.

Purpose and intended effect

- **Objectives**

To streamline the planning process so as to permit the operators of marine and freshwater fish farms to make minor changes to consented equipment and consented fish species without the requirement to obtain new explicit planning permission.

- **Background**

The Scottish Government supports aquaculture development. The Government published a strategy statement Delivering Planning Reform for Aquaculture, in March 2010, which explains the importance of the aquaculture sector to the Scottish economy. It also contains a joint statement from the Cabinet Secretary for Finance and Sustainable Growth and Minister for Environment to the effect that the Scottish Government needs to ensure that there are no unnecessary barriers to impeding the growth of the industry.

- **Rationale for Government intervention**

Fish farm development is regulated by legislation. Relaxations to the regulatory regime can only be made by amending the legislation.

Consultation

- **Within Government**

Consultation will include Marine Scotland Science, Scottish Environment Protection Agency, Scottish Natural Heritage and Scottish Development International.

- **Public Consultation**

The consultation will be published by the Scottish Government but it will not be targeted at individuals or bodies representing community or personal attributes or beliefs. CoSLA and local authorities individually will be consulted as will environmental NGOs.

- **Business**

Consultation will take place with Trade Associations representing finfish and shellfish growers and prominent individual companies.

Options

1. Do nothing

The status quo is costly and bureaucratic to industry without delivering any commensurate benefits in terms of environmental protection. It is not favoured by either industry or government.

2. Making the change

- **Sectors and groups affected**

Marine and freshwater finfish farmers and shellfish farmers, local authorities as planning authorities.

- **Benefits**

Currently, fish farm planning applications cost £145 per 0.1 hectare of the surface area of marine waters plus £50 for each 0.1 hectare of seabed enclosed by the moorings, up to a maximum of £14,500⁸. Fish farm operators who already have planning permission and who wish to change their configuration, add extra or temporary equipment, or change from finfish to shellfish farming as provided for by this consultation, will save both those monetary costs and the time involved (which can be anything from 2 months to 6 months for minor changes) in obtaining formal planning permission. That is, the operator will only need to give the planning authority prior notification that he is doing so.

Govt agencies and regulators are statutory consultees to the planning process. They will benefit through not having to devote effort to minor developments.

- **Costs**

None. The fish farm operator will have to pay a prior notification fee of £61 but this represents a significant financial saving on the cost of an application for amended planning permission (the actual amount of the saving being dependent on the nature of the alteration sought). The impact on planning authorities is neutral; planning fees and charges are set on a cost-recovery basis.

Scottish Firms Impact Test

- **Competition Assessment**

Those affected by the proposals are companies engaged in fish farming (either finfish or shellfish). The proposals do not alter the existing barriers to entry to the fish farming sector; what they do is reduce the regulatory overhead (including the finance and staffing overhead) involved in making changes to the equipment installed on a site. To the extent that the proposals affect competition they are likely to favour smaller operators in

⁸ The Government's consultation paper "Resourcing a High Quality Planning Service" seeks views on amending the structure of planning application fees, including that used for calculating fish farming fees. Any new fees structures proposed as a result will be subject to further consultation after responses have been considered.

that the existing cost of making changes is disproportionately larger to them than to their national and multi-national competitors.

- **Test run of business forms**

Not applicable.

Legal Aid Impact Test

The proposals do not create any new procedure or right of appeal to a court or tribunal, amend any existing procedures or rights of appeal or make any change of policy or practice which may lead people to consult a solicitor.

Enforcement, sanctions and monitoring

Monitoring and sanctions are in respect of unauthorised developments and other breaches of planning legislation. No changes are being made to existing controls, remedies and penalties.

Implementation and delivery plan

- **Post-implementation review**

The proposals will be introduced by an Order made under section xxx of the Town and Country Planning Act 1997 (as amended by the Planning etc (Scotland) Act 2006). The enforcing authority will be the local authority, as planning authority for the area. Planning authorities have been involved in the preliminary consultations giving rise to the proposals and are included again in the formal consultation process.

The proposals do not have to be managed post-implementation. Neither do they require an implementation plan (although the need for guidance will be considered as part of any package). Rather, once the Order has been made fish farm operators will benefit from a more relaxed regulatory regime as regards alterations to equipment and farmed species.

The Government's stakeholder Working Group on Improved Systems for the Licensing of Aquaculture Developments will monitor the success of the policy against the stated policy aim of better and more relaxed regulation. The Government will consider, in light of actual experience, whether and to what extent the proposals should be amended in future.

Summary and recommendation

- **Summary costs and benefits table**

Option	Total benefits per annum: economic, environmental, social	Total costs per annum: economic, environmental, social policy and administrative
1	Economic – there are no economic benefits to maintaining the status quo;	Economic – industry has to pay fees amounting to £145 per 0.1ha of water surface area plus £50 per 0.1ha of seabed each time an operator wishes to alter the configuration of his site or add extra

	<p>Environmental – the status quo delivers high and robust levels of environmental protection;</p> <p>Social – high and robust levels of development control.</p>	<p>or temporary equipment;</p> <p>Environmental – none; the status quo delivers high and robust levels of environmental protection</p> <p>Social – the regulatory cost of making minor changes to equipment, etc, is a potential deterrent to job creation.</p>
2	<p>Economic – reduced monetary cost to industry of £195 per 0.1ha per modification;</p> <p>Environmental – high and robust levels of environmental protection maintained;</p> <p>Social – more operational flexibility and an increased ability to react quickly to changes in the market for farmed fish products is a spur to job creation.</p>	<p>Economic – none;</p> <p>Environmental – none, pre-conditions attaching to changes ensure that existing levels of protection are maintained;</p> <p>Social – none, pre-conditions attaching to changes ensure that existing levels of control are maintained</p>

Declaration and publication

I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

[CabSec signature and date]

EQUALITIES ASSESSMENT

1. The public sector equality duties for race, gender and disability require the Scottish Government to assess the equality impacts of its policies. Equality impact assessment is all about considering how the policy may impact, either positively or negatively, on different sectors of the population in different ways.

2 This policy has been so assessed. The proposal relates to the relaxation of planning control over permissible changes to installed equipment and farmed fish types. The beneficial exercise of the policy does not depend on, derive from or is otherwise affected by, personal attribute or belief.

THE SCOTTISH GOVERNMENT CONSULTATION PROCESS

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (eg, analysis of response reports) can be accessed at: [Scottish Government consultations \(\[www.scotland.gov.uk/consultations\]\(http://www.scotland.gov.uk/consultations\)\)](http://www.scotland.gov.uk/consultations).

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation

exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

EXTENSION OF PERMITTED DEVELOPMENT RIGHTS AND USE CLASSES TO FINFISH AND SHELLFISH DEVELOPMENTS



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Title Mr Ms Mrs Miss Dr *Please tick as appropriate*

Surname

Forename

2. Postal Address

<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
Postcode	Phone	Email

3. Permissions - I am responding as...

Individual <input type="checkbox"/>	/	Group/Organisation <input type="checkbox"/>
<i>Please tick as appropriate</i>		

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes No

CONSULTATION QUESTIONS

Question 1: Do you support fish farmers being granted a PDR to replace or change their cage type and sizes as described and what increase in biomass should be allowed? If not, why not?

Yes No

Comment if No:

Question 2: Do you agree that a PDR should be available to allow farmers to add extra cages with no increase in biomass? If not, why not?

Yes No

Comment if No:

Question 3: Do you support fish farmers being granted a PDR to change their feed barges as described and to move elsewhere within the consented area? If not, why not?

Yes No

Comment if No:

Question 4: Do you agree that fish farmers should be able to change the size, colour, design and location of a feed barge subject to prior notification/prior approval? If not, why not?

Yes No

Comment if No:

Question 5: Do you support fish farmers being granted a PDR to change their top netting and top netting support structures as described? If not, why not?

Yes No

Comment if No:

Question 6: Do you agree that farmers should be able to change the size, colour and design of top nets and their support structures subject to prior notification/prior approval? If not, why not?

Yes No

Comment if No:

Question 7: Do you support fish farmers being granted a PDR to install a temporary harvesting cage? If not, why not?

Yes No

Comment if No:

Question 8: Do you support finfish farmers being granted a PDR to install a temporary production cage? If not, why not?

Yes No

Comment if No:

Question 9: Do you support fish farmers being granted a PDR to install other temporary equipment? If not, why not?

Yes No

Comment if No:

Question 10: Do you support fish farmers being granted a PDR to switch production within the same species and between species? If not, why not?

Yes No

Comment if No:

Question 11: Do you support a change of use from finfish farming to shellfish farming and back to finfish farming? If not, why not?

Yes No

Comment if No:

Question 12: Do you support a PDR to install, or change the size and number of longlines on a farm? If not, why not?

Yes No

Comment if No:

General



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Government**

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