

1st meeting of the Seaweed Review Steering Group

Paper 3 – Review of seaweed activity and regulation

Context

During the parliamentary scrutiny of the Scottish Crown Estate Act 2019, Roseanna Cunningham, the Cabinet Secretary for the Environment, Climate Change and Land Reform gave a commitment to a strategic programme of work, including a review of the regulatory regime for seaweed harvesting activity in Scotland. The proposed scope of the review includes:

- establish a greater understanding of activity across Scotland by mapping what, where and how much wild harvesting is happening or planned, by whom and how activity is being regulated;
- determine the extent to which the licensing regime may apply to some or all of the harvesting methods identified and consider whether legislative or policy amendments to the current framework are required;
- identify what guidance may be required on the different harvesting activities and licensing requirements to give clarity to stakeholders, regulators and industry.

Mapping harvesting activity

A Scottish seaweed harvesting activity mapping exercise will be undertaken and should include “activities” such as: collecting beach-cast seaweed, foraging, hand cutting, mechanical cutting or other mechanised harvest. Data collected will include: species harvested, company/individual, location, quantity, method, frequency, intended use/market, permissions granted, monitoring arrangements in place. Information held by CES, SNH, seaweed industry association and Marine Scotland will be pulled together in one place as an activity database and supplemented by consultation with the industry. The group will also need to consider how the information will be held and updated.

Regulation, legislation and guidance

This work would include defining “removal from seabed” and dredging in terms of 21(1)6 and 21(1)7 of the Marine (Scotland) Act 2010 (MSA10) and commercial use” and “removal” in the kelp provisions of the Scottish Crown Estate Act. This package will also clarify which type(s) of harvesting activity are licensable and which are not and consider production of guidance on licensing requirements for all types of seaweed harvesting activities and a report on any potential deficiencies / gaps in current legislation and proposed policy and / or legislative amendments. This should include intertidal harvesting and consideration of large scale seaweed harvesting in terms of Environmental Impact Assessment (EIA) Regulations.

Strategic Environmental Assessment

This package would look to Analyse the 2017 SEA responses and identify areas of work to take forward in the review. This would be followed by concluding the Seaweed SEA and publication of a forward programme / post adoption statement.