Civil society participation in the Scottish marine planning process and the role of Environmental Non-Governmental Organisations.

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Abstract

Sustainable development principles are based on the fundamental recognition of humans as an integral part of the ecosystem. Participation of civil society should therefore be central to marine planning processes and enabling ecosystem-based management, and development of mechanisms for effective participation is critical. To date, little attention has been given to the role of Environmental Non-Governmental Organisations (ENGOs) in public participation. In this paper, the results of two workshops which involved various stakeholders and addressed public participation in marine planning, are reported and discussed in the context of the Scottish marine planning process. ENGOs' role in communicating complex policies, representing members' interests and contributing towards participatory governance in marine planning is highlighted. Innovative outreach methods are still required by decision-makers to translate technical information, integrate local knowledge, improve public representation and conserve resources. This could include collaboration with ENGOs to help promote public participation in decision-making processes.

Keywords: marine planning; civil society; public participation; Environmental NGO; Scotland

1. Introduction

Marine planning is a framework that can facilitate or support ecosystem-based management decisions through coordination of the spatial and temporal distribution of human activities across marine areas (Domínguez-Tejo *et al.*, 2016, Sherman *et al.*, 2016). Within this framework, humans are fundamentally recognised as part of the ecosystem (Cormier *et al.*, 2013, Koehn *et al.*, 2013) and therefore the inclusion of citizen and stakeholder-groups is an essential aspect of the marine planning process (Pomeroy and Douvere 2008, Nutters and Pinto da Silva 2012). Marine planning has predominantly been a 'top-down' authority-led process; yet, there is increasing recognition of the requirement for public participation to inform and legitimise management decisions (Flannery *et al.*, 2018). In light of the UK's obligations under the Aarhus Convention (Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters), it is necessary to better understand how to facilitate the involvement of civil society in marine planning, to address requirements for increased transparency and a larger role for the public in decision making. Scotland's marine planning process may offer greater opportunities for participation, since the division of territorial seas into 11 Marine Regions to be planned for by regionally established Marine Planning Partnerships is intended to allow "more local ownership and decision making about specific issues within their area"[1].

Kearney *et al.*, (2007) defines participatory governance as: "the effort to achieve change through actions that are more effective and equitable than normally possible through representative government and bureaucratic administration by inviting citizens to a deep and sustained participation in decision-making". The process of public engagement in decision-making is not solely to allow managers to account for the needs of, and potential impacts on, local communities, but also to enable the integration of local knowledge to help inform decisions and monitoring programmes. The greater the engagement of a wider public through participation, the more confident authorities can be that any decisions made are representative of the society's views – and vice versa (Reed, 2008). This paper explores how the engagement activities and capacities of ENGOs in particular can contribute to the participatory governance of marine planning in Scotland.

[1] http://www.gov.scot/Topics/marine/seamanagement/regional (Accessed 13/12/17)

Public engagement and public participation have different meanings - and therefore, significance - in the context of the marine planning process, although these terms are often used interchangeably and overlap in practice. Here, we draw distinction between *engagement*, which describes an active dialogue between authorities and the public, and *participation* which indicates input from the public into a process (Citizenlab, 2017). These terms can be used to achieve different goals as part of the planning process. Public engagement mechanisms, and policy processes, should be designed to enable effective participation. Extensive public engagement is resource-intensive, both in terms of funding and time. Planning processes tend to be highly technical and policy development can be a lengthy process, both of which can be barriers to securing and sustaining public engagement (Innes and Booher, 2004; Cochrane, 2010; Flannery *et al.*, 2018). The purpose or benefits of engagement processes are not always clear and traditional public consultation (which often takes place after a plan has been developed) is not always effective (Smith and Jentoft, 2017; Flannery *et al.*, 2018). New approaches to planning need to facilitate sustained two-way interaction between authorities and deliberation between participants as part of the process, noting that wider policies or initiatives (e.g. community forums, citizen science programmes) may be required to build capacity to enable the transition to a more informed and engaged civil society. NGOs, particularly environmental NGOs (ENGOs) who engage with and seek to influence environmental policy, are potentially useful in these processes, since they represent civil society to some extent – through membership - and already engage their members in environmental topics. Calado *et al.*, (2012) assessed NGO contributions to marine planning in this context and suggested that they not only represent an independent voice for society, but that engagement with NGOs to support marine planning is vital, as well as being recommended through other mechanisms such as UNCLOS (e.g. Article 169[2]).

This paper is written from a predominantly conservation-based perspective, with some authors affiliated to ENGOs, and therefore a level of self-examination has been applied throughout to evaluate the contribution of ENGOs in supporting marine decision-making. There is change in the traditional remit of some ENGOs, evolving in recent years from providing a purely environmental view, to increasing recognition of the interaction between the environment and society in sustainable development. Further, although ENGOs are often categorised as one type of actor, individual organisations are diverse in their approach. Scottish Environment LINK,

[2] http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf Page 93

an umbrella organisation provides a forum for ENGOs to work collaboratively on a variety of environmental issues, presents an important co-ordinating body in this sense.

This paper explores mechanisms of civil society engagement with marine planning processes in Scotland, and critically analyses the capacity of ENGOs to facilitate public participation in marine planning. We address the question of whether ENGOs can be considered independent 'public representatives' in this context and explore their relationship to other marine stakeholders with different interests. This review is augmented by the content of two workshops (held in 2014 and 2016) that gathered the views of ENGOs and other stakeholders on the adequacy of public participatory processes in marine planning. The paper discusses these findings in relation to other case studies and concludes with recommendations for improving the engagement of civil society in marine governance.

2. Background

Effective stakeholder participation in environmental decision-making is necessary through an ecosystem-based approach and for successful governance (Pomeroy and Douvere, 2008). A lack of opportunities for public participation, and co-working between stakeholders and policy-makers often leads to policy failure (De Santo 2016). Smith and Jentoft (2017) describe stakeholder engagement as 'intrinsic to marine [spatial] planning'. Critical to the success of marine management, therefore, is public participation that cultivates a sense of ownership of the decisions made, and responsibility by empowering communities to manage their local environment (McKinley and Fletcher 2010). However, who the stakeholders are and how they should be engaged are critical questions to be addressed in marine planning processes. The challenge for authorities lies in how to effectively engage the public, as stakeholders in marine planning processes, and ensure adequate representation of 'society's' interests. For a just and legitimate process, public engagement must go beyond consultation (Arnstein, 1969) and it must be carried out early on in the planning process, in a meaningful way that is open and transparent (Gopnik *et al.*, 2012). Opportunities for engagement in marine planning should therefore be focused on enabling stakeholder input into the process (i.e. participation). At a national level this may be challenging, but at a local scale this may be more achievable, particularly in the context of the "sense of place" concept (Jorgensen and Stedman 2006), which may be used to engage local communities through their connection to the environment and its management (Hausmann *et al.*, 2015). For example, it may be easier to access a wider representation of people through smaller organisations (e.g. community councils – public

representative bodies created by the Local Government (Scotland) Act 1973) leading to more effective participation.

The role of civil society in marine planning

The extent to which the public and wider civil society is engaged (or not) in the marine planning process has been the subject of recent research (Nutters and Pinto da Silva 2012; Smith and Jentoft, 2017; Flannery *et al.*, 2018). Civil society is defined as "society considered as a community of citizens linked by common interests and collective activity"[3] and has a key role to play in marine management planning processes. This is particularly likely in communities centred around resource us (e.g. fishing) and /or with a shared sense of interest in relation to a geographical area, with particular meaning attached to it, which are likely to be most affected by any decisions made (Barker, 2009). Hence, in Scotland, there is an opportunity for regional marine planning to facilitate local ownership and decision-making regarding regional issues.

With increasing awareness of ecological decline, including large-scale impacts from climate change, civil society is increasingly seeking opportunities to express their views and influence environmental decision making processes (Gelcich *et al.*, 2014). This is evidenced by the growing number of ENGOs, which civil society engage to act on their behalf in environmental decision making (De Santo 2016). ENGOs have been seen in this context, to be active participants and contributors to the widening view of democracy, by increasing public participation in environmental decision making to the benefit of the public at large (De Santo 2016). In contrast, the mode of engagement and participation selected by governments, particularly "consultation", is increasingly met with cynicism, mistrust and citizens feeling disenfranchised with outcomes not reflective of their views (Voyer *et al.*, 2012). A lack of engagement is purported as a criticism of government despite often extensive stakeholder consultation, reflecting that while views may be garnered, local communities and stakeholders may feel they have not been considered in decision making (Voyer *et al.*, 2012). This highlights the need to distinguish between processes which primarily inform civil society, and, and participatory processes that are designed to engage civil society in dialogue and where participants may have greater input into the decision-making. In Scotland, public participation processes have been criticised in this way, poised retrospectively as 'talking shops', leading to 'consultation fatigue' (Smith and Jentoft, 2017).

[3] https://en.oxforddictionaries.com/definition/civil_society

The Role of ENGOs in marine planning

ENGOs have traditionally sought to influence political movement and promote accountability in governance (Rahman, 2006). They also have a role in raising societal awareness of marine protection, promoting an ecosystem approach and explaining why marine planning with a healthy and resilient environment as the core principle is crucial (Fletcher *et al.*, 2009, Calado *et al.*, 2012). According to Bäckstrand and Saward (2004): "broader participation by non-state actors in multilateral environmental decisions (in varied roles such as agenda setting, campaigning, lobbying, consultation, monitoring, and implementation) enhances the democratic legitimacy of environmental governance." Smythe (2017) found that ENGOS had a greater representation in a marine planning process than some marine industry stakeholders. Access to information is a necessary element enabling citizens to fully participate in environmental decision making processes (Haklay, 2017) and ENGOs have a role in ensuring their membership networks have access to accurate, understandable scientific information. Advancements in technology have enabled new forms and practices of participation and information sharing (e.g. through social media and mapping tools). Haklay (2017) use the example of The Factory Watch website to demonstrate the ability of NGOs to: i) understand, access and use environmental information in a way meaningful to the wider public ii) use skills to creative interactive tools iii) deliver significant amounts of environmental information to a wider audience and iv) pressure public bodies to release environmental information to the public, previously discussed at the policy level. The WWF Baltic Sea Project also provides an example of ENGO capacity for outreach, using a brochure explaining marine planning in cartoons, which was considered a good example of a tool to make the process more understandable to a wide audience (Calado *et al.*, 2012).

Inherent in discussions of ENGOs and civil society, is the assumption that ENGOs are representative of civil society, and that their roles will strengthen civil society and support democracy (Mercer, 2002). The participation of ENGOs in marine planning can both widen (socially and geographically), and deepen (personal and organizational capacity) opportunities for civil society representation and participation in marine planning, and may widen the 'institutional arena' by representing a diverse range of interests (Mercer, 2002). However, this translation and conveyance of information should not be unidirectional. As ENGOs are increasingly treated as stakeholders in decision-making processes (Jones *et al.*, 2016) and are recognised alongside industry and public sector organisations for their specific knowledge and

competency (Gazzola *et al.,* 2015), a legitimate role for ENGOS in marine planning could be to act as both "knowledge creators" and "knowledge brokers" (Winfield 2014). ENGOs also have a role in influencing policy and governance processes via their remit as independent, representative bodies of civil society. This may be inherent in the activities of smaller ENGOs with 'grassroots' connections, but prove more challenging for larger ENGOs with fewer links at the ground level and less flexibility (Alfasi, 2003).

The participation of civil society and ENGOs has the potential to increase environmental protection through the inclusion of environmentally-minded individuals and organisations (Drazkiewicz *et al.,* 2015). However, effective-policy making is not an assured outcome as a result of diverse and potentially competing interests (Mercer, 2002). The outcomes of any participatory process are largely dependent on the players involved, highlighting the importance of ENGO participation in marine planning and to engage civil society – or at least, its membership - in a meaningful way. ENGOs may play a role in balancing the power inequalities present within marine planning processes empowering of previously marginalized groups but their presence may also serve to reinforce existing privileges and group dynamics if power imbalances are not consciously addressed (Cooke and Kothari, 2001). Power struggles between stakeholders and those between stakeholders and marine planning authorities, also need to be addressed to ensure marine planning is just and effective (Smith and Jentoft, 2017). The ability of ENGOs to balance power inequalities will be particularly important if ENGOs are to take the role of facilitators as discussed above, and should consider how to overcome inequalities such as age, gender and social background among civil society (Reed *et al.,* 2008).

In examining the role of ENGOs in marine planning, there are proponents for NGOs being democratic facilitators, while others view ENGOS as part of a post-political planning system which creates the illusion of democratic legitimacy and inclusivity (Flannery *et al.,* 2018). Calado *et al.,* (2012) describes ENGOs as being a potential source of conflict rather than a solution in marine planning processes due to their conservation mandate rather than wider representation of related interests. Eden *et al.,* (2006) also propose that the increased role of ENGOs and other conservation bodies may be contributing to the marginalisation of the wider public and traditional marine users in marine planning decision making. ENGOs could consider how they can become more effective in representing (some of) society's interests, although the involvement of ENGOs alone should not be taken as a measure for better participation, but considered alongside other methods to engage civil society. Furthermore, the capacity of

ENGOs is largely dictated by funding and resources, which is often limited and challenging to secure on a long-term basis. Crucially, this uncertainty of funding may undermine the ability of ENGOs to consistently engage with civil society through marine planning processes and is likely to be particularly challenging for smaller ENGOs acting at local level.

Development of marine planning in Scotland

Marine Planning emerged as an essential process for comprehensive planning and sustainable decision making in the marine environment, and was recognised at an EU level with the production of the EU MSP Roadmap 2008 (European Commission 2008, Calado *et al.*, 2010). Marine planning has gained traction as a process to organise the often "uncoordinated and unsustainable" human activities in marine and coastal areas, simultaneously attempting to protect marine biodiversity, limiting multiple-use conflicts and taking into consideration social and economic objectives (Mee *et al.*, 2008, Ardron 2008, Calado *et al.*, 2010). Marine planning was adopted as a key instrument for integrated EU marine policy with the EU Directive 2014/89/EU, which obligates all EU member states to prepare marine spatial plans by 2021. The principles of marine planning, as established by the European Commission, have been legislatively introduced in the UK through the Marine and Coastal Access Act 2009[4] and in the devolved administrations through the Marine (Scotland) Act 2010[5] and the Marine Act (Northern Ireland) 2013[6]. The shared UK vision of a "clean, healthy, safe, productive and biologically diverse oceans and seas" and joint administrative adoption of a Marine Policy Statement (MPS) (HM Government 2011), provide a high level policy context for the development of marine plans across the UK. The MPS outlines the collective UK vision for the marine environment and activities within it and is the framework for preparing Marine Plans (both national and regional). This policy framework also reinforces the UK government commitment to an ecosystem approach for marine planning and "the involvement of stakeholders and local communities in the marine planning process" (HM Government 2011).

Scottish Government developed planning and principles in alignment with the MPS and in accordance with EU Directive 2014/89/EU, and published Scotland's National Marine Plan (NMP) in March 2015 (Scottish Government 2015). Scotland's Marine Atlas (Baxter *et al.*, 2011), a comprehensive condition assessment for Scotland's marine environment, has largely

[4] https://www.legislation.gov.uk/ukpga/2009/23/part/3
[5] https://www.legislation.gov.uk/asp/2010/5/part/3
[6] https://www.legislation.gov.uk/nia/2013/10/part/2

informed the development of Scotland's NMP. The Atlas highlights various declines in marine biodiversity and environmental condition resulting from anthropogenic activities, and emphasises the urgent need to embed environmental protection and enhancement as part of a robust system of statutory planning to address these. The NMP and the forthcoming Regional Marine Plans (RMPs) for the 11 (*anticipated*) areas of Scottish territorial seas, aim to provide the planning framework to coordinate all marine sectors and activities with an overarching duty to "protect and enhance the marine environment while promoting both existing and emerging industries" (Scottish Government 2015). Regional Marine Plans will be developed by Marine Planning Partnerships, intending to allow more local ownership and decision-making on specific issues within the marine regions. It is within this developing policy context that the workshops presented in this paper were framed.

Public engagement and opportunities for participation in the Scottish marine planning process to date has been varied. The extent to which the governance structure in Scotland has supported public participation in this context has historically been more limited, with management being addressed by sectors and engagement efforts channelled through representative stakeholders and formal public consultation. This has been the case for many nations until the adoption of more holistic planning-based approaches (Crowder *et al.*, 2006; Crowder and Norse, 2008). The Scottish Government, through Marine Scotland, undertook a programme of stakeholder (including ENGOs) and public consultation during the development of the National Marine Plan (NMP). This included initial meetings with stakeholder groups to discuss the potential content and objectives of the NMP, followed by 29 public drop-in events throughout mainland Scotland and the Western Isles during the public consultation on the draft Plan (*Planning Scotland's Seas*, 2013)[7]. Smith and Jentoft (2017) suggest this two-stage engagement process may have limited the extent of public engagement in the NMP development. Here, the opportunity for broader public debate to develop a shared 'vision' for the marine environment early on in the marine planning process was superseded by a cross-sectoral approach to management and consequent consultation.

Two of Scotland's 11 Marine Regions (MR) are advancing development of their Regional Marine Plans: Shetland and the Clyde, with Marine Planning Partnerships established. A draft plan has been developed for Pentland Firth and Orkney Waters, which will inform subsequent

[7] http://www.gov.scot/Topics/marine/seamanagement/national/nmpspp

development of marine plans. Shetland has progressed its Plan to adoption as Supplementary Guidance to its Local Development Plan and has undergone a stakeholder evaluation process to assess its impact, both in terms of its use and the level of stakeholder involvement (Kelly *et al.*, 2014). Community councils, whose role is to represent the public interest, are statutory consultees for any planning applications under the Shetland Marine Spatial Plan (SMSP)[8]. Local consultation was undertaken throughout the development of the SMSP (Kelly *et al.*, 2014) and local societal values were one of the main drivers in the constraint mapping exercises that led to the production of regional level guidance for offshore wind as part of the SMSP (Tweddle *et al.*, 2014). On a small island community with its unique powers of authority[9], and only one Local Authority, public engagement and access to local communities is likely to be relatively easier and less resource-intensive. By contrast, the Clyde area has eight Local Authorities and over 40 Community Councils bordering the Clyde Sea area. Methods of engagement and the level of public interest may therefore differ across the MRs, and may even vary across localities within regions themselves. Examples of current public engagement projects being undertaken by the Clyde Marine Planning Partnership (CMPP) – the designated body responsible for the development of the Clyde RMP – includes interactive interview sessions with school children, a Marine Spatial Planning game with local marine user groups and various workshops on specific issues (e.g. litter)[10]. Stakeholder analysis studies have been used elsewhere (e.g. Solent Marine Planning Partnership) to identify key stakeholders and inform the marine planning process (Maguire *et al.*, 2011).

More inclusive approaches to increase involvement of civil society in marine planning decision-making are required to sufficiently capture the views and needs of civil society, as well as build trust and understanding in these processes (Pomeroy and Douvere, 2008). The involvement of civil society in marine planning (i.e. participation) can also facilitate the transfer of local knowledge (held for example, by users of the marine area, local residents etc.), that may not otherwise be captured (Raymond *et al.*, 2010). In Scotland, there is increasing policy emphasis on public participation and community stewardship of marine resources (e.g. through the developing Islands (Scotland) Bill (2017)[11] and the Community Empowerment (Scotland) Act (2015)[12]), with regional marine planning as a potential instrument for addressing

[8] https://www.nafc.uhi.ac.uk/research/msp/simsp/SIMSP_2015.pdf
[9] Zetland County Council Act, 1974
[10] http://www.clydemarineplan.scot/marine-planning/consultations-and-event/
[11] http://www.gov.scot/Topics/Government/local-government/Islands/Islands-Bill
[12] http://www.legislation.gov.uk/asp/2015/6/contents/enacted

these in coastal regions. The regional approach to marine planning is more likely to result in governance structures that will support better public participation in local decision-making, although these may differ as the Regional Marine Plans themselves are being developed on different timescales and by different authorities.

3. ENGO and other stakeholder perspectives on participation in marine planning: information gathering workshops

Public participation in marine planning was the subject of discussion in two dedicated workshops that took place in 2014 and 2016. Both workshops have been were organised by Scottish Environment LINK with the aim of garnering insight from other ENGOs and stakeholders as to how public participation can be better undertaken in marine planning processes.

The first workshop was held at the annual Scottish Environment LINK Congress in 2014 and the second at the Sea Scotland Conference 2016. Attendees at the 2014 workshop were primarily representatives of ENGOs from a wide variety of interests, including marine, conservation, land-use planning and environmental governance. Also present were a small number of interested non-NGO stakeholders (such as independent commercial businesses and environmental consultancies). The 2016 workshop included representatives from a range of marine-related sectors and stakeholders, such as government, planning practitioners, ENGOs, academics, community organisations and various industries. The types of organisations represented at both workshops are summarised in Table 1.

Table 1: Summary of the types of organisations represented in two workshops on public engagement with marine planning in 2014 and 2016. (NB ENGO = environmental non-governmental organisation).

Workshop	Organisation type
LINK Congress (2014)	ENGO (marine)
	ENGO (general nature)
	ENGO (historic)
	Government Agency
	Industry Representative (Renewables)
	Independent Commercial Business
Sea Scotland conference (2016)	ENGO (marine)
	ENGO (general nature)
	Community organisation
	Government Agency
	Scientific/academic Institution
	Scottish Government
	Local Coastal Partnership
	Local Authority
	Industry Representative (Commercial fishing)
	Independent Consultancy (Environment/planning)
	Independent Commercial Business

The aim of the 2014 workshop was to explore ideas and recommendations for improving the way ENGOs engage with their public membership, or how practitioners and managers involve local communities in marine management processes to facilitate participation. The Sea Scotland workshop aimed to capture wider cross-sectoral views on civil engagement in marine planning. Three questions were discussed at both workshops, focusing on how ENGOs can better involve civil society in marine planning:

1. What is our vision for marine planning; do we have common cause with other sectors?
2. How can we make marine planning more interesting or engaging to members of civil society?
3. How can we encourage local communities to become more involved or empowered to input into marine management processes?

4. Workshop results

The key points raised in both the workshops are summarised in Table 2 and these points are further elaborated on below.

Table 2: Summary of discussion from two workshops organised to gather perspectives of environmental non-government organisations (ENGOs) and other marine stakeholders addressing three questions relating to public participation in marine planning. Workshop 1 was held at Scottish Environment LINK's Annual Congress in 2014 and was attended primarily by ENGOs; Workshop 2 was held at Sea Scotland conference 2016 and was attended by a range of marine stakeholders.

Workshop question	**Summary of key points**	
	Workshop 1 (LINK Congress 2014)	**Workshop 2 (Sea Scotland 2016)**
1. What is our vision for marine planning; do we have common cause with other sectors?	*Vision* • The environment should be the key principle and first consideration of any planning decision • ENGOs can support Marine Planning development, recognising that environmental protection and, where appropriate, enhancement is a prerequisite for the economic and social benefits that flow from a healthy, functioning marine ecosystem • Supportive of the Ecosystem based marine planning model of hard sustainability (Mee *et al.*, 2008, Qiu and Jones, 2013) *Who should be engaged?* • Communities of place, such as in coastal areas, were rightly recognised as the primary (but not only) public groups or areas that should be encouraged to become more involved in marine processes • Communities of place and interest who may hitherto have not been considered direct stakeholders, some perhaps not feeling they 'had permission' to hold or express a view on marine management, but nonetheless have a stake in the health of the sea. • In short, an attempt should be made to engage everyone to marine planning and the sea, as all have a stake in this 'public good' through provision of, *inter alia*, oxygen, food, climate regulation, inspiration and enjoyment.	• A need to improve awareness that wherever a person lives they are connected to the sea – even those who are not living by the sea. 'The sea connects everyone'; 'everybody is a stakeholder in the sea, not just coastal communities'. Some communities or stakeholder group engage more actively according to their interests (e.g. divers). • Communities are stakeholders, but stakeholders are much wider (sub-sector). How can values be prioritised between these two distinctions? There can be a lot of 'blurred lines'. • Do young people have a sense of stewardship – how to we encourage that?

	Potential barriers to engagement • Complexity of the policy landscape • Lack of public awareness of how to engage in local or national processes (e.g. consultations) • Inadequate opportunities to engage • Misunderstandings around the purpose of marine planning, the meaning of Sustainable Development and the economic potential of marine conservation measures. • Scepticism about 'business as usual' financial models/structures subsidising unsustainable business practices *Potential Opportunities for engagement* • Emerging regional marine planning system itself • Devolution of the Crown Estate Commissioners functions to Scotland and scope for 'local management agreements' • Integration with land-use planning • Where there is potential scope for community ownership akin to community-owned wind turbines on land	• Not always easy to find consensus between stakeholders. Are there similar values beyond initial conflicting interests (common vision between different stakeholders)? These need to be identified and should become the focus of engagement processes. • Economic factors may be an issue (e.g. business may conflict with environmental interests) • Relatively low/narrow awareness of marine issues and role/opportunities of marine planning
2. How can we make marine planning more interesting or engaging to members of civil society?	• Stop calling it 'marine planning' – such terms unlikely to appeal to or resonate with members of civil society • Better use of technology and community participation techniques to make marine planning processes more understandable and therefore more accessible and engaging. • Better communicate the relevance of marine planning and the benefits of sustainable development with real examples such as those related to wildlife protection, fishing, aquaculture, tourism and energy development. • Encourage elected representatives at all levels of government, national to local, to champion particular marine species to engage a political audience	• Communities and stakeholders need more clarity on the political/decision-making process • 'Mythbusting' false perceptions and conspiracy theories about other stakeholders and their motives • A statement of public participation may be helpful • NMP-RMPs – there are different levels of sign off that need to be considered (specific local interests vs broad national interests) • How should a participant in a marine planning process feel? Suggestions were: included (informed, equally valued, feedback); realigned (engaging, unified); empowered (heard, excited,

		responsible, interested); sense of belonging; realism; respect.

3. How can we encourage local communities to become more involved or empowered to input into marine management processes?	• Better education about what MSP is, including more widespread use of interactive techniques such as Participatory Rural Appraisal.
	• Role of ENGOs:
	  o Translating complex legislation or policy information into easily understood terms
	  o Engage members of civil society using innovative tools
	  o Bridging the gaps between the public and decision-makers
	• Some limitations to who an ENGO can access
	• More should be done to emphasise the cultural importance of the marine environment, as has been done for Scotland's terrestrial biodiversity through initiatives such as 'Flora Celtica' (Bridgewater and Milliken, 2004).
		• The political questions are key
		• It's not necessarily about empowerment but about better policy-making (to improve the way people input)
		• What lessons can be learned from the MCZ process in England? Plans were produced and then felt to be ignored. There is a risk of community subversion if they feel they are not being heard.

The views expressed in both workshops are reported in summary form and comments are not attributed to an organisation or type of organisation. Table 2 highlights some commonalities in the discussion between the two workshops. It should be noted that workshop 2 (2016) was attended by a wider range of participants that were generally more connected to the Scottish marine planning process and therefore their comments were more specifically related to this.

1. What is our vision for marine planning; do we have common cause with other sectors?

The overarching vision of marine planning developed through the workshop was an ecosystem based approach with environmental objectives at the core, and reference to sustainable use. Participants felt that ENGOs can support marine planning development, representing conservation interests and prioritising environmental protection as fundamental to supporting economic and social objectives.

Workshop participants felt that consideration must be given to exactly *who* should be engaged in marine planning and what their vision might be for the marine environment, acknowledging that this may be different to the visions of ENGOs. Communities of place, such as in coastal areas, were discussed as the primary public groups or areas that should be encouraged to become more involved in marine processes. Participants proposed that the marine policy landscape may be complex and daunting to members of civil society, who might be unfamiliar with it or how to participate meaningfully, leading to disengagement in marine management processes. Many coastal communities may be aware of developments or competing interests within their area, such as aquaculture or marine renewable energy, but may be unaware how to engage or indeed how these developments might affect them personally and as a community.

2. How can we make marine planning more interesting or engaging to civil society?

When discussing how to make marine planning more accessible to civil society, an initial reaction from some participants was to avoid using the term ‘marine planning’ since it was thought unlikely to resonate with average public members, potentially unfamiliar with Scottish marine policy and legislation, and unlikely to be stimulating enough to encourage participation. Terms such as ‘marine reserves’ or ‘marine national parks’ were suggested as concepts that could be more easily identifiable and more engaging to a wider audience. However, these terms are misrepresentative as they refer to particular legislative designations that currently do not exist in Scotland and focus on environmental protection rather than the shared use of marine resources.

3. How can we encourage local communities to become more involved or empowered to input into marine management processes?

Workshop participants highlighted the value that interactive techniques could add in generating "better responses", referring to Participatory Rural Appraisal (PRA) and the applicability to local rural coastal communities in Scotland. Participants suggested case studies such as the Scottish Rural Development Forestry Programme and The Children's EcoCity, Edinburgh, as potential to apply more highly participatory approaches to local coastal communities for engaging in marine management and that they would support the exploration of possible options. While the role of ENGOs was not specifically addressed, participants highlighted the increasing need for "encouraging" participation with policy processes.

Participants in the workshops placed an emphasis on the development of approaches, and utilising alternative techniques for promoting greater engagement (e.g. PRA and community drop in sessions) and assumed that development of these participatory processes would facilitate democratic and equitable decision making.

5. Discussion

Perceived effectiveness of public participation in marine planning

Views expressed by the workshops' participants were similar to findings from previous studies (e.g. Calado *et al.*, 2012), that ENGOs can support marine planning development, prioritising environmental protection as fundamental to supporting economic and social objectives. The workshop did not consider recent blue growth targets of marine planning within the EU (European Commission 2012) that may cause a tension between growth of industry and the prioritisation of environmental concerns (Jones *et al.*, 2016). To achieve a vision of ecosystem-based marine planning and sustainable use as envisaged by workshop participants, blue growth targets need to be better aligned with environmental objectives, and consider other EU policies such as MSFD and the achievement of Good Environmental Status (GES). However, the provision for economic activities within marine planning has particular resonance in the context of Scottish MPAs. While MPAs are essential components of marine planning from an ecosystem-based perspective (Jones *et al.*, 2016), there has only been partial integration in the wider marine planning process to date, and limited demonstration of an ecosystem approach (Hopkins *et al.*, 2016). Particular tensions are felt with industry growth targets to increase aquaculture finfish and shellfish production by 50% and 100% respectively by 2020

(Aquaculture Working Group 2016), which may undermine the ecological integrity of many MPA sites, as many protected habitats are sensitive to its impacts[13]. While the ecosystem approach to achieve multiple objectives may be a defining characteristic of marine planning processes, in practice a specific sectoral objective (e.g. energy security) is usually the primary driver, with potential trade-offs aligned to achieve the sectoral objective (Jones *et al.,* 2016). Therefore, while the participant vision was for environmental objectives to be the core of marine planning processes, in practice, this is unlikely in the present policy and industry-growth driven climate.

Participants highlighted communities of place, such as in coastal areas, as primary public groups or areas that should be encouraged to become more involved in marine processes. This would reflect the Scottish Government's commitment to engage these groups as outlined in their Statement of Public Participation (Scottish Government, 2014). However, as marine planning progresses under the potential to develop "place-based" solutions using a scientific and managerial-technological approach to marine planning, the socio-spatial relationships in these areas may be disconnected and thereby missing a key element in the socio-ecological system (Flannery *et al.,* 2018).

Marine planning processes claim legitimacy through the participative development of policies and plans, yet *how* marine planning will ensure active participation and democratic accountability is unclear (Gazzola, 2015). Gazzola (2015) argues that the legitimacy deficit is most apparent at the local and community scale. In resident communities, it is important to identify all potential stakeholders to ensure inclusivity, and recognise that two different processes of engagement relating to management of the marine environment commonly occur due to the administrative division between MPAs and the rest of the marine environment (Gazzola *et al.,* 2015). The legislative division between marine planning implementation and MPA designation is potentially precluding debate regarding the future development of the marine environment (Gazzola *et al.,* 2015). Authorities should therefore seek to consider this divide, to engender a wider public debate over the vision for the marine environment, and the type and level of that uses are acceptable in relation to ecosystem protection objectives. The call for this wider societal debate is not new (Mee *et al.,* 2008); marine planning continues to focus on the management of competing uses and MPA debate focuses on the physicality of

[13] http://www.marine.scotland.gov.uk/feast/

areas in terms of boundary and location (Gazzola *et al.,* 2015) although there is a growing research agenda for the inclusion of social dimensions in MPA design and management (Gruby *et al.,* 2016). This could arguably be addressed through marine planning processes through a holistic approach to management of marine activities and interests in relation to MPAs and other designate areas.

Accessibility of decision-making in current governance structures

Participants considered that coastal communities may be unaware of how to engage in marine decision making, or how developments or competing interests in their area might affect them. Flannery *et al.,* (2018) highlight that although marine planning is billed as a conflict resolution process for these competing interests, when asked, community members felt marine planning was non-specific and disconnected from decision making to resolve these conflicts. Clarifying what marine planning can and should do in influencing development and activities in the marine environment and how communities can influence marine planning and decision-making is essential. A fundamental issue that emerged within both workshop discussions was around raising awareness of how local communities and members of society can express their views as part of decision-making processes. As previously mentioned, governance frameworks in Scotland are intending to be developing more inclusive structures through the adoption of a more holistic, ecosystem-based approach to ocean management and the regionalisation of marine planning. However, more progress is needed in terms of creating and highlighting the 'access points' of these structures and enabling a better understanding of the mechanisms through which people can become involved in a process. ENGOs are well-placed to do this in their capacity to 'bridge the gap' between policy development and public membership, but this can be challenging where there are limits to the scope of process and/or the reach of the ENGO. An example is the recent statutory review of Scotland's National Marine Plan[14], where the extent of its efforts to gather wider views on its implementation was limited to consultation with key stakeholders (including ENGOs). No public consultation was undertaken as part of this process.

Workshop participants considered whether the current opportunities and mechanisms for public engagement in marine management are adequate or whether there is sufficient incentive to participate. For example, aspects of Scotland's MPA public consultation have been

[14] http://www.gov.scot/Resource/0053/00533191.pdf

perceived as information giving exercises occurring at later stages of the policy process limiting meaningful engagement resulting in change (Hopkins *et al.,* 2016). The incentive to participate is that by engaging with the process, individuals or communities are influencing the process with respect to their values (Innes and Booher, 2004) and participation may reduce if the value of their continued engagement is perceived as ineffective or having limited influence (Flannery *et al.,* 2018). However, the reasons why the public choose whether or not to participate in policy processes are highly complex. Non-participation may be considered by some as a form of protest against inequitable or undemocratic processes (May, 2012), others may suffer from stakeholder fatigue due to the sustained demands of ongoing policy processes. Therefore, in attempting to support more effective participation, there is a role for ENGOs to facilitate the complexities of engaging a broader public in marine planning processes including issues of power and exclusion (Flannery *et al.,* 2018).

An early discussion point from workshop participants was to avoid using the term 'marine planning' in place of other terms such as 'marine parks'. This confusion of terminology is interesting to note within an ENGO community engaged with marine planning processes. In attempting to simplify and engage or develop a new terminology for the public discourse, there is a risk of creating more confusion. Additionally, the conflation of terms for environmental conservation with wider marine planning can lead to highly charged planning discussions due to strong negative or positive stances towards protected areas (Calado *et al.,* 2012). The problem here lies in being able to ascertain the relative emphasis on ecological objectives alongside economic growth. In order to facilitate greater participation in marine planning, ENGOs should therefore concentrate on the translation of marine planning processes into publicly accessible messaging rather than a redefinition.

Effectiveness of ENGOs as facilitators to support public participation

Why should ENGOs be concerned with the effectiveness of participation in marine planning? As discussed already in this paper and by other authors (e.g. Calado *et al.,* 2012) a mandate of ENGOs is to be the voice for the people it represents, which calls into question the need for explicit participation. Arguably it is important for ensuring accountability of both ENGOs and government. Supporting engagement and participation in decision-making by members of civil society helps to validate the mission of the ENGO and can strategically or politically demonstrate support for a particular cause.

Lessons from previous successful campaigns for marine issues, such as tackling marine pollution through the recently announced deposit return scheme for drinks containers in Scotland ("Have You Got The Bottle?" partnership led by Association for Protection of Rural Scotland with marine support from Marine Conservation Society) could be applied to encourage engagement with marine planning. A further example can be drawn from the Scottish Environment LINK "Don't Take the P" campaign for improving protection of Scottish MPAs, which effectively combined public awareness raising and mobilisation of ENGO membership into action, resulting in the submission of over 4500 consultation responses. However, it should be noted that this campaign was not well-received by some members of society (e.g. some sections of the fishing community). ENGOs have additionally been successful and important contributors in implementing policy (Winfield 2014), through restoring damaged areas, beach clean ups, and citizen science research (e.g. Seasearch, Beachwatch and RSPB bird surveys). These activities demonstrate the willingness of the public to participate in marine issues and indicate a potential public interest base for marine planning.

Awareness-raising alone does not in itself necessarily lead to greater active participation in the decision making process. ENGOs can play an important role in building confidence among the public to participate in planning processes (Reed, 2008; Weber and Christopherson, 2002). However, encouraging a public belief in the value of participating in environmental initiatives can be demanding and tied to wider socio-political cultures which can promote the continued marginalisation of certain groups (Flannery *et al.*, 2018).

Recent advancements in technology have enabled more 'engaging' and accepted forms of engagement for planning processes, through online mapping and the use of social media. However, as Evans-Cowley and Hollander (2010) suggest, the level of acceptability of online tools for participation are linked to demographics groups in society. While online methods of engagement may be more accessible and acceptable to certain groups, the creation of such place-based forums and tools may inadvertently exclude others considered to be less 'tech savvy'. Technology may therefore be a useful tool to interact with certain elements of civic society, but would need to be considered carefully as the primary method of engagement with respect to those who the process aims to involve.

ENGOs have already begun to challenge the prevailing stance of decision makers that scientific understanding and knowledge rests with experts and that the public role is limited (Haklay

2017). ENGOs could both bridge the knowledge gap, through their own access to scientists, interpreting this information for non-experts, and also supporting incorporation of local knowledge into decision making by developing means for communicating and validating different knowledge (Jones 2009, Gazzola *et al.,* 2015). Furthermore, in addition to building local capacity to engage and participate in local decision-making, ENGOs can apply their technical and political leverage to promote support for such participation in national and international governance structures.

Translating technical and scientific information for decision makers, the media and the public, and into specific policy recommendations is a role in which ENGOs have demonstrably been successful (e.g. Finding NIMAs[15]; Duncan and Boyd, 2007; Winfield, 2014). There is also a role here for ENGOs to translate the often confusing, intimidating bureaucratic, political or regulating system for members of society who are often marginalised in such systems, members of communities who have lower levels of literacy, confidence in speaking in public forums, or understanding of the intricacies of the political or bureaucratic system they are attempting to influence (Voyer *et al.,* 2012). Public participation in MPA processes has often relied on those most likely to be impacted by a proposal to act as their own advocates, responding to the complex process and making detailed suggestions for minimising impacts or likewise by themselves (Voyer *et al.*, 2012).

ENGOs tend to favour a more open and inclusive process than managed traditional ones (Ritchie and Ellis 2010) and therefore, could lobby for the more participatory approaches discussed by workshop participants (e.g. PRA). In an example from terrestrial planning in Utrecht (The Netherlands), citizens were actively involved in preparing neighbourhood 'green plans' by being invited to submit their own ideas for green space. Suggestions that met the criteria (see (Van Der Jagt et al. 2016)) were incorporated into the neighbourhood plan. ENGOs can be important for shaping and implementing participatory process because they are considered to have an independent role in society (Calado *et al.,* 2012). However, while better deliberation and discussion of marine planning may be delivered through more participatory approaches, redesigning these processes is not sufficient to deliver the full civic model of participation (Owen 2000) or address the political and social realities and the power dynamic between stakeholders and decision makers (Flannery *et al.,* 2018). The problem as seen by

[15] http://www.scotlink.org/files/publication/LINKReports/LINKmtfReportFindingNIMAs.pdf

citizens is that deliberative processes requiring time and energy have resulted in policies or decisions that have seemingly not been influenced by citizens' views (Rayner 2003).

In exploring how to promote greater engagement and participation with marine planning processes, recognition of the different types of ENGOs, varying in size, core priorities and relationships with their member base is necessary. Bigger, national ENGOs can act in a representational capacity, nominated by their membership to advocate on their behalf (and the environment) in line with the core principles of the ENGO (Calado *et al.*, 2012). These ENGOs can have a large membership base, and can mobilise large numbers to participate in decision-making (Haklay 2016), garnering support for particular environmental policies. Broad campaigns from large ENGOs can be useful in gauging and demonstrating widespread public opinion and could provide a clear general public vision for large scale marine planning, whereas more local organisations can canvas public opinion in a very tangible way. ENGOs are representative of those among civil society who share and buy into their ideological views, reflected through their membership. However these views may differ from wider civil society, including other interested stakeholders who may be engaging, often on behalf of their own members, in the same policy areas.

Future opportunities

Regional marine planning within Scotland is an opportunity for ENGOs to act within local communities by sharing information on the planning process as it develops and capturing local views on uses of the regional marine area. Recognising that many rural, coastal communities within Scotland have been active in engaging with marine issues, ENGOs could support these communities to further participate in marine planning processes. Support for communities, many of whom are well informed, could be achieved by providing full access to scientific and key information, supporting use of an open decision-making process that allows for and encourages extensive citizen involvement (National Research Council 2001) and facilitating widespread community discussion on the goals of marine planning.

A general assumption pervading much of the workshops' discussion was that greater awareness of the issues, clearer understanding of the "technocracy" as well as objectivity and transparency in the process, would lead to greater and more effective public participation in marine planning. It is evident that some workshop participants were operating under this "deficit-model" of public engagement (Rayner 2003). Under this model, the public are seen as ignorant of the

issues related to marine planning and need to be made aware, the hypothesis being that they would then support an ecosystem based approach to marine planning, prioritising environmental protection as opposed to economic growth in marine planning. The flaws in this model have been widely discussed, and in relation to marine planning there is an assumption that greater knowledge leads to action. This model also assumes a homogenous community, ignoring distinct interests among actors within a community, based on gender, age, ethnicity, economic and social activity (Pomeroy and Douvere 2008). Yet, for overcoming barriers to public engagement, the more important mediating factors are the framing of problems in meaningful terms to the citizens, social and political context and personal and institutional constraints, not a lack of scientific knowledge (Rayner 2003).

How the data from marine planning participatory exercises is interpreted remains a challenge, and can lead to disenfranchisement in the process if participants do not feel that their contribution has been considered in the final decision that is made. Although ENGOs may not design the process – and therefore are not able to change *how* information is considered at the decision-making stage – consistent communication and engagement with membership may help to ease these tensions. An alternative method of engagement should be to involve the public in discussions of trade-offs in marine planning and actively encourage strategic participation in the decision-making process.

Furthermore, public participation in decision making for the marine environment thus far has been under a science and evidence based framework, which frames the debate as hard edged and definitive, while social and cultural values are seen as malleable preferences (Rayner 2003). Here, ENGOs can fall into the 'participation trap' whereby, unless they frame issues in terms of science and risk, they lose expert status and privileges.

6. Conclusions

Against a background of increasing environmental and political change in Scotland and the UK as a whole, the demand for increased participation of civil society in environmental decision-making is notable. This paper has highlighted that there is considerable work needed to ensure effective public participation in marine planning processes and the following recommendations may help to inform this:

- Authorities should seek to design public engagement processes that empower members of civil society to participate in a way that will meaningfully influence the

development of marine plans. This includes adapting governance structures to enable better integration of human-environment interaction.

- Greater engagement of the public at the earliest stage of planning, as well as clear understanding of how public information will be used in decision making (i.e. the opportunities for participation) is likely to result in broader debate and greater acceptance of the outcomes.
- ENGOs have a significant role to play within these processes, both to mobilise engagement of civil society (their membership) and represent their interests within formal processes as participants. This includes the communication of marine planning processes, and the relative balance of environmental, social and economic interests within the marine area, in a more accessible way.
- Collection and dissemination of environmental information at both a public and policy maker level, and consideration of how best to achieve this, should be a central tenet for ENGOs in delivering their vision of a healthy and resilient marine environment in marine planning processes.
- It will be important for ENGOs to engage with their membership where possible to understand what people value about the marine environment, particularly the immaterial benefits derived, to inform representations in marine planning processes. Understanding these values can lead to deeper understanding of potential conflicts arising in the marine planning process (Gee et al., 2017).
- Engaging more extensively with membership in this way may also help to increase the perceived legitimacy of ENGOs as representatives of civil society and their role within policy processes enables them to hold authorities to account.
- However, there is a clear risk in placing responsibility for civil society representation on ENGOs, and further research into their role within marine planning processes is required.

Further discussion of how wider engagement can be encouraged in marine planning, building upon this public interest and concern for the marine environment, and the role of ENGOs in this, is needed. Additionally, further research on the perceptions of the public, local communities and other stakeholders on the role of ENGOs would add value to this debate, which would need to consider the diversity of individual ENGOs. Placing sole responsibility for civil society engagement on the ENGO sector as an ‘organized’ grouping of individuals is

unrealistic and would underrepresent the diverse interests within civil society. The ability and capacity to act as facilitators may vary between smaller ENGOs with greater access to 'grassroots' actors, compared to larger ENGOs operating at national levels. The role of ENGOs in facilitating public participation is also restricted within existing frameworks of decision-making. To truly improve the quality of input in marine planning from members of civil society requires fully inclusive decision-making processes that enable representative public views to determine the outcomes.

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