

Marine Scotland A Marine Litter Strategy for Scotland

September 2022



Scottish Government
Riaghaltas na h-Alba
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MINISTERIAL FOREWORD



Scotland's marine environment is wonderfully rich and diverse, home to an abundance of species and a fantastic natural asset for our communities, way of life and our action against climate change and nature loss. The Scottish Government has a role as guardian of our marine ecosystem to protect and enhance it, to ensure that our seas are clean, healthy and can be enjoyed for generations to come.

Marine litter continues to pose a threat to environments and populations around the world. It must be tackled but it is a truly global issue and Scotland cannot tackle it alone. We must work in collaboration with other countries to help to reduce sources of marine litter and its impacts. Scotland is well-placed to work with neighbouring countries in the North East Atlantic through the framework of the OSPAR Convention, and we are using our influence, energy and experience to help make progress on this important issue.

The Marine Litter Strategy for Scotland was first published in 2014 and serves to coordinate action on marine litter throughout the whole of Scotland. This is an issue that can only be addressed if all sectors take responsibility, from local and national government, businesses, to the third sector and individual citizens. Since its initial publication, Scotland has continued to make important advances towards reducing marine litter, such as being the first nation in the UK to introduce a ban on plastic-stemmed cotton buds, by introducing a ban on plastic microbeads in toiletries, as well as reducing litter from plastic bags through the carrier bag levy.

The updated Strategy will build on this positive work, with action planned on sewage-related debris, plastic pellets, and fishing and aquaculture gear. The Action Plan will drive forward effective change over the coming years to further protect our environment and help grow our circular economy.

The majority of marine litter originates from land-based sources, so it is important that this Strategy will continue to operate in parallel with its terrestrial equivalent, the [National Litter and Flytipping Strategy](#). This alignment will help to ensure that all sources and pathways of marine litter are addressed.

I am committed to the successful implementation of this Strategy, using our current achievements as a foundation, working collaboratively with delivery partners, and maintaining our close association with the National Litter and Flytipping Strategy. For the Strategy to meet its goals it will require all sections of society to contribute, from individuals to industry, and I am certain that by working together we can better protect our precious marine environment for nature, for the climate and for our communities.

A handwritten signature in black ink, appearing to read 'Mairi McAllan', with a long horizontal flourish extending to the right.

Mairi McAllan
Minister for Environment and Land Reform
September 2022

EXECUTIVE SUMMARY

The Marine Litter Strategy has a clear purpose: to develop current and future measures to prevent litter from entering the marine and coastal environment, and to support its removal, in order to bring ecological, economic and social benefits.

The aim of the strategy is to help realise the vision of a 'clean, healthy, safe, productive, and biologically diverse marine and coastal environment that meets the long term needs of people and nature'. This underpins developments in marine legislation through the Marine (Scotland) Act 2010 in promoting sustainable use of our valuable and unique environment.

The implementation and progression of the strategy will continue to be led by Marine Scotland, in a co-ordinating role. It is recognised that responsibility for delivery is shared across local and national government, business, environmental and community groups, and private individuals.

The strategy builds on work and initiatives already underway, involving individuals, organisations, groups, and communities in caring for their marine and coastal environment. Bringing this work together adds clear leadership, greater co-ordination of efforts, and fresh momentum.

Shaped by research and public consultation, the Marine Litter Strategy seeks to maximise opportunities and minimise threats in addressing the levels of litter present, and recognises that the UK Marine Strategy is a key driver.

With these fundamental issues paramount, the Marine Litter Strategy sets out five strategic directions and a range of measures to help deliver the strategy:

Strategic Direction 1 – Improve public and business attitudes and behaviours around marine and coastal litter, in co-ordination with the National Litter and Flytipping Strategy.

Action will include:

A review of enforcement of the terrestrial littering and flytipping regulations.

The development of waste management options to improve recycling routes for end of life fishing and aquaculture gear.

Strategic Direction 2 – Reduce marine and coastal based sources of litter, with a focus on the most problematic sources, in co-ordination with land sourced litter being reduced by the National Litter and Flytipping Strategy.

Action will include:

Considering a range of policy options to reduce sources of sewage-related debris.

Contributing to the development of an international plastic pellet certification scheme.

Strategic Direction 3 – Support the removal of marine litter from the marine and coastal environment.

Action will include:

An expansion of work to remove litter from rivers, thereby preventing this reaching the marine environment.

Improving the efficacy of projects which remove litter from the sea, and investigating the potential for an initiative to recycle the material collected.

Strategic Direction 4 – Improve monitoring at a Scottish scale and develop measures for strategy evaluation.

Action will include:

Contributing to the development of an agreed methodology for inter-tidal microplastic monitoring.

Improving the quality of the data being obtained from litter removal projects.

Strategic Direction 5 – Maintain and strengthen stakeholder co-ordination in Scotland, the UK, regionally and globally.

Action will include:

Strengthening working relationships with UK, regional, and international partners, to contribute to future work and share best practice.

This is a long term strategy which will undergo periodical review. The objectives and actions underpinning the strategy will necessarily be achieved in the short, medium or long term, depending on the degree of complexity and collaboration required. All actions have measurable outcomes so progress can be monitored throughout. During the strategy's lifetime these actions will be reviewed, allowing for adjustments, so that we can be confident we are making a positive difference through this work.

1. INTRODUCTION

Definition of marine litter

1.1 Marine litter is any persistent, manufactured or processed solid material discarded, disposed of, or abandoned in the marine and coastal environment. 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 sewerage systems, or by wind. Typical examples are plastics, wood, metals, glass, rubber, clothing and paper. This definition does not include semi-solid remains of, for example, mineral and vegetable oils, paraffin and chemicals that sometimes litter the sea and shores¹.

Background

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

1.3 Marine litter threatens the realisation of a shared vision for 'clean, healthy, safe, productive, and biologically diverse marine and coastal environments, managed to meet the long term needs of nature and people'. It may also impact upon Scotland's strategic objectives, most notably the drive to become a greener, wealthier and fairer, safer and stronger, and healthier Scotland. It is essential that Scotland's marine and coastal resource is protected from the damage caused by marine litter.

1.4 The first cycle of the Marine Litter Strategy for Scotland was consulted upon in July to September 2013, and a final version of the strategy was published in August 2014.

1.5 An updated draft of the Marine Litter Strategy was published for consultation from 29 December 2021 to 22 March 2022. All responses received were considered and necessary amendments were incorporated into the final strategy.

1.6 This updated strategy reflects on progress made since 2014, and the continuing and new actions necessary to meet our vision and goals. The strategy sets out Scotland's approach to ensuring that measurable steps are taken to reduce sources of marine litter as well as to support removal initiatives, in order to bring ecological, economic and social benefits.

1.7 There are a wide scope of actions currently underway that contribute to the strategy. Many of these initiatives are conducted by volunteers, Non-Governmental Organisations (NGOs), industry and government agencies. This work makes a vital contribution, and its continuation is intrinsic to the strategy. The action plan that

¹ Marine Strategy Framework Directive – Task Group 10 Report Marine Litter

accompanies this cycle of the strategy (see the Supporting Documents section) is limited to new and high priority actions only. We acknowledge the breadth of work already underway, and focus the efforts of this cycle of the strategy on taking additional steps in new areas of work, to extend positive action to further reduce marine litter.

1.8 Embedded in the strategy are the objectives of working towards the Scottish Government's goals of becoming a net zero nation, achieving a circular economy where waste is treated as a resource, enhancing the marine environment through actions relating to the blue economy, and reducing human impact on the environment. Notwithstanding the UK's exit from the EU, Scotland continues to strive to meet or exceed EU targets, including those relating to marine litter.

Current activity

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

- International Convention for the Prevention of Pollution from Ships (MARPOL). In particular Annex V Prevention of Pollution by Garbage from Ships²;
- EU Marine Strategy Framework Directive³;
- EU Directive on Port Reception Facilities for Ship-generated Waste and Cargo Residues⁴;
- The Bathing Waters (Scotland) Regulations 2008⁵;
- EU Water Framework Directive⁶;
- Environmental Protection Act 1990⁷;
- The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003⁸;
- Marine (Scotland) Act 2010⁹. The management of litter, while not directly specified under the Act, falls under the scope of marine planning;
- The Waste (Scotland) Regulations 2012¹⁰;
- EU Urban Waste Water Treatment Directive¹¹;
- The Marine Strategy Regulations 2010¹²

² [https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-\(MARPOL\).aspx](https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx)

³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF>

⁴ http://europa.eu/legislation_summaries/environment/waste_management/l24199_en.htm

⁵ <http://www.legislation.gov.uk/ssi/2008/170/contents/made>

⁶ <http://ec.europa.eu/environment/water/water-framework/>

⁷ <http://www.legislation.gov.uk/ukpga/1990/43/contents>

⁸ <http://www.legislation.gov.uk/uksi/2003/1809/contents/made>

⁹ http://www.legislation.gov.uk/asp/2010/5/pdfs/asp_20100005_en.pdf

¹⁰ <http://www.legislation.gov.uk/ssi/2012/148/contents/made>

¹¹ https://ec.europa.eu/environment/water/water-urbanwaste/legislation/directive_en.htm

¹² <https://www.legislation.gov.uk/uksi/2010/1627/contents/made>

- UK Marine Strategy. This strategy comprises Parts One¹³, Two¹⁴ and Three¹⁵: updates to Parts One¹⁶ and Two¹⁷ have been published in October 2019 and March 2021, respectively; and an update to Part Three is due to be published in late 2022;
- OSPAR North-East Atlantic Environment Strategy¹⁸;
- United Nations Sustainable Development Goal 14¹⁹: to ‘conserve and sustainably use the oceans, seas and marine resources for sustainable development’;
- EU Single-Use Plastics Directive²⁰;
- The Merchant Shipping (Prevention of Pollution by Garbage from Ships) Regulations 2020²¹

1.10 The Scottish Government’s first National Litter Strategy ‘Towards a Litter-Free Scotland’²² was published in June 2014. The National Litter Strategy is being refreshed as a National Litter and Flytipping Strategy, recognising that these are separate issues and require a tailored approach to each. This updated strategy focuses on four key themes: behaviour change, infrastructure and services, enforcement, and data and research. It has strong links with the Marine Litter Strategy as its success will result in a reduction of land based litter which can enter our seas.

The UK Marine Strategy

1.11 The Marine Strategy Regulations 2010 are the main driver for addressing the problem of marine and coastal litter within Scotland and the UK as a whole. The Regulations require the four UK administrations to produce a joint Marine Strategy with the overall aim of achieving or maintaining Good Environmental Status (GES) in our seas. Given the cross-boundary nature of issues such as marine litter we must also co-operate with other countries sharing our seas.

1.12 The UK Marine Strategy is split into three parts which are required to be reviewed and updated every six years. The first cycle was published between 2012 and 2015:

- Part One: this provides an assessment of UK marine waters, sets objectives for GES, and outlines targets and indicators to measure progress towards GES (update published in October 2019);

¹³ <https://www.gov.uk/government/publications/marine-strategy-part-one-uk-initial-assessment-and-good-environmental-status>

¹⁴ <https://www.gov.uk/government/publications/marine-strategy-part-two-uk-marine-monitoring-programmes>

¹⁵ <https://www.gov.uk/government/publications/marine-strategy-part-three-uk-programme-of-measures>

¹⁶ <https://www.gov.uk/government/publications/marine-strategy-part-one-uk-updated-assessment-and-good-environmental-status>

¹⁷ <https://www.gov.uk/government/publications/marine-strategy-part-two-uk-marine-monitoring-programmes>

¹⁸ <https://www.ospar.org/convention/strategy>

¹⁹ <https://sdgs.un.org/goals/goal14>

²⁰ https://ec.europa.eu/environment/topics/plastics/single-use-plastics_en

²¹ <https://www.legislation.gov.uk/uksi/2020/621/contents/made>

²² <https://www.gov.scot/publications/towards-litter-free-scotland-strategic-approach-higher-quality-local-environments/>

- Part Two: this sets out the monitoring programmes we will use to monitor our progress against the targets and indicators set out in Part One (update published in March 2021);
- Part Three: this sets out a programme of measures and actions we will take to achieve or maintain GES (update due to be published in late 2022).

1.13 For ease, the UK Marine Strategy defines GES in terms of 11 descriptors, one of which relates to marine litter. The high level objective for Descriptor 10 requires that ‘the amount of litter and associated degradation products is reducing, and levels do not pose a significant risk to the environment and marine life’.

1.14 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. Table 1 describes the targets and indicators for 2018-2024.

Descriptor 10 Marine Litter: Perspective for 2018 to 2024		
High level objective for GES	The amount of litter and its degradation products on coastlines and in the marine environment is reducing and levels do not pose a significant risk to the environment and marine life.	
Criteria and targets for measuring progress towards GES in future	Presence of litter (beaches)	A decrease in the total amount of the most common categories of litter found on surveyed beaches.
	Presence of litter (seabed)	A decrease in the number of items of litter on the seabed.
	Presence of floating litter	A downward trend in the number of northern fulmars with more than 0.1 g of plastic particles in their stomach.
	Presence of micro-litter	Develop an appropriate indicator to measure micro-litter in the marine environment.
Operational targets	<p>We will work nationally and with other countries in OSPAR to:</p> <p>a) establish the feasibility of setting appropriate reduction targets and/or threshold values for litter on beaches, on the sea floor, sea surface, and microplastics, taking into account regional or sub-regional specificities;</p> <p>b) develop an indicator for micro-litter in sediment;</p> <p>c) establish, if practicable, whether the amount of litter and micro-litter ingested by marine animals adversely affects the health of the species concerned; and</p> <p>d) develop appropriate measures to reduce litter types harmful to the marine environment.</p>	
Indicators to be used to assess the status	<ul style="list-style-type: none"> • Beach litter surveys - OSPAR • Floating litter using plastic in fulmar stomachs - OSPAR • Seafloor litter surveys - OSPAR 	

Table 1: UK Marine Strategy Part One updated targets and indicators for Descriptor 10

1.15 The updated Part One acknowledges that, whilst progress has been made on tackling marine litter, measures need longer to take effect and as a consequence it is considered that GES has not yet been achieved for marine litter.

2. OVERVIEW OF THE STRATEGY

Aim and Objectives

2.1 The aim of the 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 The strategy builds on the huge amount of valuable work already underway at the local, national, regional, and international level, bringing it together to add greater co-ordination of efforts. We recognise that a large volume of this work, in particular marine litter removal, is undertaken voluntarily by individuals, local initiatives, community groups, and NGOs.

Vision

2.3 The vision for the strategy is to: reinforce support for existing actions which are currently contributing to our goals; and identify new measurable and achievable actions which can be completed within a realistic timescale. These actions are focused on: preventing litter entering the marine environment, in parallel with litter reduction and behaviour change actions to be achieved by the National Litter and Flytipping Strategy; continuing to support and raise awareness of actions to remove marine litter; and contributing to the overall aim of achieving GES as required by the UK Marine Strategy.

2.4 Our vision for this lifecycle of the strategy is: a Scotland where the issue of marine and coastal litter is acknowledged by all sectors, and measurable steps are taken to prevent marine litter as well as to support removal initiatives. This will be achieved in co-ordination with the National Litter and Flytipping Strategy, as well as through collaborative work with partners at all levels.

Strategic Directions

2.5 The vision links to five strategic directions and associated actions. The strategic directions are:

- **Strategic Direction 1 – Improve public and business attitudes and behaviours around marine and coastal litter, in co-ordination with the National Litter and Flytipping Strategy.**

- **Strategic Direction 2 – Reduce marine and coastal based sources of litter, with a focus on the most problematic sources, in co-ordination with land sourced litter being reduced by the National Litter and Flytipping Strategy.**
- **Strategic Direction 3 – Support the removal of marine litter from the marine and coastal environment.**
- **Strategic Direction 4 – Improve monitoring at a Scottish scale and develop measures for strategy evaluation.**
- **Strategic Direction 5 – Maintain and strengthen stakeholder co-ordination in Scotland, the UK, regionally, and globally.**

2.6 An overview of actions are detailed within the strategic directions at Part 4. A more detailed action plan, with objectives, deliverables and measurable actions is included in the Supporting Documents. The actions have been planned as either short, medium, or long term within the six year lifespan of the strategy. The planned actions have been agreed within the context of available funding and capacity. The timescales have been allocated with regard to a realistic timeframe, depending on the complexity of the work required to complete the action.

2.7 It is acknowledged that many current initiatives and projects contribute to more than one strategic direction within the strategy. Any such projects that have been named in Part 3 have been placed under the strategic direction to which each project contributes the most.

3. STRATEGY DELIVERY AND REVIEW

3.1 The implementation of the strategy is led by the Scottish Government. Marine Scotland will continue to co-ordinate the existing network of sectors and stakeholders at the local and national level, by chairing a national stakeholder group to share and prioritise good practice on developing the strategy and monitoring outputs.

3.2 Responsibility for implementing the actions contained within the strategy is shared between a community of interests including Marine Scotland, Local Authorities, the wider public sector, business, environmental and community groups, and private individuals. It is anticipated that the strategy will benefit all users of the marine environment and coastal communities.

3.3 The focus will be on delivering actions which will be achievable in the lifetime of the strategy and within the staff and financial resources that are available from individual sectors.

3.4 The strategy will be delivered via the principles of:

- Central co-ordination from Marine Scotland, in the context of wider initiatives and international engagement;
- Implementation of actions by named responsible lead organisations, as set out in the action plan (see Supporting Documents)

- An action plan underpinning the strategy, with clear and measurable aims, deliverables, objectives and timescales;
- Initiatives that are measurable and have a direct impact on reducing litter from source;
- Utilisation and promotion of work carried out by existing networks and stakeholders;
- A mid-term review of the strategy and action plan, to allow for flexibility and appropriate updates.

3.5 As the strategy will contribute to working toward GES it is proposed that the timeframe should be closely aligned with that of the UK Marine Strategy. An assessment of environmental status will be made in 2024.

3.6 The action plan underpinning the strategy will require regular review, in partnership with stakeholders. A mid-cycle review is proposed for 2024-2025, and a further review in 2027. We will monitor the success of the strategy through an evaluation of actions: to what extent these have been completed, and to what timescales.

4. STRATEGIC DIRECTIONS AND ACTIONS

4.1 This section outlines the five objectives for the strategy, which incorporates activity and actions that already exist or are underway within the marine and, where appropriate, the terrestrial context.

4.2 New actions under each strategic direction will complement current activity.

4.3 A new action plan, with full details of the actions outlined in this section including timescales and organisations responsible for the work, is included in the Supporting Documents.

STRATEGIC DIRECTION 1:

Improve public and business attitudes and behaviours around marine and coastal litter, in co-ordination with the National Litter and Flytipping Strategy

4.4 Research suggests that the majority of marine litter originates from terrestrial sources. Meeting the challenge of addressing marine litter levels will depend on businesses and individuals, whether at sea or ashore, playing their part by recognising and taking responsibility for their own actions.

4.5 There are currently a range of initiatives aimed at: reducing marine litter, raising awareness of the problem, or changing behaviour.

Action to date has included:

The Scottish Government, with Zero Waste Scotland, has:

- Developed a communications toolkit for delivery partners and a behaviour change marketing campaign to discourage littering.
- Started work to better understand links between enforcement delivery and the legal system, in regard to littering and flytipping.
- Supported the Transport Litter Group's Litter Week of Action to cut litter on the transport network.
- Committed to working with the fishing sector and coastal communities to develop proposals to tackle the issue of fishing litter and lost gear.
- Hosted the British-Irish Council Marine Litter Symposium in 2019, where a joint commitment was made to improve collection and recycling of end of life fishing gear.
- Hosted an international marine conference in 2019, where the Trial Period campaign was launched to encourage the use of reusable sanitary products.
- Committed to introducing a deposit-return scheme for glass, metal, and plastic drinks containers (to be launched 16 August 2023).
- Taken forward legislation to:
 - Increase the fixed penalties for litter and flytipping, from £50 each, to £80 and £200 respectively.
 - Create powers for Loch Lomond and The Trossachs National Park to issue fixed penalties for littering and flytipping.
 - Create a requirement for alleged littering offenders to provide their name and address to enforcement officers.
 - Update the Code of Practice for Litter and Refuse, which improved clarity around duties to prevent and clean up litter under section 89 of the Environmental Protection Act (1990).
 - Discourage large-scale flytipping, with new powers for the Scottish Environment Protection Agency (SEPA) and action by Revenue Scotland and SEPA to recover landfill tax from illegally deposited wastes.
 - Introduce a charging scheme for single-use carrier bags, a highly visible form of litter, from October 2014.
 - Implement a ban on the manufacture and sale of rinse-off personal care products containing plastic microbeads, such as shower gels and toothpastes, from June 2018. Microbeads are a persistent and harmful form of marine litter.
 - Implement a ban on the sale of plastic-stemmed cotton buds, a highly prevalent form of marine litter, from October 2019.

Actions from other organisations include:

- Keep Scotland Beautiful initiated its Upstream Battle project in 2018. The project works with local communities to inform and educate, in order to change littering behaviours. A network of volunteers have adopted sections of rivers and waterways, and collect and record litter to prevent it reaching the sea.
- The KIMO Fishing For Litter project has been running in Scotland since 2005. The project involves fishing boats returning marine litter hauled up in their nets to

port for safe disposal. The long-term objective of the project is to influence the attitudes and behaviours of fishers, and to increase awareness amongst the fishing industry of the negative impact of marine litter.

- KIMO and Fidra have produced a community toolkit and best practice guidance for owners, maintenance organisations and users of artificial sports pitches, to reduce this source of microplastic pollution. Scottish Government is working with stakeholders to support the implementation of this Pitch In guidance in Scotland.
- Scottish Water introduced the Keep the Cycle Running public information campaign, to provide advice on the correct disposal of sanitary items, oils, and fats, in order to prevent sewer blockages.

Planned new actions:

- In co-ordination with the National Litter and Flytipping Strategy delivery team, strengthen the enforcement of litter and flytipping regulations.
- Contribute to the development of a waste management scheme to improve recycling routes for end of life fishing and aquaculture gear.
- Contribute to the work to develop a standard for the circular design of fishing gear, to facilitate better waste management and improve opportunities for recycling.
- Extend access to Port Waste Reception Facilities to fishing vessels, to facilitate responsible end of life gear disposal without additional charges.
- Support the waste sector to expand recycling opportunities to include degraded and contaminated marine plastics, including fishing gear.
- Run an awareness raising campaign to promote behaviour change and highlight inappropriate flushing of sanitary items.

STRATEGIC DIRECTION 2:

Reduce marine and coastal based sources of litter, with a focus on the most problematic sources, in co-ordination with land sourced litter being reduced by the National Litter and Flytipping Strategy

4.6 Marine litter stems from two sources: land based sources, and sea based sources. There needs to be an integrated approach to address marine litter and stop it at source.

Action to date has included:

4.7 Significant progress has been made, in particular via work with the plastics industry.

The Scottish Government has:

- Supported Water UK in their work to develop and promote a 'Fine to Flush' standard across British waste water companies, and encourage wet wipe

manufacturers to adopt these standards. The Fine to Flush certification prohibits the use of plastics in these products.

- Supported the plastic industry's Operation Clean Sweep®, a voluntary initiative to implement handling best practice to prevent pellet loss.
- Formed the Scottish Plastic Pellet Loss Steering Group (PPLSG). The membership spans the industry supply chain from producer through to transporters and retailers, plus NGOs, regulatory bodies and other relevant organisations.
- Building on Operation Clean Sweep®, the PPLSG commissioned a report and action plan to prevent the loss of plastic pellets, powders and flakes across the supply chain.
- Following the supply chain report, Scottish Government sponsored the first industry pellet handling standard, the Publicly Available Specification 510 (PAS).
- The PPLSG developed minimum requirements for a certification scheme to enable businesses implementing good practice, as per the PAS, when handling or managing pellets to demonstrate this publicly with external auditing and a transparent, public registry.
- Following a public consultation, Scottish Government brought in legislation on 1 June 2022 to restrict the sale or commercial supply of a number of single-use plastic items including plastic cutlery, straws, and food and beverage containers made of expanded polystyrene.

Actions from other organisations include:

- Ship waste management plans and inspections of Garbage Record Books under the Merchant Shipping (Prevention of Pollution by Garbage and Sewage) Regulations 2008.

Planned new actions:

- Promote the PAS standard on plastic pellets, flakes and powders across Scottish businesses and the British-Irish Council Region.
- Ensure the minimum requirements are met in the development of a certification scheme to demonstrate implementation of third party auditing of the sites handling or managing plastic pellets.
- Review uptake of the PAS, and membership of an international certification scheme once developed.
- Give support to the development or trials of new tools or technologies that could be of use to the Scottish fishing industry, in order to achieve successful retrieval of lost fishing gear.
- Work with the British Standards Institution and the European Committee for Standardisation (CEN) to ensure all elements of the waste hierarchy are reflected during the development of the CEN standard for circular design of fishing and aquaculture gear, including specifications to address gear loss.
- Investigate the potential for legislation to ban the manufacture and sale of wet wipes containing plastic.

- Taking an evidence-based approach, consider a range of policy options to reduce sources of sewage-related debris.
- Increase monitoring of Combined Sewer Overflows (CSOs). Expand the network of permanent Event Duration Monitoring (EDM) facilities across the CSOs in Scotland.
- Continued development of Event Duration Monitoring (EDM) programme, to install permanent EDM facilities in Combined Sewer Overflows (CSOs).
- Development of solutions at Combined Sewer Overflows (CSOs) to reduce the quantity of sewage-related debris released during spill events.
- Better understand the impact of sewage-related debris by carrying out focused Aesthetic and Feasibility Studies.

STRATEGIC DIRECTION 3:

Support the removal of marine litter from the marine and coastal environment

4.8 Significant action is already underway from a wide variety of organisations. These range from small community groups to national NGOs. Some of these initiatives have been in existence for many years or decades, and play a significant part in Scotland's work to tackle marine litter. Notable current actions are listed below. As this is an area of importance covered by a vast number of groups and individuals, this section gives an indication of the range of initiatives underway.

Action to date has included:

The Scottish Government has:

- Committed £500,000 to begin to address the problem of litter sinks around the coast and to develop policy to address marine plastics, which has involved working with community groups. Arrochar (Loch Long) was identified as a case study area and is being monitored and maintained. 1,002 tonnes of litter has been removed from this litter sink between 2018-2022.
- Funded KIMO's Fishing For Litter project, which supports fishermen to remove and bring ashore litter that they catch in their nets.
- Funded Local Coastal Partnerships around Scotland, who all have a role to play in supporting beach cleans and other efforts to reduce marine litter.
- Funded SCRAPbook, a collaborative project between the Moray Firth Partnership, Sky Watch and Marine Conservation Society, to map the litter hot spots around Scotland's mainland coastline and support their clean-ups.

Actions taken by other organisations:

- Keep Scotland Beautiful's Clean Up Scotland campaign has supported thousands of volunteers each year to clean up in their local area and on beaches, preventing litter from ending up in waterways and potentially in the sea. The flagship Spring Clean event is held annually across the country.

- The Marine Conservation Society has run its UK-wide beach cleaning project Beachwatch since 1993. The annual flagship event, the Great British Beach Clean, involves thousands of volunteers removing tonnes of litter from the coastline each year.

Planned new actions:

- Explore a mechanism to assist communities to reduce costs in disposing of large volumes of collected beach litter.
- Expand the Keep Scotland Beautiful Upstream Battle project or equivalent riverine project.
- Promote the KIMO Fishing for Litter scheme, in order to increase the total number of vessels participating.
- Through pilot project(s), quantify the practical, economic and logistical challenges of recycling (fouled) marine litter.
- Support the installation of riverine litter removal technology in the River Clyde, working with local stakeholders.

STRATEGIC DIRECTION 4:

Improve monitoring at a Scottish scale and develop measures for strategy evaluation

4.9 It is widely recognised that the current evidence base for the levels of marine and coastal litter is limited, and the strategy seeks 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.

4.10 The UK Marine Strategy is being implemented in a co-ordinated way across the UK Administrations. The UK Marine Strategy Part Two sets out proposals for UK monitoring programmes to monitor progress towards GES, which will be reflected in the Marine Litter Strategy. Data collected for GES monitoring will facilitate reporting on whether the Marine Litter Strategy's aims and objectives are being met.

Action to date has included:

Multiple actions which contribute to OSPAR monitoring programmes:

- Voluntary action through beach litter surveys using best practice techniques and OSPAR guidelines.
- Monitoring of seabed litter and floating microplastic litter is conducted by surveys carried out by Marine Scotland vessels.
- Monitoring of microplastic litter is conducted through sampling dead fulmars for microplastics in stomach contents.

- Research into a monitoring programme for microscopic plastic particles.

Additional actions:

- Fidra's Great Nurdle Hunt is a citizen science project recording the presence of plastic pellets on UK beaches.

Planned new actions:

- Increase engagement with the Fishing for Litter project and improve the quality of data collection.
- Expand the suite of OSPAR monitoring beaches, and ensure appropriate monitoring data is available to the Quality Status Report 2023 assessment team.
- Contribute to the development of an agreed methodology for inter-tidal microplastic monitoring.
- Use a public attitudes survey to obtain data on how the Scottish public values their marine environment.
- Improve monitoring and understanding of sources of Scottish island beach litter.

STRATEGIC DIRECTION 5:

Maintain and strengthen stakeholder co-ordination in Scotland, the UK, regionally, and globally

4.11 Marine litter is a cross-boundary challenge that spreads across a variety of scales and requires action from the local to the international level. The strategy aims to influence actions within its direct sphere of Scotland, and more broadly at the UK, regional, and international levels.

Action to date has included:

- A Marine Litter Strategy Steering Group was formed by Marine Scotland, comprised of Scottish Government agencies, NGOs, industry, regulatory bodies and others. This stakeholder group meets regularly to share good practice, monitor outputs, and continue to develop the strategy.
- Scottish Government contributed to the development of the UK Marine Strategy.
- Scottish Government is a member of OSPAR's Intersessional working group for marine litter, and has supported delivery of the Regional Action Plan for Marine Litter work streams, including Action 52 on plastic pellet loss.
- Scottish Government has contributed to OSPAR work to produce an updated Regional Action Plan for Marine Litter.

Planned new actions:

- Expand communications and understanding of Marine Litter Strategy work with delivery partners and relevant organisations.

- Collaborate with UK Government and Devolved Administration colleagues on litter policies relevant to Scotland.
- Increase engagement with OSPAR through participation, and leading on relevant actions in the Regional Action Plan for Marine Litter.
- Strengthen co-ordination across the British-Irish Council region by identifying tasks for collaboration regarding shared marine litter problems.

ANNEX A: Final Business and Regulatory Impact Assessment

Title of Proposal

A Marine Litter Strategy for Scotland

Purpose and intended effect

Background

A Marine Litter Strategy for Scotland was first published in 2014. The Scottish Government has made a commitment to refreshing the Strategy. Marine Scotland Directorate, with and through the Marine Litter Strategy Steering Group (MLSSG), has been engaging with key stakeholders and partners over the last three years to take stock of the original Strategy and to identify objectives and actions to help inform and shape a refreshed Marine Litter Strategy and Action Plan.

Objective

The aim of the Marine Litter Strategy is to help realise the Scottish Government's vision of a 'clean, healthy, safe, productive, and biologically diverse marine and coastal environment that meets the long term needs of people and nature'. This underpins developments in marine legislation through the Marine (Scotland) Act 2010 in promoting sustainable use of our valuable and unique environment.

The vision for the Strategy is to: reinforce support for existing actions which are currently contributing to our goals; and identify new measurable and achievable actions which can be completed within a realistic timescale. These actions are focused on: preventing litter entering the marine environment, in parallel with litter reduction and behaviour change actions to be achieved by the National Litter and Flytipping Strategy; continuing to support and raise awareness of actions to remove marine litter; and contributing to the overall aim of achieving Good Environmental Status as required by the UK Marine Strategy.

Rationale for Government intervention

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

Under the National Performance Framework, the Strategy contributes to the objectives relating to the environment, as well as to communities, economy, and health.

Consultation

Within Government

Consultation has been undertaken with policy colleagues within Environment and Forestry Directorate, in particular with Zero Waste policy colleagues who are responsible

for the current refresh of the National Litter and Flytipping Strategy, the sister strategy to the Marine Litter Strategy.

Consultation has been undertaken with policy colleagues within the Marine Scotland Directorate, including aquaculture, nature conservation, compliance, and sea fisheries, as well as with policy colleagues within the Circular Economy Division.

These consultations have ensured that proposed actions within the Strategy align with planned or anticipated work within each of these policy areas, and would therefore be achievable.

Public and Business Consultation

The refreshed Marine Litter Strategy and Action Plan has gone through various stages of direct engagement with partners and stakeholders, including relevant industry representatives. Marine Scotland Directorate, with and through the MLSSG, has been engaging with key stakeholders and partners over the last three years to take stock of the original Strategy and to identify objectives and actions to help inform and shape a refreshed Marine Litter Strategy and Action Plan.

The first stage was to undertake a review of the first Marine Litter Strategy and to consider whether the overall aims and intent of the Strategy were still valid and relevant, and that the Strategic Directions (i.e. objectives) consider the correct issues. Review workshops took place in late 2019 and identified the need for some changes in the refreshed Strategy.

The second stage involved Marine Scotland Directorate working with partners and stakeholders to consider which areas were of most concern and what specific actions Marine Scotland Directorate could take to effect a positive change. Several online meetings were held during Summer 2021, with further input gathered by Marine Scotland Directorate in Autumn 2021.

Taken together, this initial engagement helped to identify priority actions that could realistically be achieved within the next six years, taking into consideration the staffing and financial resources that Marine Scotland Directorate and its delivery partners (including businesses) have available.

Stakeholders engaged with included:

- Crown Estate Scotland
- Fidra (an NGO)
- Islay Development Initiative
- Keep Scotland Beautiful
- KIMO (Local Authorities International Environmental Organisation)
- Local Coastal Partnerships
- Marine Alliance for Science and Technology for Scotland (MASTS)
- Marine Conservation Society
- NatureScot (formally SNH)
- Chairs of the Regional Inshore Fisheries Groups
- Scottish Islands Federation

- Scottish Environment Protection Agency (SEPA)
- Scottish Fishermen's Federation
- Scottish Water
- Zero Waste Scotland

An updated draft of the Marine Litter Strategy was published for consultation from 29 December 2021 to 22 March 2022. The consultation provided a further opportunity for individuals and businesses to express their views. Responses received have been considered and any necessary amendments incorporated into the final Strategy and the final impact assessments, including this BRIA.

Through the public consultation, industry respondents connected to the wet wipe industry noted that there could be a significant cost increase of 40% or more in the event of a ban on wet wipes containing plastic. Further, this could impact on both domestic and commercial users. In the event that there was any requirement for the reformulation of wet wipes, an appropriate timeframe for implementation was suggested so that existing products do not need to be withdrawn from the market. These respondents suggested this approach could limit costs for producers and the environmental impact of disposal.

One respondent related to the fishing industry reported that new technologies for tackling fishing based marine litter could likely impose costs on the Scottish fishing fleet. One respondent related to the aquaculture industry reported that continuing to support action on tackling marine litter could have cost implications for the aquaculture industry, but also noted the company they were responding on behalf of could bear these costs to benefit the environment.

The Scottish Government remains committed to reducing pollution caused by unnecessary and problematic single-use items such as wet wipes which contain plastic. The action on this issue will remain as investigating the potential for a ban on these items.

The Scottish Government remains committed to its circular economy goals, including on the ease of recycling of materials. The actions on working toward improved mechanisms for recycling of fishing and aquaculture gear will remain the same.

It should be noted that the 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.

Options

Option 1: Do nothing

Option 1 is the 'Do nothing' scenario i.e. the baseline scenario. Under this option this Strategy would no longer be fit for purpose. The Scottish Government made a commitment in its 2018/19 Programme for Government that the Strategy would be updated, having reached the end of its original five year lifespan. Led by Marine

Scotland Directorate, the Marine Litter Strategy Steering Group had identified objectives and actions required to inform and shape a refreshed Marine Litter Strategy and Action Plan.

Without making these changes, the objectives of the Strategy would no longer be achieved and the Government's commitment to update the Strategy would not be delivered.

Option 2: Review the Strategy, and update the Action Plan in order to make the actions realistic, achievable and timely

Under this Option, the Action Plan would be strengthened by SMART actions (Specific, Measurable, Achievable, Realistic, and Timely) that stipulate an objective, a deliverable to be produced, a timescale, and a named responsible lead organisation. These actions would help address the sources of marine litter that are the most problematic.

Implementing Option 2 would enable the Strategy to continue to achieve its objectives.

Sectors and groups affected

The whole population of Scotland is likely to be affected by the Strategy, whether directly or indirectly, as protecting and improving the health of our oceans is of benefit to all.

Option 1 will affect the population in a negative way, as the Strategy would no longer be effective at helping to protect Scotland from the ongoing impacts from marine litter.

Option 2 would affect the population in a positive way, as the SMART actions would help to protect our environment, as well as our communities, economy, health and wellbeing.

Benefits

Option 1: Do nothing

No additional benefits are expected to arise from this policy option. Conversely, without an updated Action Plan, it is likely there would be negative consequences of allowing the Strategy to continue in its original format as actions published in 2014 would no longer be fit for purpose for the period 2021-2027.

Option 2: Review the Strategy, and update the Action Plan in order to make the actions realistic, achievable and timely

By developing an updated Action Plan the Strategy will continue to make progress in its objectives. These actions will help prevent litter entering the marine environment, continue to support and raise awareness of actions to remove marine litter, and contribute to the overall aim of achieving Good Environmental Status as required by the UK Marine Strategy.

The original Strategy was developed in parallel the National Litter and Flytipping Strategy. This strategy is currently being updated, and if Option 2 were not implemented it would result in land-based and marine litter policies not being aligned, with the risk that specific important issues that fall between land and marine would be missed, reducing the overall effectiveness of Scottish Government environmental work.

Costs

The Action Plan has been drafted, in collaboration with delivery partners, with consideration of staff and monetary resources available from each partner to enable delivery within the given timescales. The Strategy itself has been written with regard to the resource constraints of the delivery partners.

The Strategy co-ordinates and drives work forward, and each delivery partner is responsible for each action they have committed to under the Strategy.

Individual actions will be subject to their own impact assessments, where relevant.

The Strategy does not apply regulatory requirements to any stakeholders and does not impose any costs on business or individuals, although the implementation of some of its actions could potentially lead to measures which result in additional costs for those who take up those measures. Any such implementation would be subject to consultation and engagement with stakeholders as outlined below.

Scottish Firms Impact Test

The Scottish Government will engage with businesses over each relevant individual action.

Competition Assessment

The Scottish Government will engage with businesses over each relevant individual action to assess the impact on competition.

Consumer Assessment

The Scottish Government will engage with consumers and businesses over each relevant individual action to assess the impact on consumers.

Test run of business forms

No new forms will be introduced by the Strategy.

Digital Impact Test

The Strategy aims to address the physical problem of litter in the marine environment, hence digital impact is not applicable.

Legal Aid Impact Test

The Scottish Government will engage with the Scottish Legal Aid Board over each relevant individual action to assess the impact on the legal aid fund.

Enforcement, sanctions and monitoring

The Marine Litter Strategy Steering Group (MLSSG) retains oversight of the Strategy and Action Plan. MLSSG has the function to monitor the progress of the Strategy, evaluate efficacy of actions, and ensure delivery of objectives in a timely manner. Enforcement and sanctions are not relevant to the Strategy itself, but will be given due consideration in the context of relevant actions.

Implementation and delivery plan

The Strategy and Action Plan cover the lifespan of 2021-2027. The Action Plan will be reviewed midway through this period, to ensure ongoing effectiveness, and any amendments deemed necessary by the MLSSG will be made. The Strategy and Action Plan will be reviewed and updated again once the current timeline ends in 2027.

Summary and recommendation

In summary, Option 2 is being recommended.

The MLSSG and delivery partners reached agreement with Marine Scotland Directorate on each of the actions within the Action Plan, taking into consideration the staff and financial resource that they were able to contribute.

By developing an updated Action Plan the Strategy will continue to make progress in its objectives. These actions will help prevent litter entering the marine environment, continue to support and raise awareness of actions to remove marine litter, and contribute to the overall aim of achieving Good Environmental Status as required by the UK Marine Strategy. These actions will help address the sources of marine litter that are the most problematic, and benefit the Scottish population through protection of our environment, as well as bringing positive effects to our communities, economy, health and wellbeing.

Declaration and publication

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

Signed:

A handwritten signature in black ink, appearing to read 'Mairi McAllan', written in a cursive style.

Date: 27 September 2022

Minister's name: Mairi McAllan

Minister's title: Minister for Environment and Land Reform

Scottish Government contact point: Anne Saunders marinelitterstrategy@gov.scot

ANNEX B: Equality Impact Assessment

NO EQIA REQUIRED DECLARATION

Only complete this section if, after carrying out and considering your screening exercise, you have concluded and can demonstrate that no EQIA is required, and that people are not impacted by your policy directly or indirectly.

Please refer to the [EQIA guidance](#) before making a decision not to conduct an EQIA. If, after reading the guidance you are satisfied that an EQIA is not required, please confirm the following:

- ◆ Will individuals have access to, or be denied access to, a service or function as a result of your policy or the changes you propose to make? Yes No
- ◆ Will the implementation of your policy, directly or indirectly, result in: individuals being employed; a change in staffing levels, terms and conditions, employer or location? Yes No
- ◆ Is there a change in the size of budget, or an impact on resources, and will this change (potentially) impact on individuals? For example, will a service be withdrawn, changed or expanded? Yes No
- ◆ Will your policy impact on another policy that affects people? Yes No

If you have answered **yes** to any of these questions, your policy does affect people and you should undertake an EQIA.

If you have answered **no** to all these questions, considered the EQIA guidance and are completely satisfied you do not need to complete an EQIA, please complete and retain the EQIA not required form on the following page.

The form should be completed by the official responsible for the decision, and then authorised by the relevant Deputy Director, or equivalent. The completed declaration must be filed as a corporate record on eRDM.

EQUALITY IMPACT ASSESSMENT NOT REQUIRED DECLARATION

Policy title	Marine Litter Strategy for Scotland
Which National Outcome(s) does the policy contribute to?	Environment: We value, enjoy, protect and enhance our environment.

Directorate: Division: team	Marine Scotland: Marine Planning & Policy: Clean Seas Team
Policy lead responsible for taking the decision	Anne Saunders

Please record why you are not carrying out an EQIA and what your justification is for making that decision.

<p>The policy is to implement the refreshed Marine Litter Strategy for Scotland, and its associated Action Plan. The Action Plan will be in place until 2027.</p> <p>A consultation has been carried out and respondents were able to provide comments on whether they think the proposals are likely to affect equality. As part of the consultation process a partial BRIA was produced.</p> <p>This EQIA assessment has been undertaken to cover the Strategy and Action Plan as a whole. Where applicable, individual actions within the Action Plan will undergo their own impact assessments prior to their implementation.</p> <p>The aim of the Marine Litter Strategy is to help realise the Scottish Government's vision of a 'clean, healthy, safe, productive, and biologically diverse marine and coastal environment that meets the long term needs of people and nature'. The Strategy has a clear purpose: to develop current and future measures to prevent litter from entering the marine and coastal environment, and to support its removal, in order to bring ecological, economic and social benefits for the whole of Scotland.</p> <p>The implementation of the strategy: would not deny access to services or public functions; would not alter budget or impact on other policies that affect people; and would have no impact on employment. It is for these reasons that the decision was made that an EQIA was not required in this instance.</p>

I confirm that the decision to not carry out an EQIA has been authorised by:

Name and job title of Deputy Director (or equivalent)	Date authorisation given
Michael Palmer Deputy Director for Marine Planning and Policy	02/09/2022

ANNEX C: Island Communities Impact Assessment

1. Develop a clear understanding of your objectives

What are the objectives of the strategy?

The aim of the Marine Litter Strategy is to help realise the Scottish Government's vision of a 'clean, healthy, safe, productive, and biologically diverse marine and coastal environment that meets the long term needs of people and nature'. This underpins developments in marine legislation through the Marine (Scotland) Act 2010 in promoting sustainable use of our valuable and unique environment.

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

The Strategy has a clear purpose: to develop current and future measures to prevent litter from entering the marine and coastal environment, and to support its removal, in order to bring ecological, economic and social benefits for the whole of Scotland.

Do you need to consult?

Yes. The refreshed Marine Litter Strategy and Action Plan has gone through various stages of direct engagement with partners and stakeholders, including islands representatives. The first stage was to undertake a review of the first Marine Litter Strategy and to consider whether the overall aims and intent of the Strategy were still valid and relevant, and that the Strategic Directions (i.e. objectives) consider the correct issues. Review workshops took place in late 2019 and identified the need for some changes in the refreshed Strategy.

The second stage involved Marine Scotland Directorate working with partners and stakeholders to consider which areas were of most concern and what specific actions Marine Scotland Directorate could take to effect a positive change. Several online meetings were held during Summer 2021, with further input gathered by Marine Scotland Directorate in Autumn 2021.

Taken together, this initial engagement helped to identify priority actions that could realistically be achieved within the next six years, taking into consideration the staffing and financial resources that Marine Scotland Directorate and its partners have available.

Stakeholders engaged with included:

- Crown Estate Scotland
- Fidra
- Islay Development Initiative, representing islands and island views
- Keep Scotland Beautiful
- KIMO (Local Authorities International Environmental Organisation)

- Local Coastal Partnerships
- Marine Alliance for Science and Technology for Scotland (MASTS)
- Marine Conservation Society
- NatureScot (formally SNH)
- Chairs of the Regional Inshore Fisheries Groups
- Scottish Islands Federation, representing islands and island views
- Scottish Environment Protection Agency (SEPA)
- Scottish Fishermen's Federation
- Scottish Water
- Zero Waste Scotland

An updated draft of the Marine Litter Strategy was published for consultation from 29 December 2021 to 22 March 2022. Responses received have been considered and any necessary amendments will be incorporated into the final Strategy and the final impact assessments, including this ICIA.

How are islands identified for the purpose of the strategy?

The Strategy is a national one, and encompasses issues relevant to the whole of Scotland, whether the mainland or the islands. The Strategy intends to implement and achieve actions which will be of benefit to the whole of Scotland, irrespective of location or island status.

Additionally, it is acknowledged that certain islands experience specific litter issues to a differing degree to some parts of the mainland, and as such the Strategy responds to this with specific actions designed to investigate and address these issues.

What are the intended impacts/outcomes and how do these potentially differ in the islands?

The vision for the Strategy is to: reinforce support for existing actions which are currently contributing to our goals; and identify new measurable and achievable actions which can be completed within a realistic timescale. These actions are focused on: preventing litter entering the marine environment, in parallel with litter reduction and behaviour change actions to be achieved by the National Litter and Flytipping Strategy; continuing to support and raise awareness of actions to remove marine litter; and contributing to the overall aim of achieving Good Environmental Status as required by the UK Marine Strategy.

These intended outcomes do not differ in the islands.

Is the strategy new?

No. The Scottish Government has made a commitment to refreshing the 2014 Marine Litter Strategy for Scotland. Marine Scotland Directorate, with and through the Marine Litter Strategy Steering Group, has been engaging with key stakeholders and partners over the last three years to take stock of the original Strategy and to identify objectives

and actions to help inform and shape a refreshed Marine Litter Strategy and Action Plan.

The updated Strategy will reflect progress made since 2014, and the continuing and new actions necessary to meet our vision and goals. The Strategy sets out Scotland's approach to ensuring that measurable steps are taken to reduce sources of marine litter as well as to support removal initiatives, in order to bring ecological, economic and social benefits to the whole of Scotland.

2. Gather your data and identify your stakeholders

What data is available about the current situation in the islands?

Data is available on the extent and composition of marine litter on islands. The majority of this comes from NGOs, volunteer surveys, or citizen science projects, and hence is not evenly spread throughout or between islands.

The National Plan for Scotland's Islands can provide high level data on: population levels; sustainable economic development; transport; housing and fuel poverty; digital connectivity; health, social care and wellbeing; environmental wellbeing and biosecurity; climate change and energy; empowered island communities and strong local partnerships; arts, culture and language; and education. The National Islands Plan encapsulates the islands as a whole with little breakdown for each specific island.

Marine Scotland Directorate published Attitudes in Scotland on the Marine Environment and Marine Issues (2019). This marine social attitudes survey provides data on, amongst other issues: leisure activities at the coast; environmental concerns; and economic and social values of the marine environment. This survey is from a national perspective, and not solely islands focused.

Do you need to consult?

Yes. The refreshed Marine Litter Strategy and Action Plan has gone through various stages of direct engagement with partners and stakeholders, including islands representatives. The first stage was to undertake a review of the first Marine Litter Strategy and to consider whether the overall aims and intent of the Strategy were still valid and relevant, and that the Strategic Directions (i.e. objectives) consider the correct issues. Review workshops took place in late 2019 and identified the need for some changes in the refreshed Strategy.

The second stage involved Marine Scotland Directorate working with partners and stakeholders to consider which areas were of most concern and what specific actions Marine Scotland Directorate could take to effect a positive change. Several online meetings were held during Summer 2021, with further input gathered by Marine Scotland Directorate in Autumn 2021.

Taken together, this initial engagement helped to identify priority actions that could realistically be achieved within the next six years, taking into consideration the staffing and financial resources that Marine Scotland Directorate and its partners have available.

Stakeholders engaged with included:

- Crown Estate Scotland
- Fidra
- Islay Development Initiative, representing islands and island views
- Keep Scotland Beautiful
- KIMO (Local Authorities International Environmental Organisation)
- Local Coastal Partnerships
- Marine Alliance for Science and Technology for Scotland (MASTS)
- Marine Conservation Society
- NatureScot (formally SNH)
- Chairs of the Regional Inshore Fisheries Groups
- Scottish Islands Federation, representing islands and island views
- Scottish Environment Protection Agency (SEPA)
- Scottish Fishermen's Federation
- Scottish Water
- Zero Waste Scotland

An updated draft of the Marine Litter Strategy was published for consultation from 29 December 2021 to 22 March 2022. Responses received have been considered and any necessary amendments will be incorporated into the final Strategy and the final impact assessments, including this ICIA.

How does any existing data differ between islands?

Data is available on the extent and composition of marine litter on islands. The majority of this comes from NGOs, volunteer surveys, or citizen science projects, and hence is not evenly spread throughout or between islands.

Through engagement with the new Scottish Islands Federation working group it is intended that monitoring of marine litter on island foreshores is improved and new actions can be considered relating to this issue.

Are there any existing design features or mitigations in place?

The Strategy contains dedicated actions to investigate the origin and impact of marine litter specifically on the islands. These include an objective, action, deliverable, responsible lead organisation, and timescale.

3. Consultation

Who do you need to consult with?

Direct engagement with partners and stakeholders, including islands representatives, was conducted prior to the consultation launch. Any member of the public or representative of an organisation who chose to do so was able to respond to the public consultation.

Stakeholders engaged with included:

- Crown Estate Scotland
- Fidra
- Islay Development Initiative, representing islands and island views
- Keep Scotland Beautiful
- KIMO (Local Authorities International Environmental Organisation)
- Local Coastal Partnerships
- Marine Alliance for Science and Technology for Scotland (MASTS)
- Marine Conservation Society
- NatureScot (formally SNH)
- Chairs of the Regional Inshore Fisheries Groups
- Scottish Islands Federation, representing islands and island views
- Scottish Environment Protection Agency (SEPA)
- Scottish Fishermen's Federation
- Scottish Water
- Zero Waste Scotland

How will you carry out your consultation and in what timescales?

A public consultation was conducted from 29 December 2021 to 22 March 2022 via the Scottish Government consultation hub, Citizen Space. During this time the Marine Scotland Directorate Communication Team promoted the consultation, including through a Ministerial visit by the Minister for Green Skills, Circular Economy and Biodiversity in March 2022.

What questions will you ask when considering how to address island realities?

The Strategy contains dedicated actions to investigate the origin and impact of marine litter specifically on the islands. Each of these include an objective, action, deliverable, responsible lead organisation, and timescale. The questions ask to what extent the respondents believe (strongly agree, agree, neutral, disagree, or strongly disagree) that the actions will contribute to the achievement of the Strategic Directions.

What information has already been gathered through consultations and what concerns have been raised previously by island communities?

The vast majority of marine litter in Scotland originates from land-based sources e.g. on-the-go and fast food food packaging, smoking related litter, sewage-related debris. In contrast to this, some islands record the majority of marine litter that arrives on their shores originates from the Atlantic Ocean and from maritime industries, including fishing, aquaculture, and shipping. Certain island communities have highlighted that the majority of beach litter they have encountered is comprised of fishing and/or aquaculture related items, including nets, ropes, gear, etc. This information has been imparted to

Marine Scotland Directorate through pre-consultation engagement with the Scottish Islands Federation working group. As a result, Marine Scotland Directorate initiated research into the specific needs of island communities with regard to the composition of litter and options to deal with this, and specific actions have been included within the Strategy.

Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty?

Yes. Regard has been given to island communities through identification of island stakeholders, during pre-consultation discussions, during the drafting of the Strategy and Action Plan, during the completion of this ICIA document, in the preparation of the consultation, and in the promotion of the consultation.

4. Assessment

Does your assessment identify any unique impacts on island communities?

Yes. It is known that certain islands experience specific litter issues to a differing degree to some parts of the mainland, and as such the Strategy responds to this with specific actions designed to investigate and address these issues.

Does your assessment identify any potential barriers or wider impacts?

While we understand there are unique impacts on the islands from certain marine litter issues, the Strategy itself does not pose any potential barriers or wider impacts to island communities.

While we do not yet fully understand the wider impacts of marine litter on islands, this does not mean that the Strategy itself poses any barriers on or between islands.

How will you address these? You must now determine whether in your opinion your strategy is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities). If your answer is NO to the above question, a full ICIA will NOT be required and you can proceed to Step Six. If the answer is YES, an ICIA must be prepared and you should proceed to Step Five. **To form your opinion, the following questions should be considered:**
Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?

Are these different effects likely?

Are these effects significantly different?

Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?

No, it is not likely that the Strategy will have an effect on an island community which is significantly different from its effect on other communities (including other island

communities). The Strategy has taken into account that island communities can be affected differently by marine litter, or disproportionately affected by certain types of marine litter. To address these issues the Strategy includes specific actions, to be achieved by working in conjunction with relevant island organisations. These will investigate how best to assess and record marine litter found on islands, and how this data can continue to be used to address the different impacts that islands receive.

The Strategy as a whole will have a range of positive impacts upon all regions and locations of Scotland, regardless of their mainland or island status. The aim of the Strategy is to: reinforce support for existing actions which are currently contributing to our goals; and identify new measurable and achievable actions which can be completed within a realistic timescale. These actions are focused on: preventing litter entering the marine environment, in parallel with litter reduction and behaviour change actions to be achieved by the National Litter and Flytipping Strategy; continuing to support and raise awareness of actions to remove marine litter; and contributing to the overall aim of achieving GES as required by the UK Marine Strategy. All of these apply to all areas of Scotland, and all actions will benefit islands as well as mainland areas. In particular these include actions on: fishing and aquaculture gear, Port Reception facilities, plastic pellets, the Fishing for Litter initiative, microplastic monitoring, and all stakeholder co-ordination actions.

6. Making adjustments to your work

Should delivery mechanisms/mitigations vary in different communities?

Through Marine Scotland Directorate's engagement with the Scottish Islands Federation working group it is intended that monitoring of marine litter on island foreshores is improved and new actions can be considered relating to this issue, including whether there should be any variation in delivery or mitigations for different islands.

Do you need to consult with island communities in respect of mechanisms or mitigations?

The Strategy will put efforts into understanding needs of island communities. This will be done by consulting with island communities and working with these to develop relevant solutions.

Have island circumstances been factored into the evaluation process?

Yes. Island interests are represented within the members of the Marine Litter Strategy Steering Group (MLSSG), and this Group is responsible for evaluation of the efficacy of the Strategy and Action Plan.

Have any island-specific indicators/targets been identified that require monitoring?

The Strategy contains actions that will effect an increased focus on marine litter monitoring on island foreshores in order to inform future actions. These actions will themselves undergo monitoring and evaluation to assess progress.

How will outcomes be measured on the islands?

The MLSSG retains oversight of the Strategy and Action Plan, and the Scottish Islands Federation is a member of the steering group. MLSSG has the function to monitor the progress of the Strategy, evaluate efficacy of actions, and ensure delivery of objectives in a timely manner. This applies to all actions, including those related to the islands.

How has the policy, strategy or service affected island communities?

The aim of the Marine Litter Strategy is to help realise the Scottish Government's vision of a 'clean, healthy, safe, productive, and biologically diverse marine and coastal environment that meets the long term needs of people and nature'. This aim applies to the whole of Scotland, for both mainland and island locations.

How will lessons learned in this ICIA inform future policy making and service delivery?

Marine Scotland Directorate has acknowledged that islands experience impacts of certain marine litter types in a way that differs from the mainland. To this end, the Strategy and Action Plan were written to take account of this, and propose actions to help address this issue.

7. Publishing your ICIA

Have you presented your ICIA in an Easy Read format?

Yes.

Does it need to be presented in Gaelic or any other language?

No.

Where will you publish your ICIA and will relevant stakeholders be able to easily access it?

Online:

The Scottish Government website www.gov.scot

Paper:

Printed copies will be available on request from Scottish Government.

Who will sign-off your final ICIA and why?

Mike Palmer, Deputy Director, Marine Scotland Directorate, will sign off this assessment. As it is not a full ICIA, Ministerial sign-off is not required.

ICIA completed by: Anne Saunders

Position: Marine Litter and Contaminants Policy Manager

Signature: *Anne Saunders*

Date completed: 02/09/2022

ICIA approved by: Michael Palmer

Position: Deputy Director, Marine Planning and Policy



Signature:

Date approved: 5th September 2022

ANNEX D: Strategic Environmental Assessment Determination and Statement of Reasons Relating to the Marine Litter Strategy for Scotland

Consultation Authorities

Historic Environment Scotland
NatureScot
Scottish Environment Protection Agency

Responsible Authority

Marine Scotland, Scottish Government

Determination

Further to the responses received from the Consultation Authorities regarding the Strategic Environmental Assessment (SEA) screening for the refreshed Marine Litter Strategy for Scotland, a determination has now been made by the Responsible Authority. After consideration, Marine Scotland has determined that an SEA is not required for the refreshed Marine Litter Strategy for Scotland.

Statement of Reasons

The strategy is an update of the original Marine Litter Strategy for Scotland, and the intention is to continue with the current approach of a centralised strategy encompassing the many and varied initiatives related to reducing and preventing marine litter. Within the updated strategy, the aims and purpose of the work remain the same, and as such the text within the strategy remains largely unchanged. This will be a refreshed version of the current strategy, to reflect the need for new actions to be undertaken. These new actions are intended to: build on work already completed and move forward where possible; take up opportunities provided by new or updated legislation; encourage business interest or opportunities from new technologies; and continue to work with UK Government, Devolved Administrations, OSPAR (Oslo-Paris Convention), and international organisations as required in order to further our work in Scotland and on the regional stage.

The intention of the strategy is to develop current and future measures that will: prevent litter entering the marine environment, in parallel with litter reduction and behaviour change actions to be achieved by the national litter and fly-tipping strategy; continue to support and raise awareness of actions to remove marine litter; and contribute to the overall aim of achieving Good Environmental Status as required by the UK Marine Strategy. This will be achieved through support for existing actions which are currently contributing to our goals; and identifying new measurable and achievable actions which can be completed within a realistic timescale and within the shared resource of delivery partners.

The strategy builds on the huge amount of valuable work already underway at the local, national, regional, and international level, bringing it together to add greater co-ordination of efforts. As such, much of the substance of the strategy has already undergone separate environmental assessments for each of the individual components.

Within the strategy there are five strategic directions (overarching objectives). Under each strategic direction comes a small number of specific and measurable actions. An associated action plan, containing these new actions, will be appended to the strategy. These actions will either require their own SEA to be conducted, or have already had appropriate impact assessments conducted. All other aspects of the current strategy have been duplicated from the original strategy, and as such have already been assessed and included in the SEA that was conducted in relation to the original strategy in 2014.

In summary, the overarching purpose of reducing marine litter is to protect our marine environment. It is known that the volume of litter in our seas is vast, and is continually being added to. Our work to reduce sources of marine litter and to support removal initiatives is important. However, most of these objectives have not changed since the original strategy was produced, and as such have already undergone an SEA. Those that are new are likely to have their own SEA requirements or have already undergone an impact assessment. Therefore Marine Scotland does not believe there are any significant environmental effects beyond those already identified in the original assessment or that will have their own SEA requirements as they are taken forward. An SEA is therefore not required.



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Any enquiries regarding this publication should be sent to us at

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