

Consultation on Draft Scottish Marine Litter Strategy

July 2013

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Ministerial Foreword

The Marine (Scotland) Act 2010 marked a new era of improved stewardship of our seas – in promoting sustainable use of our valuable and unique environment through marine planning, simplified marine licensing to encourage economic growth and new conservation powers to help protect important marine features.

Marine litter is recognised throughout the world as a pressure on our precious marine environment. Scotland shares the problems of marine litter, with our long coastline and large sea area. It causes harm and stress on our marine ecosystem and impacts on fish, sea birds and marine mammals alike.

Good environmental status is affected by marine litter problems. We have agreed to tackle marine litter under the Marine Strategy Framework Directive, a collaborative effort between EU countries. The Scottish Government also wants to look at more specific initiatives that complement our work to reduce litter on land, which is put forward in our [National Litter Strategy](#) consultation.

The Scottish Government is committed to tackling the problem of marine and coastal litter. This Marine Litter Strategy will deliver a framework for the control and management of marine litter in Scotland's seas, and our collaborations with other countries in the North East Atlantic through the OSPAR Convention and the EU Marine Strategy Framework Directive.

Our Scottish Strategy aspires to lead the way in developing current and future measures to ensure that the amount of litter entering the marine environment is minimised to bring ecological, economic and social benefits. Everyone in Scotland can help deliver change in tackling marine litter. We would also welcome your views to help us finalise the strategy and determine what new actions are needed to tackle this problem. We look forward to your continued participation in helping to shape action to address the impacts of litter in Scotland's seas.

A handwritten signature in black ink that reads "Richard Lochhead". The signature is written in a cursive, slightly slanted style.

Richard Lochhead
Cabinet Secretary for Rural Affairs and the Environment

Summary

Marine litter is any persistent, manufactured or processed solid material discarded, disposed of, or abandoned in the marine and coastal environment¹.

Marine litter consists of items that have been made or used by people and deliberately discarded or unintentionally lost into the sea or coastline including such materials transported into the marine environment from land by rivers, drainage or sewage systems or wind. Typical examples are plastics, wood, metals, glass, rubber, clothing and paper.

Marine litter is a global problem which can be a threat to ecosystems, has socio-economic costs and can also pose a threat to human health. In addition, marine litter threatens the realisation of a shared vision for 'clean, healthy, safe, productive, biologically diverse marine and coastal environments, managed to meet the long term needs of nature and people' and may also impact upon Scotland's Strategic Objectives, most notably the drive to become a Greener, Wealthier & Fairer, Safer & Stronger and Healthier Scotland.

Scotland's Zero Waste Plan (2010) sets ambitious targets for waste reduction, reuse and recycling and is critical for developing the culture of waste as resource. This is reflected in our [National Litter Strategy](#), currently also being consulted on, which includes educating the public about the importance of disposing of their litter responsibly. But litter in Scotland's seas can come from both land and sea based activities. Sources can include beaches, rivers and landfill and other activities in Scotland, ships at sea inside or outside Scotland's seas, and litter sourced from terrestrial activities in other countries and carried by currents. The length of our coastline and the size of our marine area mean it can be more challenging to monitor the problem cost effectively.

A number of studies have looked at the differing proportions of litter from each of these and their results estimate that at the global scale the greatest proportion (up to 80% in some cases)² is from land based sources, with similar proportions in Scotland.

An analysis of the type and sources of marine litter in Scotland from the Marine Conservation Society (Beachwatch Big Weekend campaign 2012)³ revealed that public litter remains the highest proportion of sourced litter. Plastic continued to be the most dominant type of litter found on Scotland's beaches. The durability of plastic also means that uncontrolled disposal is problematic as plastic can persist in the environment for a very long time.

¹ UNEP Regional Seas Programme (2005)

² Marine Pollution Monitoring Management Group – The Impacts of Marine Litter

³ Beachwatch Big Weekend Summary Report, May 2013

Establishing the actual volumes of litter that are present on our coastline is difficult and levels vary depending on the influence of location, tide, wind and weather. In the OSPAR⁴ region, a pilot study published in 2007 found an average of 542 items of marine litter of various sizes per 100 metre survey on the reference beaches⁵.

The Scottish Government's ambition is to lead the way on tackling marine litter, through a new Strategy that complements Scotland's first [National Litter Strategy](#), builds on current efforts to reduce marine litter and contributes to international action through the European Marine Strategy Framework Directive.

Marine Scotland is developing a high level draft Marine Litter Strategy which aims to address the levels of marine litter present in our marine and coastal environment. The Strategy seeks to maximise opportunities and minimise threats to addressing the levels of litter present, and recognises that the Marine Strategy Framework Directive is a key driver for addressing the problem of marine litter in Scotland.

The Marine Litter Strategy provides an opportunity to build on current initiatives to reduce marine litter and consider what additional work or interventions may be of value at the national level to implement the Marine Strategy Framework Directive.

At present, responsibility for regulating marine litter is spread across several UK bodies and further efforts need to be made to help all those organisations responsible for litter to co-ordinate efforts.

- Focus on achieving zero input of litter into the marine environment, i.e. action through [National Litter Strategy](#).
- There needs to be better education regarding the problems and effects of marine litter.
- We need more data on the extent and spread of offshore litter - both floating and on the seabed.

The Scottish Government is seeking your views on the content of the Scottish Marine Litter Strategy and would like your comments on the proposed vision, strategic directions, possible actions and preferred option for delivery of a Strategy.

⁴ Oslo & Paris OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic

⁵ OSPAR Commission 2007 – OSPAR Pilot Project on Monitoring Marine Beach Litter

1. INTRODUCTION

1.1 Thank you for taking the time to consider this consultation paper. We would welcome your views on the proposed Vision, Strategic Directions and Option on ambition and delivery of a Scottish Marine Litter Strategy. More focused work on individual actions will be taken forward with stakeholders and the wider public.

1.2 This consultation considers litter specifically within the marine environment. The Scottish Government will consult on proposals to reduce litter as a whole in its [National Litter Strategy](#)

1.3 A Strategic Environmental Assessment and partial Business Regulatory Impact Assessment will be published alongside this document at the [consultations section of the Scottish Government website](#). These will be reviewed and, if necessary, updated for the final strategy.

1.4 Alternative formats or translations into other languages are available on request. Please contact:

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E-mail: marinelitter@scotland.gsi.gov.uk

1.5 Please note that the closing date for the Marine Litter Strategy consultation is 27 September 2013.

Background

1.6 Marine litter poses a number of problems across the economy, environment and society. These detrimental effects include ingestion and entanglement of wildlife as well as wider ecosystem deterioration, public health issues and impacts on aesthetics and a wide range of economic impacts across the raft of industries reliant on our coastal and marine environment.

1.7 During the Scottish Parliament's consideration of the Marine (Scotland) Act a commitment was given to develop a Marine Litter Strategy.

1.8 Scotland's Zero Waste Plan⁶ sets out ambitious targets on waste, and action will contribute to the condition of the marine environment but litter in Scotland's seas can come from a range of sources – including beaches, rivers and landfill and other activities in Scotland, ships at sea inside or outside Scotland's seas and litter sourced from terrestrial activities in other countries and carried by currents. Reserved, devolved and international functions are part of the governance framework.

⁶ Launched on 9 June 2010. Plan sets out the Scottish Government's vision for achieving a zero waste society.

1.9 The Draft Marine Litter Strategy is supported by a research study⁷ and a process of stakeholder engagement and aims to address the levels of marine litter present in Scotland's coastal and marine environment.

1.10 The Draft Strategy also provides an opportunity to build on current initiatives, make the overall effort a more coherent package and consider what additional work or interventions may be of value at the national level to enhance and take forward the overall aims of the EU Marine Strategy Framework Directive, within the OSPAR Convention in the period 2010 – 2020.

Current Activity

1.11 A range of legislation and regulatory tools exist to inform and implement a Scottish Marine Litter Strategy from the international, European and National scales. These include, but are not limited to the:

- International Convention for the Prevention of Pollution from Ships⁸;
- European Marine Strategy Framework Directive⁹;
- European Directive on Port Reception Facilities for Ship-generated Waste and Cargo Residues¹⁰;
- Bathing Waters(Scotland) Regulations 2008¹¹;
- EU Water Framework Directive¹²
- Environmental Protection Act (1990)¹³;
- Merchant Shipping (Port Waste Reception Facilities) Regulations 2003¹⁴;
- Marine (Scotland) Act 2010¹⁵. The management of litter, while not directly specified under the Act, may fall under the scope of marine planning;
- The European Commission's Green Paper on plastic waste which encourages Member States to take legislative or non-legislative measures in order to strengthen re-use and the prevention, recycling and other recovery operations of waste.

⁷ Publication 'Marine Litter Issues, Impacts and Actions' – The Macaulay Land Use Research Institute/James Hutton Institute and Scottish Association for Marine Science (May 2011)

⁸[http://www.imo.org/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-\(MARPOL\).aspx](http://www.imo.org/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx)

⁹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF>

¹⁰ http://europa.eu/legislation_summaries/environment/waste_management/l24199_en.htm

¹¹ <http://www.legislation.gov.uk/ssi/2008/170/contents/made>

¹² <http://ec.europa.eu/environment/water/water-framework/>

¹³ <http://www.legislation.gov.uk/ukpga/1990/43/contents>

¹⁴ <http://www.legislation.gov.uk/uksi/2003/1809/contents/made>

¹⁵ http://www.legislation.gov.uk/asp/2010/5/pdfs/asp_20100005_en.pdf

1.12 The Marine (Scotland) Act includes proposals for a new system of marine planning including provisions for the co-ordination of plans covering the terrestrial and marine environment. The management of litter, while not directly specified under the Act, may fall under the scope of the marine planning and licensing regime. It is recognised that there is a limit, however, as the devolved powers for marine litter are limited to litter sourced from land. Scotland's approach to marine litter is dependent on decisions made in international fora, including the European Union and United Nations.

1.13 An International Conference on Prevention and Management of Marine Litter in European Seas was held in Berlin in April 2013. The Conference identified a number of priority actions for consideration¹⁶. The Draft Strategy will be updated to reflect the outcome of further discussions at an EU level and between OSPAR countries.

Current Marine Litter initiatives in Scotland

1.14 There are a number of initiatives aimed at reducing marine litter, raising awareness of the problem or changing behaviours e.g. The Local Authorities International Environmental Organisation's (known as KIMO), Fishing for Litter initiative that engages the support of the fishing industry in tackling marine litter by providing litter bags for fishermen to fill and deposit on the quayside for collection. The scheme is being adopted by an increasing number of vessels operating out of Scotland's designated landing ports. The Marine Conservation Society – Adopt a Beach and Beachwatch are coastal environmental initiatives involving local individuals, groups and communities in caring for their coastal environment.

¹⁶ <http://www.marine-litter-conference-berlin.info/userfiles/file/Message%20from%20Berlin.pdf>

SCOTTISH WATER CASE STUDY

Scottish Water Investment process

Scottish Water are responsible for providing water and waste water services to household customers and wholesale Licensed Providers. We are accountable to the Scottish Parliament. Scottish Ministers set the objectives and investment priorities that we must deliver within the funding allowed by the financial regulator, the Water Industry Commission for Scotland, in a way that meets the requirements of our environmental regulator SEPA.

This is known as the Quality & Standards (Q&S) process and is carried out in defined investment periods. We are currently delivering the requirements of the Strategic Review investment programme that covers the period from 2010 – 2015 (SR10) and are in the process of determine investment needs and priorities for the period 2015-2027 (SR15).

To support the Scottish Government's objective of "A Greener Scotland", SEPA and Scottish Water have worked together to agree a list of asset improvements and investigations which will effectively deliver Scottish Water's obligations, ensure compliance with environmental legislation and provide environmental benefits.

To ensure that the environmental impacts and needs are fully understood before promoting investment at our assets we undertake a process of studies and, depending on the outcome of the studies, invest to deliver the most appropriate cost effective solution.

Wastewater Treatment Works (WWTW) and Networks

Our sewerage system is designed to convey and treat human waste and waste water, however many items of litter are disposed of into the networks and these create operational and mechanical problems within our assets and sometimes aesthetic issues in the freshwater & marine environment. Screening of wastewater as it passes through the WWTW & network is a key part of the process to ensure removal and appropriate disposal of litter.

The network, WWTW and treatment process is designed to take a certain flow and types of wastewater based on the characteristics of the catchment. They are often open systems so, to ensure the WWTW is not overwhelmed due to storm water, or that wastewater backs up causing flooding within homes and business premises, it is essential to include Combined Sewer Overflows (CSO) within the network.

SCOTTISH WATER CASE STUDY

Wastewater Treatment Works (WWTW) and Networks continued

During storm conditions the CSO allows the mix of storm water and wastewater over a certain capacity to discharge both directly to the sea and also to rivers. CSO have been identified as one of the sources of Sewage Related Debris (SRD). CSO that are having a detrimental impact on the environment or are not performing in compliance with appropriate standards are considered to be Unacceptable Intermittent Discharges (UID). The challenge for Scottish Water is to identify UIDs, determine appropriate solutions and programme improvements as agreed with SEPA.

Investment to meet certain legislative drivers

When assessing the impact of storm overflows on the environment Scottish Water must consider many different drivers to ensure compliance with relevant legislation e.g. the Water Framework Directive (WFD). Several of these drivers contribute to the overall management to reduce SRD impacting on the environment; in particular we consider the aesthetic (debris release) impact of an overflow operating under its assessment of compliance with the Urban Wastewater Treatment works Directive (UWWTD).

Drivers informing investment to meet compliance with the previous Bathing Water Directive (BWD) standards in investment periods 2002-2010; have also contributed to reducing SRD in the marine environment. Since 2010 the requirements of the revised BWD have driven studies to identify needs for future investment.

SR15 & Marine Litter Strategy (MLS)

Scottish Water believes the requirements of the MLS are incorporated into the study programmes and our planned investment will develop appropriate solutions to ensure compliance with legislation such as the WFD & UWWTD and in doing so will support the delivery of the MLS.

Given the lack of a standard classification method, good quality data and understanding of the sources/pathways for SRD, Scottish Water's proposed approach is to focus on gathering a better understanding of known SRD hotspots. In addition we will undertake analysis of Marine Conservation Society data to assist in identifying SRD hotspots, adding to a better understanding of historical and planned improvements and helping to establish whether an asset screening problem exists.

1.15 At a local level, the Firth of Clyde Forum has prepared a report as the first step in developing a Marine Litter Strategy for the Firth of Clyde¹⁷ and has developed Coastal Litter Management Guidelines for Duty Bodies. This is one of a number of local initiatives which may lead to similar approaches elsewhere in Scotland.

¹⁷ <http://clydeforum.com/attachments/Firth%20of%20Clyde%20-%20Marine%20Litter%20Report%20-%20website%20version.pdf>

National Litter Strategy

1.16 The purpose of the [National Litter Strategy](#) is to significantly reduce the amount of litter to support clean, safe communities throughout Scotland by 2020. The Scottish Government will provide leadership that tackles behaviours which lead to people littering and flytipping; support landowners in delivering their clean up and recycling responsibilities; and support communities that want to take local action to clean their environment.

1.17 The [National Litter Strategy](#) reflects Scotland's Zero Waste Plan which sets out the Scottish Government's vision for a zero waste society. This vision describes a Scotland where all waste is seen as a resource; waste is minimised; valuable resources are not disposed of in landfills and most waste is sorted, leaving only limited amounts to be treated.

1.18 There is significant overlap with the Marine Litter Strategy – where marine litter is washed up on shore, or where land-based litter is washed out to sea.



1.19 An example of the interdependence of the strategies and plans is the work of Keep Scotland Beautiful which undertakes assessments and monitoring of beaches applying for the Blue Flag and Seaside Awards in Scotland and provides support to local authorities in their role tackling litter in public places. Keep Scotland Beautiful's Clean Up Scotland¹⁸ campaign aims to build on the success of National Spring Clean by engaging up to one million people over 2013 and 2014 to help clean up Scotland of litter and mess. The Marine Litter Strategy will complement this activity and focus on marine and coastal issues.

Marine Strategy Framework Directive

1.20 The Marine Strategy Framework Directive (MSFD) is a key driver for addressing the problem of marine and coastal litter. The Directive requires Member States to prepare national strategies to manage their seas to achieve Good Environmental Status (GES)¹⁹ by 2020. Major emphasis is placed on international cooperation.

Key requirements of the Marine Strategy Framework Directive:

- An assessment of the current state of UK seas.
- A detailed description of what GES means for UK waters, with a set of associated targets and indicators.

The two elements (above) form the UK Marine Strategy Part One²⁰.

- Establishment of a monitoring programme to measure progress toward Good Environmental Status by July 2014.
- Establishment of a programme of measures for achieving Good Environmental Status by 2016.

1.21 The Directive defines GES in terms of 11 descriptors. Descriptor 10 requires litter to be at levels where they “properties and quantities of marine litter do not cause harm to the coastal and marine environments”.

1.22 A joint consultation between The Department for Environment, Food and Rural Affairs (DEFRA) and the Devolved Administrations (the Welsh Government, the Northern Ireland Executive and Scottish Government) on the proposed implementation of the initial stages of MSFD (the initial assessment and determination of the characteristics of GES) closed on 18 June 2012.

¹⁸ <http://www.cleanupscotland.com/>

¹⁹ http://ec.europa.eu/environment/marine/good-environmental-status/index_en.htm

²⁰ Marine Strategy Part One - <http://www.defra.gov.uk/publications/2012/12/20/pb13860-msfd-strategy-part-one/>

1.23 The UK Government's response to the MSFD consultation, published in December 2012²¹, proposed that the target for marine litter on coastlines should be an "Overall reduction in the number of visible litter items within specific categories/types on coastlines from 2010 levels by 2020". This objective recognises the limitations in data currently available to support a target for a specific percentage reduction in coastal litter and, based on current expert advice, has been included in the UK's set of GES targets. The objective is well-aligned with that put forward by other Member States, in terms of ambition and being qualitative in nature, and recognises the limitations in data currently available.

GES characteristics and associated targets for Descriptor 10²²

| GES characteristics for marine litter | |
|---|---|
| Characteristics of GES for Descriptor 10 (marine litter) | <p>The draft UK characteristics of GES for the Descriptor are as follows:</p> <p>The amount of litter, and its degradation products, on coastlines and in the marine environment is reducing over time and levels do not pose a significant risk to the coastal and marine environment, either as a result of direct mortality such as through entanglement, or by way of indirect impacts such as reduced fecundity or bioaccumulation of contaminants within food chains.</p> |
| GES targets for marine litter | |
| Targets and indicators for Descriptor 10 – Characteristics of Litter in the Marine Environment | <p>Overall reduction in the number of visible litter items within specific categories/types on coastlines.</p> <p>Surveillance indicator to monitor the quantities of litter on the seafloor.</p> <p>Surveillance indicator to monitor the amounts of plastic found in the contents of fulmars stomachs (in line with the OSPAR Ecological Quality Objective).</p> |

Table 1: Marine Strategy Part One – December 2012

²¹ <http://www.defra.gov.uk/consult/2012/03/27/marine-strategy-framework-1203/>

²² <http://www.defra.gov.uk/publications/files/pb13860-marine-strategy-part1-20121220.pdf>

Timescales

1.24 As this draft Marine Litter Strategy will form part of the implementation of the MSFD it is proposed that the Strategy timeframe should be closely aligned with that of implementing MSFD i.e. the initial period for a Strategy would be to 2020 with the achievement of GES. The vision (and revisions to the Strategy) could extend beyond 2020 with any further measures considered at this stage.

1.25 A review is proposed for 2015 to coincide with work on the development of a programme of measures, with a further review to follow in 2018.

Q1. Do you agree with the timescales outlined?

2. VISION, STRATEGIC DIRECTIONS AND OPTIONS FOR DELIVERY

2.1 The aim of the draft Marine Litter Strategy is to contribute to the achievement of Marine Scotland's vision for a clean, healthy, safe, productive and biologically diverse marine and coastal environment that meets the long term needs of people and nature. This vision includes managing our seas sustainably to protect their rich biological diversity and to ensure that it is an ecosystem that continues to provide economic, social and wider benefits for people, industry and users of the marine environment.

2.2 Terrestrial sources of litter are considered to be the main component of marine litter and will be addressed within the [National Litter Strategy](#). The types of marine litter from land-based sources include litter dropped by the public (e.g. beach litter – food and drink packaging, smoking related waste). However, Sewage Related Debris (domestic waste which can include inappropriately disposed of items such as cotton buds and sanitary products), and waste from maritime activities is covered by the Marine Litter Strategy.

2.3 The vision for this Strategy is to identify achievable actions focussed on tackling marine litter, in parallel with actions to be targeted by the [National Litter Strategy](#); to continue to support and raise awareness of removal of marine litter; and contribute to the overall aim of achieving GES as required by the MSFD.

Vision

2.4 The proposed vision for the draft Marine Litter Strategy is:

By 2020 marine litter in Scotland is reduced and does not pose significant risks to the environment or communities. This is achieved within a zero waste Scotland where people and businesses act responsibly, and reduce, reuse, recycle and recover waste resources.

2.5 This vision is ambitious and recognises the significance of the marine litter problem in Scotland. It reflects the draft UK characteristics of GES for the marine litter Descriptor under MSFD (see Table 1 above). The draft Marine Litter Strategy recognises that achieving a vision of marine litter in Scotland being reduced and not posing significant risks to the environment or communities will require a change in public attitudes and behaviour towards the appropriate disposal of litter.

2.6 The Strategy will seek to build on existing data capture and management measures to get a clearer idea of the scope of the issue but also for the evaluation of any management actions and legislation. It is recognised that this is difficult to quantify, however, these issues will inform policy development and help monitor progress in terms of achieving the objectives of both the Strategy and MSFD.

2.7 The Marine Litter Strategy provides an opportunity to build on current initiatives to reduce marine litter and consider what additional work or interventions may be of value at the national level to implement the Marine Strategy Framework Directive.

2.8 The Strategy seeks to predominantly focus on tackling litter at source, at least up to 2020, but there will be continued support of removal. Both strands will contribute to the overall aim of achieving GES as required by the MSFD.

Q2. Do you agree with this vision?

Q3. Does the draft vision have the right level of ambition?

If not, please offer alternative text or suggestions.

Q4. Do you think implementation to achieve Good Environmental Status under Descriptor 10 will be sufficient or do you think additional action in Scotland is also necessary?

Strategic Directions

2.9 The vision is operationalised by five strategic directions in the areas of education, reducing inputs, seizing opportunities and economic growth, monitoring and engagement. Five strategic directions are listed below (in no order of priority):

Strategic Direction 1: Improve public and business awareness of, and behaviour changes around, marine litter.

The challenge of addressing marine litter levels will require further change in public attitudes and behaviour towards the appropriate disposal of litter.

This issue is to be addressed by the [National Litter Strategy](#) and will link with marine activities.

Strategic Direction 2: Reduction of land-sourced marine litter entering the marine environment, in parallel to the [National Litter Strategy](#).

The Strategy advocates an integrated approach linking to the [National Litter Strategy](#) and across land-sea to stop marine litter at source.

Strategic Direction 3: Contribute to a low carbon economy by treating 'waste as a resource' and seizing the economic and environmental opportunities associated with the Zero Waste Plan.

The Strategy should align with this broader move towards resource and waste efficiency.

Strategic Direction 4: Improvement of monitoring at a Scottish scale.

The Strategy should seek to build on existing data capture to establish a reliable baseline.

Strategic Direction 5: Stakeholder engagement at the UK, EU and international scales.

The Strategy should aim to influence action more broadly at the UK, EU and international levels.

2.10 This set of proposed strategic directions have been linked to specific actions which are based upon existing initiatives, the marine litter workshop and policy obligations. These are covered in further detail in Section 3.

Q5. Do you agree that Strategic Directions are a suitable way of outlining action under the Strategy?

Q6. Do you agree with the list of strategic directions?

If not, how would you reword them or what would you add?

Options for delivery

2.11 In developing the draft Marine Litter Strategy, four options for delivery were considered, across differing levels of ambition and resourcing. The proposed option for delivering a Strategy is based around a networked approach with central co-ordination.

2.12 Section 4 outlines options for delivery and Annex A provides a summary of key advantages and disadvantages.

3. STRATEGIC DIRECTIONS AND ACTIONS

3.1 This section considers, in more detail, the five proposed objectives for a Scottish Marine Litter Strategy and seeks views on possible areas for action. It should be noted that the Marine Litter Strategy will incorporate activity and actions that already exist or are underway within the marine context.

- **Strategic Direction 1: Improve public and business awareness of, and behaviour changes around, marine litter.**

3.2 Research suggests that nearly 80% of marine litter originates from a terrestrial source. Meeting the challenge of addressing marine litter levels will depend on everyone playing their part by recognising and taking responsibility for their own actions.

3.3 There are currently a range of initiatives aimed at reducing marine litter, raising awareness of the problem or changing behaviour. Action under Strategic Direction 1 will be covered by the [National Litter Strategy](#) but link to marine activities.

Possible Actions:

- Education, raising awareness and public participation targeted campaigns.
 - focus on prevalent items of litter found on beaches.
- Encourage producers to change manufacturing design of products commonly found in the marine environment e.g. alternatives to plastic in cotton bud sticks.

Q7. What are your views on the possible actions?

Q8. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q9. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

- **Strategic Direction 2: Reduction of land-sourced marine litter entering the marine environment, in parallel to the [National Litter Strategy](#)**

3.4 Marine litter stems from two sources: land based sources and sea based sources and activities. The ability to identify a particular source from an individual litter item is difficult, and as such there needs to be an integrated approach to address marine litter and stop it at source.

Existing Actions:

- Co-ordination with Zero Waste Scotland activity.
- Improve enforcement of ship waste management plans and inspections of Garbage Record Books under the Merchant Shipping (Prevention of Pollution by Garbage and Sewage) Regulations 2008.
- Incorporation of waste management systems into the design of new vessels.
- Extend existing Port Waste Reception Facilities to include fishing vessels.
- No-special-fee reception facilities and compulsory discharging of marine litter in port for all vessels including fishing boats.
- Research into recycling and reuse facilities for fishing nets at ports.
- An anonymous system to report vessels illegally dumping waste at sea.
- Incorporation of environmental responsibilities into the education and training of ship owners, ship operators, crews, port users, fishermen and recreational boat users.
- Plastics industry code of conduct for the safe handling, packaging and transportation, by sea of plastic pellets.

Possible Actions:

- Expand Fishing for Litter initiative to significantly increase awareness and impact of, and contribute to a reduction in marine litter.
- Incorporate marine litter reduction into regional marine plans under the Marine (Scotland) Act 2010.

Q10. What are your views on the possible actions?

Q11. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q12. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q13. Do you think any of the existing actions need to be improved?

If so, please provide details.

- **Strategic Direction 3: Contribute to a low carbon economy by treating 'waste as a resource' and seizing the economic and environmental opportunities associated with the zero waste plan**

3.5 The Scottish Government's Zero Waste Plan and Low Carbon Economic Strategy for Scotland set the policy agenda for turning waste into a resource. A Scottish Marine Litter Strategy should align with this broader move towards resource and waste efficiency and recovery.

Existing Actions:

- Marine Scotland working with Zero Waste Scotland to produce waste as a resource toolkit targeted at coastal and maritime resource managers, and minimum standards for recycled materials.
- Encourage port and harbour reception facilities to drive separate collection.
- Deliver a project to establish free fishing net disposal at a network of fishing ports across Scotland, to include the infrastructure to recover and recycle the nets and other plastics recovered from fishing operations.
- Engage with the Low Carbon Economic Strategy for Scotland (March 2011) in particular building opportunities for resource efficiency (energy, water, waste materials) and sustainable business practices across the economy.

Possible Actions:

- Look for additional opportunities to incentivise recycling and correct disposal - market instruments to support waste as resource initiatives, e.g. Recycle and Reward pilot.
- Seek investment for environmental and clean technologies that facilitate recovery, recycling, and environmental monitoring in coastal and maritime industries.

Q14. What are your views on the possible actions?

Q15. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q16. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q17. Do you think any of the existing actions need to be improved?

If so, please provide details.

- **Strategic Direction 4: Improvement of monitoring at a Scottish scale**

3.6 It is widely recognised that the current evidence base for the levels of marine and coastal litter is limited, and the Strategy will seek to build on existing data capture and management measures so that we can help deliver appropriate and reliable data. This could help provide information on the types, quantities and distribution of marine litter, to provide an insight into the associated problems and threats and to increase public awareness of the condition of the coastline.

Existing Actions:

- Voluntary action through beach litter surveys using best practice techniques.
- Recording of litter retrieved on Marine Scotland Science vessels, and appropriate disposal.
- Monitoring programme for microscopic plastic particles.

Possible Actions:

- Alignment of Non-Governmental Organisations, Scottish, UK and international monitoring programs and data with UK Marine Monitoring and Assessment Strategy; Marine Environment Monitoring and Assessment National database; International Council for the Exploration of the Sea and OSPAR.
- Develop a baseline for coastal litter, seabed and water column, which can be used for Marine Strategy Framework Directive reporting purposes.
- Prioritise an initial evaluation on the current state of research to give a scientific and technical basis for monitoring, knowledge gaps and priority areas for research.
- Develop/test standardised monitoring approaches, to allow comparisons at the National and EU scales.
- Better Use of fisheries research vessels to undertake seabed monitoring of marine litter during scientific trawls.

Q18. What are your views on the possible actions?

Q19. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q20. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q21. Do you think any of the existing actions need to be improved?

If so, please provide details.

- **Strategic Direction 5: Stakeholder engagement at the UK, EU, and international scales**

3.7 Marine litter is a problem that cuts across a variety of scales and requires action from the international to local level. A Strategy should aim to influence actions within its direct sphere of control and more broadly at the UK, EU and international levels. A mix of devolved and reserved activities will need to be addressed and will require cooperation and integration of policy and management e.g. cooperation within the MSFD to ensure Good Environmental Status.

Existing Actions:

- Continue to participate in development of UK proposals for MSFD monitoring and implementation of measures and wider co-ordination with other countries.
- Continue to participate actively in OSPAR's work on marine litter and work with signatory countries to ensure the statutory enforcement of waste reduction measures under the OSPAR and International Convention for the Prevention of Pollution from Ships (MARPOL).

Possible Actions:

- National steering group on marine litter, led by Marine Scotland, to co-ordinate approach and share best practice amongst Scottish Government departments, directorates, agencies and Non-Governmental organisations including resource sharing and prioritising actions.
- Marine Scotland to more actively engage with, and share best practice with other competent authorities on a regular basis.
- Ensure that regional marine plans consider scope to reduce marine litter.

Q22. What are your views on the possible actions?

Q23. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q24. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q25. Do you think any of the existing actions need to be improved?

If so, please provide details.

4. OPTIONS FOR DELIVERY

4.1 This section considers options for developing and improving marine litter policies in the draft Strategy.

4.2 We have considered four options presented for delivering a Strategy. These are outlined below:

- Option 1: Business as usual.

The business as usual scenario stipulates that the existing framework in place for the management of marine litter will remain with no overarching reform process in place. This option assumes a "do nothing" option does not exist and Scotland must meet EU targets and obligations such as the MSFD. This Option assumes that existing work by Government continues in place but is not supplemented by further work e.g. the Zero Waste Plan will be operational and addressing marine litter issues, albeit indirectly.

- Option 2: Implement the Strategy – low cost networked approach.

In this option, a Scottish Marine Litter Strategy is prepared, with a focus on co-ordination, profile raising and networking amongst sectors and stakeholders. All relevant obligations and targets aim to be satisfied and additional co-ordination implements reforms and adds value. A lead authority is identified, but resources are targeted at providing support for a policy officer to administer the Strategy including the development of a stakeholder group and monitoring of outputs. Key elements of the proposed Strategy are resourced through individual sectors – no central funding is available with the exception of supporting the network and its activities.

- Option 3: Implement the Strategy – high cost and centralised approach.

Option 3 relates to the establishment of a centralised policy unit dedicated to the development and implementation of a Scottish Marine Litter Strategy. Resources are available for a dedicated policy officer, stakeholder engagement and the funding of select high profile initiatives that have a direct impact on reducing litter from source, and encouraging a waste is resource ethic.

- Option 4: Implement the Strategy – medium cost and networked approach

This option includes aspects of option 2 and 3 above. It is envisaged that this option would be based around medium cost and a networked approach and focus on deliverables within the resources available. In this proposed option, a lead authority and policy officer are identified to co-ordinate existing network of sectors and stakeholders. We propose that a national stakeholder group would assist with the development of the Marine Litter Strategy and monitoring of outputs, with a focus on delivering key elements of the Strategy within staff and financial resources that are available from individual sectors.

In summary, option 4 should focus on deliverables within the resources available.

4.3 A summary of key advantages and disadvantages of each of the four options is considered in Annex A. The annex also contains a short analysis of actions required to achieve the five Strategic Directions under an Option 4 based Marine Litter Strategy.

Q26. Do you think that Option 4 is the most appropriate mechanism for developing and improving policies under the Marine Litter Strategy?

Any other views on the options outlined or other options not identified are also invited.

Further Questions

Q27. Are there any equalities issues that should be factored into the Equalities Impact Assessment for the Marine Litter Strategy?

Q28. Do you have any feedback on the findings of the Strategic Environmental Assessment?

Q29. Are there any particular issues that you wish to highlight with regard to the Partial Business and Regulatory Impact Assessment, and the potential impacts on the third sector, business and the economy?

Q30. Are there other issues that have not been highlighted in this consultation that you would like to mention?

5. SUMMARY OF CONSULTATION QUESTIONS

5.1 The Scottish Government is seeking your views on the content of the draft Scottish Marine Litter Strategy. In particular, we would welcome your comments on the following:

Structure:

1. Do you agree with the timescales outlined?

Vision:

2. Do you agree with this vision?
3. Does the draft vision have the right level of ambition?

If not, please offer alternative text or suggestions.

4. Do you think implementation to achieve Good Environmental Status under Descriptor 10 will be sufficient or do you think additional action in Scotland is also necessary?

Strategic Directions:

5. Do you agree that Strategic Directions are a suitable way of outlining action under the Strategy?
6. Do you agree with the list of strategic directions?

If not, how would you reword them or what would you add?

Actions:

Strategic Direction 1

7. What are your views on the possible actions?
8. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?
9. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Strategic Direction 2

10. What are your views on the possible actions?
11. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

12. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

13. Do you think any of the existing actions need to be improved?

If so, please provide details.

Strategic Direction 3

14. What are your views on the possible actions?

15. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

16. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

17. Do you think any of the existing actions need to be improved?

If so, please provide details.

Strategic Direction 4

18. What are your views on the possible actions?

19. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

20. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

21. Do you think any of the existing actions need to be improved?

If so, please provide details.

Strategic Direction 5

22. What are your views on the possible actions?

23. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

24. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

25. Do you think any of the existing actions need to be improved?

If so, please provide details.

Option for delivery:

26. Do you think that Option 4 is the most appropriate mechanism for developing and improving policies under the Marine Litter Strategy?

Any other views on the options outlined or other options not identified are also invited.

Further Questions:

27. Are there any equalities issues that should be factored into the Equalities Impact Assessment for the Marine Litter Strategy?

28. Do you have any feedback on the findings of the Strategic Environmental Assessment?

29. Are there any particular issues that you wish to highlight with regard to the Partial Business and Regulatory Impact Assessment, and the potential impacts on the third sector, business and the economy?

30. Are there other issues that have not been highlighted in this consultation that you would like to mention?

APPENDIX A: HOW TO RESPOND

Responding to this consultation

You are invited to respond to this consultation by 27 September 2013.

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:

Responses can be sent by email, by post or by online electronic response form:

Email: marinelitter@scotland.gsi.gov.uk

Post: Scottish Marine Litter Strategy Consultation
Scottish Government
Marine Planning and Policy Division
Area 1-A South
Victoria Quay
Edinburgh
EH6 6QQ

On line: www.scotland.gov.uk/consultations

If you have any enquiries please send them to marinelitter@scotland.gsi.gov.uk or call Nikki Milne on 0131 244 3671 or Andrew Kent on 0131 244 7929.

We would be grateful if you would use the consultation questionnaire provided in your response as this will aid our analysis of the responses received. This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system 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

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** which forms part of the consultation questionnaire 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.

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

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 and on the SEConsult web pages by 15 November 2013. 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.

What happens next?

Following the closing date, all responses will be analysed and considered to help us make a decision on the content of the final version of the Scottish Marine Litter Strategy. We aim to issue a report on this consultation process in January 2013.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to Andrew Kent. (contact details as above).

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 (e.g. analysis of response reports) can be accessed at: Scottish Government 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.

APPENDIX B: Draft Scottish Marine Litter Strategy



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

Postcode

Phone

Email

3. Permissions - I am responding as...

Individual

/ Group/Organisation

Please tick as appropriate

(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

CONSULTATION QUESTIONS

Structure

Q1. Do you agree with the timescales outlined?

Yes No

Comments

Vision

Q2. Do you agree with this vision?

Yes No

Q3. Does the draft vision have the right level of ambition? If not, please offer alternative text or suggestions.

Comments

Marine Strategy Framework Directive

Q4. Do you think implementation to achieve Good Environmental Status under Descriptor 10 will be sufficient or do you think additional action in Scotland is also necessary?

Yes No

Comments

Strategic Directions

Q5. Do you agree that Strategic Directions are a suitable way of outlining action under the Strategy?

Yes No

Q6. Do you agree with the list of Strategic Directions?

Yes No

If not, how would you reword them or what would you add?

Comments

Actions

Strategic Direction 1:

Q7. What are your views on the possible actions?

Q8. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q9. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Comments

Strategic Direction 2:

Q10. What are your views on the possible actions?

Q11. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q12. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q13. Do you think any of the existing actions need to be improved? If so, please provide details.

Comments

Strategic Direction 3:

Q14. What are your views on the possible actions?

Q15. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q16. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q17. Do you think any of the existing actions need to be improved? If so, please provide details.

Comments

Strategic Direction 4:

Q18. What are your views on the possible actions?

Q19. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q20. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q21. Do you think any of the existing actions need to be improved? If so, please provide details.

Comments

Strategic Direction 5:

Q22. What are your views on the possible actions?

Q23. Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?

Q24. Can one or more of these possible actions be delivered under existing activities or do you think more action is needed under the Marine Litter Strategy?

Q25. Do you think any of the existing actions need to be improved? If so, please provide details.

Comments

Option for delivery

Q26. Do you think that Option 4 is the most appropriate mechanism for developing and improving policies under the Marine Litter Strategy?

Yes No

Any other views on the options outlined or other options not identified are also invited.

Comments

Equalities

Q27. Are there any equalities issues that should be factored into the Equalities Impact Assessment for the Marine Litter Strategy?

Yes No

Comments

Strategic Environmental Assessment

Q28. Do you have any feedback on the findings of the Strategic Environmental Assessment?

Yes No

Comments

Partial Business and Regulatory Impact Assessment (BRIA)

Q29. Are there any particular issues that you wish to highlight with regard to the partial BRIA, and the potential impacts on the third sector, business and the economy?

Yes No

Comments

General

Q30. Are there other issues that have not been highlighted in this consultation that you would like to mention?

Yes No

Comments

ANNEX A: OPTIONS FOR DELIVERY

It should be noted that the disadvantages and advantages highlighted in the tables below are not necessarily comprehensive.

- **Option 1: Business as usual**

| Option 1 | Disadvantages | Other Possible Disadvantages | Advantages | Other Possible Advantages |
|----------|--|---|---|---------------------------|
| | <ul style="list-style-type: none"> ▪ Would risk continuation of the current situation, where conflicts and uncertainty about the management of marine litter remain. ▪ Risk the MSFD Descriptor 10 will not be achieved. ▪ Marine litter management will remain uncoordinated across several policy domains. ▪ The profile of marine litter will remain relatively low in the public eye. ▪ Marine litter initiatives may not feature prominently in marine planning. ▪ Monitoring and data collection continues across a diverse user landscape and problems with compatibility continue. | <ul style="list-style-type: none"> ▪ High cost to society ▪ Risk that vision for Marine Litter Strategy is not delivered. ▪ Zero Waste Scotland initiatives might cover terrestrial waste but questions over extent that marine is covered. ▪ Might only cover pockets of the country. ▪ Effective only for delivering MSFD. | <ul style="list-style-type: none"> • Low cost model. • Improvements to marine litter will occur indirectly from the variety of initiatives in other sectors such as the National Litter Strategy, Zero Waste Plan and Low Carbon Economic Strategy. | |

▪ **Option 2: Implement the Strategy: low cost networked approach**

| Option 2 | Disadvantages | Other Possible Disadvantages | Advantages | Other Possible Advantages |
|----------|---|---|--|--|
| | <ul style="list-style-type: none"> ▪ Key proposals that require co-ordination and leadership may not evolve. ▪ A risk that the profile of the marine litter problem is not raised sufficiently in public and private circles. | <ul style="list-style-type: none"> ▪ Risk that vision for Marine Litter Strategy is not delivered. ▪ Risk that MSFD is not delivered. | <ul style="list-style-type: none"> ▪ In the current climate of fiscal tightening this option may achieve both the co-ordination that is ▪ necessary for reducing marine litter and promoting reforms but using a model that is relatively low cost. ▪ Obligations under MSFD and GES are addressed. ▪ The Strategy links to key areas of development including the National Litter Strategy, Zero Waste Plan and the Low Carbon Economic Strategy. | <ul style="list-style-type: none"> ▪ National co-ordinated approach |

- **Option 3: Implement the Strategy: high cost and centralised approach**

| Option 3 | Disadvantages | Other Possible Disadvantages | Advantages | Other Possible Advantages |
|----------|---|------------------------------|--|--|
| | <ul style="list-style-type: none"> ▪ A relatively high cost model that is resource intensive. ▪ Will require resources for ▪ co-ordination and delivery. | | <ul style="list-style-type: none"> ▪ A dedicated team is able to champion and drive the changes indicated in the actions. ▪ Committed resources potentially drive match funding from industry and EU. ▪ A high profile public Strategy raises the profile of marine litter and begins to shape behaviours. ▪ A central unit and office is established to co-ordinate the initiative and administer the steering group. | <ul style="list-style-type: none"> ▪ GES targets under the Marine Strategy Framework Directive will be met or exceeded. ▪ Ideal time to implement while changes to marine planning and management are being made in Scotland. ▪ National co-ordinated approach. |

- **Option 4: Implement the Strategy: medium cost and networked approach**

| Option 4 | Disadvantages | Advantages |
|----------|--|--|
| | <ul style="list-style-type: none"> ▪ Will require resources for co-ordination and delivery. | <ul style="list-style-type: none"> ▪ Medium cost model ▪ A dedicated team is able to champion and drive the changes indicated in the actions. ▪ A high profile public Strategy raises the profile of marine litter and begins to shape behaviours. ▪ Co-ordinated approach to develop the Strategy and administer the steering group. ▪ The Strategy links to key areas of development including the National Litter Strategy, Zero Waste Plan and the Low Carbon Economic Strategy. ▪ Obligations under MSFD and ▪ GES are met and could go beyond that. |

Overview of which strategic directions will be achieved by each option

| | Option 1 | Option 2 | Option 3 | Option 4 |
|---|--|---|---|---|
| Strategic Direction 1: Improve public awareness of, and behaviour changes around, marine litter | No | Yes (limited effect beyond that achieved under option 1) | Yes | Yes |
| Strategic Direction 2: Reduction of land-sourced marine litter entering the marine environment, in parallel to the National Litter Strategy . | Yes (via existing initiatives and MSFD measures) | Yes (limited effect beyond that achieved under option 1) | Yes | Yes |
| Strategic Direction 3: Contribute to a low carbon economy by treating 'waste as a resource' and seizing the economic and environmental opportunities associated with the Zero Waste Plan. | Yes (via existing initiatives and MSFD measures) | Yes (limited effect beyond that achieved under option 1) | Yes (but would need to be co-ordinated with Zero Waste Plan to maximise benefits) | Yes (but would need to be co-ordinated with Zero Waste Plan to maximise benefits) |
| Strategic Direction 4: Improvement of monitoring at a Scottish scale. | Yes (via MSFD monitoring and surveillance but may not be fine grain enough given MSFD scale) | Possibly (but very limited due to absence of central funding under this option) | Yes (and opportunity to better address at Scottish scale) | Yes (and opportunity to better address at Scottish scale) |
| Strategic Direction 5: Stakeholder engagement at the UK, EU and international scales. | Yes | Yes (limited increase in effectiveness) | Yes | Yes |

Delivery of Strategic Directions under Option 4

This Annex considers what is currently being done and identifies some actions required to achieve the five Strategic Directions under an Option 4 based Marine Litter Strategy.

Strategic Direction 1: Improve public and business awareness of, and behaviour changes around, marine litter

- The Strategy will recognise that the challenge of addressing marine litter levels will require a change in public attitudes and behaviour towards the appropriate disposal of litter.

A recent paper highlighted that 75% of people saw litter as a threat or serious threat to the marine environment (Public perceptions of Europe's Seas – A policy brief 2011). Research by Keep Scotland Beautiful in 2007 highlighted that people were most bothered by litter on beaches and in their own neighbourhoods. Both statistics show that the public have an awareness of the threat to our environment, economy and their own enjoyment, however, changing the behaviour of the 47% of the Scottish public who still admit to littering, is a different challenge, as it reducing the biggest proportion of monitored marine litter which is attributable to the public.

A plethora of public awareness campaigning and behaviour change activities are delivered in pockets across the country. All these examples of good practice make a localised difference to individual and community behaviours, however in order to tackle the issue of coastal and marine litter nationally, there is a need for these activities to be co-ordinated and replicated across Scotland. Alongside the Marine Litter Strategy, the [National Litter Strategy](#) is being consulted on, and anti-littering campaigns for terrestrial litter may be planned in the future. There are specific audiences and activities which generate marine and coastal litter and may need to be addressed to reduce land-sourced marine litter. A business as usual approach may lead to improved public awareness and behaviour change however it is likely to be localised and unsustainable. The delivery of a Marine Litter Strategy has the opportunity to add value to any terrestrial anti-litter campaign and to deliver real change in a co-ordinated manner working with all sectors.

Strategic Direction 2: Reduction of land-sourced marine litter entering the marine environment, in parallel to the National Litter Strategy

- The Strategy needs to advocate an integrated approach across land-sea to stop marine litter at source.

The current level of baseline data for Scotland is limited, as outlined in Strategic Direction 4. Without such data it is difficult to know the true extent of litter in Scotland's coastal and marine waters. It is thought that the volume of litter entering our seas is increasing, and while campaigns and projects across the country are working to remove litter from a myriad of sources and significant impacts are being made to tackle the legacy, preventing the litter, particularly of identifiable items (e.g. drinks bottles, cotton buds) at source is the key.

There is some evidence to suggest that a reduction of terrestrial sources of litter from beaches will prevent more from entering the marine environment if nothing further is done to stop the activity at source. However, this only applies to those beaches under active management by local authorities, land owners and communities. Some such activities include:

- In 2011 a survey carried out by Keep Scotland Beautiful at award winning beaches revealed that 7% of beaches fell below the legal Grade B standard as outlined in the Code of Practice on Litter and Refuse (Scotland) 2006. 7% achieved Grade C while 0% fell to a Grade D standard. In 2010 5% achieved a Grade D and 15% fell below the legal standard. These figures show that managed beaches are being cleansed and achieving standards outlined in the Code of Practice on Litter and Refuse which supports the Environment Protection Act 1990 (EPA).
- 230 beach clean-up events took place as part of National Spring Clean 2012 – all removing litter from beaches which prevents it entering, or re-entering the marine environment.
- 131 tonnes of rubbish were removed from Scottish waters as part of the Fishing for Litter project (June 1st 2011 - May 31st 2012), again reducing litter in the marine environment.

Campaigns such as the Scottish Water Bag it and Bin it could be revived to reduce sewage related litter at source, and the zero waste agenda involves work towards giving all products a value so they are not disposed, but because of the wide variety of litter sources (marine based and terrestrial based) unless the issue is tackled in a united way the impact of these initiatives may be lessened. A Marine Litter Strategy that aims to significantly reduce the risk to the environment and our economy needs to build upon existing campaigns and projects and tackle key sources which have a major impact.

Strategic Direction 3: Contribute to a low carbon economy by treating 'waste as a resource' and seizing the economic and environmental opportunities associated with the Zero Waste Plan

- The Strategy would align with this broader move towards resource and waste efficiency

Strategic Direction 4: Improvement of monitoring at a Scottish scale

- The extent and spread of litter across the whole marine environment (in marine biota, across the water column and on beaches) must be monitored to allow us to adequately assess our seas.

The current level of baseline data for Scotland is limited and is mostly restricted to coastal surveys for marine litter. Data gathering is heavily reliant on charities and volunteers, for example the Marine Conservation Society's Beachwatch programme and Keep Scotland Beautiful.

Some data does exist for benthic and suspended litter but to a lesser extent than that provided by coastal surveys, with KIMO's Fishing for Litter and Marine Scotland Science vessels providing the majority of this information.

The recent Marine Strategy Framework Directive consultation's preferred option for litter targets and indicators included surveillance indicators only for floating litter, microplastic litter and litter in biota. Decreases in absolute numbers of items were proposed for beach litter.

To get a good understanding of how litter is dispersed around its seas and coastlines, and to propose appropriate measures to best tackle it, a Scottish Strategy could include a finer scale of monitoring to identify 'hot spots' of litter created by local sources, pathways or sinks. Government led data collection Strategy could also ensure a consistent level of scientific and statistical reliability.

Strategic Direction 5: Stakeholder engagement at the UK, EU and international scales

- The Strategy would provide an improved platform to influence action more broadly at the UK, EU and international levels.

ANNEX B: Stakeholder Workshop – 27 August 2012 - Summary Report

The Scottish Government held a Marine Litter workshop at New Register House in Edinburgh on Monday 27 August 2012. Nineteen participants were involved from across different sectors.

The workshop was run in two sections. The morning session considered the Vision, Strategic Directions and preferred Option on ambition and delivery of the Strategy, and the afternoon's session focussed on the proposed Strategic Directions. The participants were split into two groups and given an opportunity to provide views on the five Strategic Directions, and what actions should be included in the Strategy. Key points emerging from facilitated discussion were recorded.

Here we present a summary of the discussions, and comments which were submitted separately in writing.

Vision:

The group discussed the wording of a draft vision.

By 2020 marine litter in Scotland is reduced and does not pose a significant risk to the environment or communities. This is supported by a vision of a zero waste society where people and businesses act responsibly, and reuse, recycle and recover waste resources.

There was discussion around the use of the word '**risk**' and how it might be interpreted, the group suggested that we might consider an alternative to add some clarity, possible suggestions included using '**risks**' and that we should elaborate on the meaning of risks early in the Strategy.

It was suggested that we might include '**marine and coastal**' litter.

Possibly replace '**vision**' with '**strategy**' or '**aspiration**', possibly to read '**This is reflected by our**'.

Omission of the word '**reduce**' from the three Rs part. Should it be added?

Strategic Directions:

The group discussed the 5 proposed strategic directions. There was general endorsement and recognition of the need for these to co-ordinate with other activities in the marine/terrestrial environment.

Strategic Direction 1: Improve public awareness of, and behaviour changes around, marine litter.

It was suggested that we should consider removing 'marine' as the Strategy includes litter that enters from the terrestrial environment – [National Litter Strategy](#) will cover this aspect.

It was also suggested that we might think what we consider to be 'unique marine issues'.

Does the term 'public' encompass 'business'?

Consider use of 'incentive' schemes e.g. images of wildlife.

Strategic Direction 2: Reduction of land-sourced marine litter entering the marine environment.

It was noted that we should continue and co-ordinate what is happening already under this heading.

Polluter pays – who?

Scottish Water investment - in the context of Marine Litter, improvements have been acknowledged but not always taken into account. Focus on known Sewage Related Debris (SRD) hotspots and continued planned network and Unacceptable Intermittent Discharges work to meet other environmental drivers will also be beneficial in reducing SRD. Bathing water studies that have identified a potential need for screening will be investigated further to determine if there is also an SRD issue.

Vital to determine the best means to control pollutants, including litter, in a sustainable manner by preventing their release into the sewerage system.

Focusing on discharges from Wastewater Treatment Works and end of pipe solutions risks driving financially costly and carbon intense approaches to environmental protection, inconsistent with the polluter pays principle.

Strategic Direction 3: Contribute to a low carbon economy by treating 'waste as a resource' and seizing the economic and environmental opportunities associated with the Zero Waste Plan.

Strategic Direction 4: Improvement of monitoring at a Scottish scale.

Strategic Direction 5: Engagement at the UK, EU and international scales.

Should include 'engagement with stakeholders'.

Options for Delivery:

Following earlier discussions with Marine Strategy Forum and Marine Litter Steering Group members on the three proposed options for delivery, it was suggested that a new option 4 (to include aspects of option 2 and 3) be developed, based around medium cost and a networked approach. Option 4 should focus on deliverables within the resources available and could potentially include:

- National Stakeholder Group
- Networked approach
- Central resources including a Policy Officer
- Financial resources to deliver.

The group discussed the proposed options for delivery, focusing on the new Option 4.

The group thought that the national stakeholder group could include an international element and that resourcing should be co-ordinated.

It was felt that, at a local level, there should be a range of standard delivery methods to pick from.

The option should include the funding of select groups.

2. Breakout Sessions:

The workshop was split into two groups for two breakout sessions to discuss the details that should fall under the 5 proposed Strategic Directions (See Annex).

The comments also include those submitted in writing prior to the workshop.

NB. All bullet points under SD headings were shortened for purposes of workshop only.

SD1 - Improve Public Awareness

Important to link into other actions e.g. zero waste agenda.

Public awareness goes wider than consumers.

High profile call to action – national level – set messages and promotion of wider activities – but national campaign difficult to do.

Funding from private sector?

Co-ordination of activities within Government.

Co-ordination between other bodies/sectors.

Actions by industry bodies.

Consistent on a national level.

Packaging/design/labelling to reinforce messages – [National Litter Strategy](#) to consider this.

Identify method of beach cleaning that doesn't damage beach

Bullet 2: point 2 – add 'and means of collection i.e. mechanical'

SD2 - Reduction of Sources of Litter

Port facilities.

National reduction and management strategies.

Sewage related debris costs.

Co-ordination with Zero Waste Scotland activity.

System to report dumping of fishing gear.

Tie-in to riverine inputs and catchment.

Role of Strategy in enforcement.

MARPOL – January 2013 port regulations – low threat so measure introduces relatively high costs on industry whilst delivering negligible environmental benefit.

Port waste reception facilities – All harbours are required to have waste facilities which must be accessible.

No special fee reception facilities - current regulations require a fee to be charged for waste management levied on all commercial vessels calling (unless they have an MCA approved waste exemption) regardless of whether they use facilities.

A system for returning inadvertently trawled and dredged litter would be a valuable contribution – but who would pay? Disposal of dredge spoil (which is not litter) would be impracticable and costly.

System to report vessels illegally dumping waste at sea – already exists through the MCA – challenging if no other evidence.

Incorporation of environmental responsibilities into education and training of ship owners etc – port/harbour/shipping line already doing this?

Recycling/reuse for ropes/nets generally an issue.

Question use of voluntary actions under 'Code of Practice'.

Lobbying of resources.

Provision of training.

Guidance on removing beach litter.

Include ports/harbours and marinas in 'other proposals'.

Getting balance right – incentives/enforcement of legislation.

SD3 - Contribution to Low Carbon Economy

Incentives for beach cleans to separate sources and recycle.

Recycling fishing nets and gear and reporting of lost gear.

Wording aim and approach:

- Waste as a resource – targeted before it becomes marine litter.
- Resource both pre litter and after.

Need to include aquaculture and marinas.

Incentives for port and harbour reception facilities – State Veterinary Service forbids recycling of material from a vessel that has ever called at a port outside the EU – such facilities will remain few and far between.

Bullet 1: but need facilities for recycling and disposal

Packaging:

- Design of packaging so less resource in first place
- Reduce packaging
- What is used should be recyclable

Improve facilities and signage:

Bins:

- Recycling on the Go design that seagulls can't get into
- Standard bins used by councils often wrong choice
- Local authority legislation or guidance?

- Bin emptying
- New action point

Marine Litter Strategy should be included in procurement guidance:

- Procurement action plans
- Made with a certain % recycled material – Possibly not for MLS but ZW plan?
- Add to packaging action?

Identify what items are specific to beaches?

SD4 - Improvement of Monitoring – what needs to be done?

System to include local knowledge.

Improve availability of/access to information e.g. central database.

SD5 UK & International Engagement – what needs to be done?

Add COSLA.

Co-ordination and engagement.

Phrases missing – Share best practice and co-ordination

Bullet 2: At Scottish level, engagement outwith Scotland, co-ordination within Scotland.

Bullet 3: ‘Competent authorities’ – Engagement, Best Practice, Actively influence.

Bullet 4: possibility of extending beaches looked at under OSPAR.

Bullet 5: National plan should identify what must be done but local choice of how to do it from a range of standard options.

Regional action plans?

ANNEX C: Partial Business and Regulatory Impact Assessment

| |
|---|
| <p>Title of Proposal</p> <p>Consultation on Draft Scottish Marine Litter Strategy</p> |
| <p>Purpose and intended effect</p> <ul style="list-style-type: none"> • Background Marine litter is a global problem which can be a threat to ecosystems, has socio-economic cost and can also pose a threat to human health. During the Scottish Parliament's consideration of the Marine (Scotland) Act a commitment was given to develop a Marine Litter Strategy. • Objective The draft Marine Litter Strategy seeks to build on the strengths of existing measures, identify proposals that will help overcome weaknesses, and maximise opportunities and minimise threats to addressing the levels of litter present in the coastal and marine environment. • Rationale for Government intervention A research report commissioned by the Scottish Government found that the approximate economic cost of the marine litter problem in Scotland is £16.8 million per annum²³. The draft Marine Litter Strategy provides an opportunity to build on current initiatives to reduce marine litter and consider what additional work or interventions may be of value at the national level to enhance and take forward the overall aims of the EU Marine Strategy Framework Directive (MSFD). <p>Tackling marine litter supports our National Performance Framework objective of valuing and enjoying our built and natural environment and protecting it and enhancing it for future generations.</p> |
| <p>Consultation</p> <ul style="list-style-type: none"> • Within Government Discussions have taken place with Marine Scotland Analytical Unit, Scottish Government Zero Waste Team, Scottish Government Planning and Architecture Division, and the Scottish Environment Protection Agency, as part of the development of the draft Marine Litter Strategy. • Public and Business Consultation As part of a forthcoming 4-month consultation on the draft Marine Litter Strategy. Informal discussions have been held with a variety of organisations that have a policy interest in marine litter. This BRIA supports a consultation which will provide further opportunity for individuals and businesses to express their views. |
| <p>It should be noted that Scotland's draft Marine Litter Strategy will not of itself introduce any new regulatory burdens. The Scottish Government will consult widely on any future regulations considered under the strategy with full Business Regulatory Impact Assessments produced as required.</p> |

²³ Potts T, Hastings E (2012) Marine Litter Issues, Impacts and Actions, <http://www.scotland.gov.uk/Publications/2012/09/6461/0>

Options

Option A: Do Nothing – Business as usual

This option assumes that existing work by Government continues but is not supplemented by further work.

Key existing areas of work include:

EU Marine Strategy Framework Directive. This Directive requires Member States to achieve good environmental status (GES) in their marine waters by 2020. The Directive prescribes the key steps which Member States must take to achieve GES:

- The establishment and implementation of a monitoring programme for on-going assessment by July 2014; and
- The development of a programme of measures by 2015, which must be implemented by the end of 2016.

The Directive defines GES in terms of 11 descriptors. Descriptor 10 requires litter to be at levels where the “properties and quantities of marine litter do not cause harm to the coastal and marine environment”. This will require a better understanding of the environmental impacts of marine litter, and if necessary, action will be taken to reduce the amount of litter in the marine environment.

The outcome of a joint consultation on the Marine Strategy Framework Directive, in 2012, proposed that the target for marine litter on coastlines should be an “Overall reduction in the number of visible litter items within specific categories/types on coastlines from 2010 levels by 2020”.

Scotland’s Zero Waste Plan, June 2010. This sets out the Scottish Government’s vision for a zero waste society where all waste is seen as a resource; waste is minimised; valuable resources are not disposed of in landfills, and most waste is sorted, leaving only limited amounts to be treated. To achieve this vision the Plan sets out radical new measures, including:

- Development of a Waste Prevention Programme for all wastes, ensuring the prevention and reuse of waste is central to all our actions and policies.
- Landfill bans for specific waste types therefore reducing our greenhouse gas emissions and capturing the value from these resources.
- Separate collections of specific waste types, including food, to avoid contaminating other materials, increasing reuse and recycling opportunities and contributing to our renewable energy targets.
- Two new targets that will apply to all waste: 70 per cent target recycled, and maximum 5 per cent sent to landfill, both by 2025.
- Restrictions on the input to all energy from waste facilities, in the past only applicable to municipal waste, therefore encouraging greater waste prevention, reuse and recycling.
- Encouraging local authorities and the resource management sector to establish good practice commitments and work together to create consistent waste management services, benefitting businesses and the public.
- Improved information on different waste sources, types and management highlighting further economic and environmental opportunities.

- Measure the carbon impacts of waste to prioritise the recycling of resources which offer the greatest environmental and climate change outcomes.

Option B: Take more radical steps to reduce marine litter

The draft Marine Litter Strategy contains questions on five Strategic Directions and possible areas for action. The possible actions identified are tentative at this stage and in some cases would need further consultation, with appropriate Impact Assessments. The table below outlines the actions suggested in the consultation; whether further consultation would take place before implementation; and whether there is an impact on or cost to business.

Table 1: Business impacts of draft Marine Litter Strategy actions

| Proposed action | Further consultation? | Impact on/cost to business |
|--|------------------------------|---|
| Raising Awareness and public participation targeted campaigns. | No. | No direct impact. |
| Encourage producers to change manufacturing design of products commonly found in the marine environment e.g. alternatives to plastic in cotton bud sticks. | Yes. | Depends on whether further action is taken and what the nature of any action is. |
| Expand Fishing for Litter initiative to significantly increase awareness of impact of, and contribute to a reduction in marine litter. | No. | No direct impact. |
| Incorporate marine litter reduction into regional marine plans under the Marine (Scotland) Act 2010. | Yes. | Possibly, depending on the nature of any prevention actions adopted. |
| Seek investment for environmental and clean technologies that facilitate recovery, recycling, and environmental monitoring in coastal and maritime industries. | Yes. | Potentially implications for businesses, depending on the nature of any further action. |
| Alignment of Non-Governmental Organisations, Scottish, UK and international monitoring programmes and data. | No. | No direct impact. |
| Develop a baseline for coastal litter, seabed and water column which can be used for Marine Strategy Framework Directive monitoring purposes. | No. | No direct impact. |
| Prioritise an initial evaluation on the current state of research to give a scientific and technical basis for monitoring, knowledge gaps and priority areas for research. | No. | No direct impact. |

| | | | |
|--|-----|-------------------|--|
| Develop/test standardised monitoring approaches to allow comparisons at the National and EU scales. | No. | No direct impact. | |
| Better use of fisheries research vessels to undertake seabed monitoring of marine litter during scientific trawls. | No. | No direct impact. | |
| Monitoring programme for microscopic plastic particles. | No. | No direct impact. | |

▪ **Costs and Benefits**

Sectors and groups affected

- Users of the marine environment and coastal communities.
- Marine fisheries and coastal aquaculture.
- Shipping and offshore industries.
- Local authorities.
- Householders.
- Scottish Environment Protection Agency.
- Scottish Water.

Benefits

Potential benefits from Scotland's draft Marine Litter Strategy include:

- Complements proposed action under Scotland's [National Litter Strategy](#).
- Contributes to international action through the EU Marine Strategy Framework Directive.
- Co-ordination of initiatives aimed at reducing marine litter.
- Increased environmental awareness generally, amongst business and householders.
- Opportunity to address data capture at Scottish scale.

The Strategic Environmental Assessment, on which the Scottish Government is consulting in parallel, outlines the impact on the environment of the draft Marine Litter Strategy.

Existing costs to business of Option A (business as usual)

- Scotland's Zero Waste Plan, published in 2010, set the strategic direction for waste policy for Scotland. The attached report 'Economic Assessment of the Zero Waste Plan for Scotland' is available at: <http://www.zerowastescotland.org.uk/ZWPcostbenefit>
- The MSFD requires Member States to develop marine strategies with the aim of achieving GES in European marine waters.
- The attached report sets out an initial economic assessment of the potential measures necessary to achieve GES under the MSFD: http://randd.defra.gov.uk/Document.aspx?Document=9890_FinalReportME5405.pdf

Potential costs to business of Option B

As indicated in Table 1, a number of the proposed actions suggested in the draft Marine Litter Strategy would have little or no impact on business. Costs will be determined and set out in Business and Regulatory Impact Assessments prepared as part of any future consultation exercise.

- **Scottish Firms Impact Test**

Any changes to be adopted under the Marine Litter Strategy will be fully consulted on and will take account of any costs to Scottish Firms.

- **Competition Assessment**

There is no direct impact on competition arising from the draft Strategy at this stage.

Will the proposal directly limit the number or range of suppliers?

No.

Will the proposal indirectly limit the number or range of suppliers?

No.

Will the proposal limit the ability of suppliers to compete?

No.

Will the proposal reduce suppliers' incentives to compete vigorously?

No.

- **Test run of business forms**

No new forms are proposed at this stage.

Legal Aid Impact Test

We have liaised with the Scottish Government Civil Law and Legal System Division and it is agreed that the proposals will not have a significant impact on the legal aid fund.

Enforcement, sanctions and monitoring

There are no direct sanctions arising from the draft Marine Litter Strategy.

As outlined in the draft Marine Litter Strategy, as the Strategy will form part of the implementation of the Marine Strategy Framework Directive, it is proposed that the Strategy timeframe should be closely aligned with that of the Marine Strategy Framework.

Implementation and delivery plan

It is proposed that the initial period for a draft Marine Litter Strategy would be to 2020 with the achievement of Good Environmental Status under the Marine Strategy Framework Directive. A review of its effectiveness should be completed and further measures considered at this stage.

Post-implementation review

A review is proposed for 2015 to coincide with work on the development of a programme of measures, with a further review to follow in 2018. The vision for the strategy (and any revisions to the Strategy) could extend beyond 2020 with any further measures considered at this stage.

Summary and recommendation

Option A (existing work)

- Work highlighted under option A will continue.

Option B

- Scottish Government is committed to developing a Marine Litter Strategy. The draft strategy sets out a number of possible actions that the Scottish Government, and others could take to address the levels of marine and coastal litter in Scotland.

It is the recommendation of the Scottish Government that existing work as set out under Option A should continue with possible additional measures, informed by responses to the consultation, considered under Option B.

Table 2: Benefits and costs of each option considered

| Option | Benefits | Costs |
|--|---|--|
| A (existing work) | Achievement of Good Environmental Status under Descriptor 10 of Marine Strategy Framework Directive. | Many of cost estimates currently based on scenarios rather than informed estimates. |
| B (Other measures as set out in draft Marine Litter Strategy) | Benefits arising will principally be reduced costs to the economy and society. Specific benefits will be considered and set out in any Business Regulatory Impact Assessment developed as part of future statutory consultation exercises for individual actions. | Costs will be determined and set out in Business Regulatory Impact Assessment prepared as part of any future consultation exercise for individual actions. |

Declaration and publication

I have read the impact assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact will be assessed with the support of businesses in Scotland.

Signed:**Date:**

**Richard Lochhead MSP
Cabinet Secretary for Rural Affairs and the Environment**

Scottish Government Contact point:

Nikki Milne, Marine Scotland (nikki.milne@scotland.gsi.gov.uk)

Annex D: EQUALITY IMPACT ASSESSMENT RECORD

| | | |
|---|--|---------------------------|
| Policy title | Draft Marine Litter Strategy | |
| Minister | Richard Lochhead, Cabinet Secretary for Rural Affairs and the Environment | |
| Lead official | David Mallon, Head of Marine Environment | |
| Officials involved in the EQIA | name | team |
| | Nikki Milne | Marine Environment |
| Directorate: Division: team | Marine Scotland Planning & Policy | |
| Is this new or revision to an existing policy? | New policy | |

Screening

Policy Aim

The draft Marine Litter Strategy aims to address the levels of marine litter present, for the benefit of all users of the marine and coastal environment.

The Strategy will help Scotland deliver its responsibility under the Marine Strategy Framework Directive to ensure that the properties and quantities of marine litter do not cause harm to the coastal and marine environment.

The policy contributes to the national outcome 'we value and enjoy our built and natural environment and protect it and enhance it for future generations'.

Who will it affect?

It is anticipated that by addressing levels of marine litter, the draft Marine Litter Strategy will benefit all users of the marine environment and coastal communities.

What might prevent the desired outcomes being achieved?

Financial factors might prevent future desired outcomes being achieved.

Stage 1: Framing

Results of framing exercise

The possible actions identified in the draft Strategy are tentative at this stage and in some cases would need further consultation. Relevant stakeholder groups will be consulted on any equality issues arising before finalising the Strategy.

Extent/Level of EQIA required

It is anticipated that appropriate stakeholder groups would be consulted with a view to determining the nature and extent of any impact of actions identified under the Strategy.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

| Characteristic | Evidence gathered and Strength/quality of evidence | Source | Gaps identified and action taken |
|----------------------------|--|--------------------|---|
| AGE | No evidence was available to suggest the policy would impact on people of particular ages. | Literature review. | None identified. |
| DISABILITY | No evidence was available to suggest the policy would impact on people with a disability. | Literature review. | None identified. |
| SEX | Evidence suggested that the policy would impact equally on men and women. | Literature review. | None identified. |
| GENDER REASSIGNMENT | No evidence was available to suggest the policy would impact on transgender people. | Literature review. | None identified. |
| SEXUAL ORIENTATION | No evidence was available to suggest the policy would impact on people in terms of their sexual orientation. | Literature review. | None identified. |
| RACE | No evidence was available to suggest the policy would impact on people of particular racial groups. | Literature review. | None identified. |
| RELIGION OR BELIEF | No evidence was available to suggest the policy would impact on people in terms of their religious beliefs. | Literature review. | None identified. |

Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

| Age | Positive | Negative | None | Reasons for your decision |
|---|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good relations among and between different age groups | | | No anticipated impact. | |

Do you think that the policy impacts disabled people?

| Disability | Positive | Negative | None | Reasons for your decision |
|--|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good relations among and between disabled and able bodied people | | | No anticipated impact. | |

Do you think that the policy impacts on men and women in different ways?

| Gender | Positive | Negative | None | Reasons for your decision |
|--|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good relations between men and women | | | No anticipated impact. | |

Do you think your policy impacts on transsexual people?

| Gender reassignment | Positive | Negative | None | Reasons for your decision |
|-------------------------------------|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good relations | | | No anticipated impact. | |

Do you think that the policy impacts on people because if they are lesbian, gay or bisexual?

| Sexual orientation | Positive | Negative | None | Reasons for your decision |
|-------------------------------------|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good relations | | | No anticipated impact. | |

Do you think the policy impacts on people on the grounds of their race?

| Race | Positive | Negative | None | Reasons for your decision |
|-------------------------------------|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good race relations | | | No anticipated impact. | |

Do you think the policy impacts on people because of their religion or belief?

| Religion and Belief | Positive | Negative | None | Reasons for your decision |
|-------------------------------------|-----------------|-----------------|------------------------|----------------------------------|
| Eliminating unlawful discrimination | | | No anticipated impact. | |
| Advancing equality of opportunity | | | No anticipated impact. | |
| Promoting good relations | | | No anticipated impact. | |

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

| | |
|---|-----|
| Have positive or negative impacts been identified for any of the equality groups? | N/A |
| Is the policy directly or indirectly discriminatory under the Equality Act 2010? | N/A |
| If the policy is indirectly discriminatory, how is it justified under the relevant legislation? | N/A |
| If not justified, what mitigating action will be undertaken? | N/A |

Describing how Equality Impact analysis has shaped the policy making process

The impact of marine litter can impact on the tourism sector, recreational activities, the quality of the marine environment and the quality of life for coastal communities. In seeking to address the levels of litter in our marine environment, the Strategy contains possible actions to bring social benefits.

The draft Strategy does not negatively impact on equality and does not, therefore, require mitigation or introduction of an alternative policy. This can be assessed further as the Strategy is developed.

Unlikely to have an effect on resourcing and no impact on costs.

Monitoring and Review

The effect of the policy on equality issues will be assessed by on-going stakeholder engagement.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, gender, gender identity/transgender, sexual orientation, race and religion and belief have been considered, i.e:
 - Eliminating unlawful discrimination, harassment, victimisation;
 - Removing or minimising any barriers and/or disadvantages;
 - Taking steps which assist with promoting equality and meeting people's different needs;
 - Encouraging participation (e.g. in public life)
 - Fostering good relations, tackling prejudice and promoting understanding.

Yes No

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the Draft Scottish Marine Litter Strategy and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: David Palmer

Position: Acting Head of Division

Authorisation date: 24 June 2013



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