

Shetland Islands Regional Marine Plan – Supporting Guidance on the Decommissioning of Assets

Introduction

This guidance has been produced by the Shetland Islands Marine Planning Partnership (SIMPP), a partnership of Shetland Islands Council and UHI Shetland. The SIMPP was directed by Scottish Ministers to prepare the Shetland Islands Regional Marine Plan (SIRMP) that was adopted in 2025.

It is intended that the guidance is used by consenting authorities, regulators and developers to help ensure that the requirements of this particular SIRMP policy (MP DEV2: Guidance on the Decommissioning of Assets) are applied and met in a proportionate manner.

Shetland Islands Council shall apply this policy to aquaculture developments which require planning permission under the Town and County Planning (Scotland) Act 1997 (as amended), and developments which require a works licence from the Council under the Zetland Country Council Act 1974.

The Marine Directorate of the Scottish Government should apply this policy for developments which don't require planning permission or a works licence from Shetland Islands Council, but require a marine licence under the Marine (Scotland) Act 2010.

All decision makers should have regard to this policy when they are determining a licence or consent, where relevant, and where proposals fall within devolved competencies.

Background

The SIRMP contains the following policy on the Decommissioning of Assets:

Policy MP DEV2: Decommissioning of Assets

Proposals for marine development and use should, where relevant, consider the decommissioning requirements of the development to ensure the removal of redundant infrastructure. The re-use of decommissioned assets should be considered and is encouraged where practicable.

Applicants should consider, and could include within a decommissioning plan:

- a) the proposed decommissioning measures;
- b) the methods by which work will be carried out; and
- c) the timescales for the carrying out and completion of the work.

Applicants should refer to the associated SIRMP Guidance on Decommissioning.

Proposed Thresholds & Scope of Decommissioning Plans

The SIMPP consider that all new aquaculture developments (finfish & shellfish) will be required to submit information alongside their planning application to address the

requirements of this policy. This should be provided in the form of a decommissioning plan to cover the aspects listed in Policy MP DEV2, namely:

- a) a description of the development;
- b) all proposed decommissioning requirements and measures;
- c) the methods by which work will be carried out; and
- d) timescales for the carrying out and completion of the work.

For most applications a standardised submission of a decommissioning plan will be acceptable and can be replicated for the same type of development. Set approaches to decommissioning may already be covered by industry best practice, association rules and accreditations that developers or their organisations may be signed up to. We therefore advise that these are referred to in the decommissioning plan and this approach is agreed in advance with Shetland Islands Council.

All finfish developments which require Environmental Impact Assessment (EIA) should aim to address the requirements for decommissioning either within the accompanying EIA report or within additional information submitted alongside the planning application. Where EIA is required, Shetland Islands Council will aim to ensure that the requirements of this policy are covered within their response to the EIA scoping/EIA scoping report.

Where applications are submitted for variations to aquaculture developments (finfish and shellfish), Shetland Islands Council will consider these on a case-by-case basis and advice will be provided if a decommissioning plan is needed. If a decommissioning plan is considered necessary, the Council will require it to cover the whole operational site and not just the equipment/works subject to the variation. This is to ensure that consideration is given to decommissioning aspects of the whole development.

Due to the wide scope of developments that are covered by works licences issued by Shetland Islands Council the requirement for the provision of a decommissioning plan will be considered on a case-by-case basis. Examples of developments which will be exempt from a decommissioning plan are likely to include smaller developments such as individual septic tank sea outfalls as well as permanent structures such as sea defences, reclaimed land and piers. Larger developments such as renewables or seaweed farming (i.e. development which require cages, moorings and structures etc. to grow seaweed) will likely require a decommissioning plan.

Works for developments that require EIA under other regulations*, such as marine works or electricity works, should aim to address the requirements of this policy in the EIA report or through the additional information prepared in support of marine licence and/or section 36 applications. Where a works licence is also required from Shetland Islands Council, the EIA or supporting information on decommissioning should also be submitted alongside the works licence application.

* More information can be found here: [Marine licensing and consenting - Environmental Impact Assessment: overview - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/marine-licensing-and-consenting-environmental-impact-assessment/overview/pages/1)

Proposed decommissioning considerations.

While information requested will vary between developments, developers may be asked to consider:

- How they will undertake decommissioning- vessels and resources required
- How decommissioning will be financed
- How the marine environment will be restored to pre-development condition, including habitat restoration, and restoring access to marine users including fishers.

Use of Standard Conditions for Permissions

Shetland Islands Council will also continue to apply a standard planning condition which covers decommissioning for aquaculture developments and we will consider amending this condition to apply it to other development proposals, including those where a works licence is required. A current example is provided below.

“At least three months prior to cessation of use of the site for fish farming, a scheme for the decommissioning and removal of all equipment shall be submitted to and approved in writing by the Planning Authority. Upon cessation the approved scheme shall be implemented within an agreed timescale.

Reason: To ensure that decommissioning of the site takes place in an orderly manner and to ensure proper storage and disposal of redundant equipment in the interest of amenity and navigational safety”.

Pre-Application Advice

Shetland Islands Council strongly recommend that all proposals for developments that require planning permission or a works licence are first subject to our pre-application advice service. This will help ensure that the information requested from developers on decommissioning plans is proportionate and relevant. More information on pre-application advice can be found on the Council’s website at:

www.shetland.gov.uk/coastal-marine-planning/make-marine-planning-application

Contact Us

If you have any queries about this guidance in relation to planning applications or works licence applications, please contact the Shetland Islands Council Marine Planning Team by email: marine.planning@shetland.gov.uk

If your query relates to a marine licence application, please in the first instance contact the Scottish Government’s Marine Directorate – Licensing Operations Team (MD-LOT) by email: md.marinelicensing@gov.scot