

## **Scottish Government Consultation - Draft Scottish Marine Litter Strategy**

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### **Response to set questions**

#### **Structure**

##### **Question 1: Do you agree with the timescales outlined?**

Response:

Yes. We welcome and agree with the alignment of the Marine Litter Strategy with the MSFD timeline. However, it needs to be made clear exactly what will be achieved within that timeframe; the consultation document is not explicit in that sense.

This is a realistic timeframe in which to fully achieve the vision but it should not thwart attempts to achieve it earlier or delay work from an immediate start, given the enormity of the task. Further information on the scope of the noted reviews would have been welcomed to give a fuller answer to this question.

#### **Vision**

##### **Question 2: Do you agree with this vision?**

Response:

No see suggested changes below.

##### **Question 3:**

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

Response:

Whilst it is recognised that data on the levels of marine litter are poor and preclude a quantitative approach, the current wording of the vision is too vague in its ambition.

We feel a more descriptive approach could help alleviate concerns on the degree of reduction and we question how the achievement of the vision will be measured. Furthermore, it is not clear what constitutes 'significant risk'. It could be argued that very few communities in Scotland are currently at *significant* risk from marine litter. We have concerns that this may lead to a lack of action (as some may say we have already achieved this/not reached this situation yet) and question whether this reflects a lesser degree of ambition than which we should be striving for.

We would like to see the words 'coastal' and 'litter' added, with the vision reading: "By 2020 marine *and coastal* litter....and recover waste *and litter* resources". Given the behaviour change needed to achieve this vision, it is imperative that we all as 'public and businesses' feel a connection with the Marine Litter Strategy and its vision; most of us have this through the coast and litter, rather than the marine environment and waste in its usual sense.

In line with international initiatives in marine debris policy, we also propose that the term 'redesign' is included to read "redesign, reduce, reuse, recycle and recover waste resources".

### **Marine Strategy Framework Directive**

**Question 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?**

Response:

No to the first part (GES), yes to additional action.

We welcome the three-pronged approach to monitoring marine litter across the foreshore, seabed and biological indicators, but action in Scotland should go further than achieving GES under Descriptor 10.

We should not be limited by the ambitions (or lack of) of GES. There needs to be actions taken to address non-visible litter items on the coastline and in the marine environment i.e. microplastics and provision for reducing litter on the seabed, not limited purely to monitoring.

### **Strategic Directions**

**Question 5: Do you agree that Strategic Directions are a suitable way of outlining action under the Strategy?**

Response: Yes

**Question 6: Do you agree with the list of Strategic Directions?**

Response:

No.

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

We agree with the scope of the strategic directions, tackling marine litter at source and dealing with fundamental issues such as behaviour, monitoring, and wider integration across the different scales necessary to tackle marine litter.

Some minor changes to wording are suggested to strengthen the SD's:

SD 1-add coastal to read ".....changes around, marine and coastal litter". Again, to foster a sense of responsibility for both industry and the public. Having only 'marine' may mean much of the public do not see how it concerns them and result in a disconnect with the Strategy.

SD 2-the wording should be simplified to read "reduction of land-based sources of litter reaching the marine environment, working in parallel with the National Litter Strategy". We feel this SD should also include the reduction of marine-based sources of litter.

## **Actions**

### **Strategic Direction 1:**

**Question 7: What are your views on the possible actions?**

**Question 8: Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?**

**Question 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?**

#### Responses

Q7. The possible actions provided under Strategic Direction 1 are limited and vague.

Achieving a vision of marine litter in Scotland being reduced and not posing a risk to the environment or communities will depend on everyone playing their part by recognising and taking responsibility for their own actions. Surveys have shown that up to 50% of people litter on a regular basis; this attitude towards the environment has to change. We do not believe that general 'awareness raising' actions such as the one proposed will be sufficient to do this.

We have some concerns over the delivery of Strategic Direction 1 via the National Litter Strategy. Will opportunities to reduce litter and change behaviour be fully realised here for the marine environment? Litter in the marine environment can have lasting and specific impacts, as well as some specific sources. We question whether a wide-ranging approach under the National Litter Strategy will target these in a way necessary to achieve this Strategic Direction.

Q8. Both actions are equally important in helping to deliver the Marine Litter Strategy. Industry/business and the users of their products (public) need to be involved via awareness raising, product development, product use, and disposal. These actions on their own however, do not go far enough.

Q9. We believe these actions can, to a degree, be delivered under existing activities but not to the extent needed to achieve the vision. A coordinated and geographically coherent approach is needed to fully realise SD 1. Changing behaviour is no small task. Existing approaches have been working towards this for many years, without wide-scale success. Resources and specific expertise (media, industry, social science to name a few) are required to understand and address this issue.

### **Strategic Direction 2:**

**Question 10: What are your views on the possible actions?**

**Question 11: Which do you believe is the most important possible action in helping to deliver the Marine Litter Strategy?**

**Question 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?**

**Question 13: Do you think any of the existing actions need to be improved? If so, please provide details.**

## Response

Q10. This Strategic Direction either needs changed to incorporate marine based sources of marine litter or the actions need to be altered accordingly. There is little point having actions focussed on ship waste management systems for land-based sources of marine litter. Thus we are presuming (and hope) that this SD should make provision for the reduction of both land- and sea-based sources of marine litter.

The actions proposed, in that case, are welcomed, being wide-ranging in their scope to tackle marine based sources, but no actions are proposed to tackle land-based sources. We list some examples below which we feel would help to reduce land-based sources of marine litter.

- Encouragement of “Food on the Go” code of practice for beach outlets and kiosks, and enforcement where necessary
- A ban on all balloon releases, and their recognition as a form of littering
- Provision of adequate rubbish disposal and recycling facilities for the public, particularly at beaches, supported by publicity on their location
- Expansion of national recycling schemes and infrastructure, especially for kerbside plastics collection and research into refillables
- Properly enforce current legislation for the protection and improvement of the marine environment
- Increase enforcement and impose sufficient fines for litter offences to make them a sufficient deterrent and ensure polluters pay costs that truly reflect the damage they cause
- Better implementation of Environment Protection Act 1990 to ensure the enforcement of anti-littering laws on all land including beaches including the removal of litter from beaches by Local Authorities
- Improvement by water authorities to combined sewer overflow systems
- Private outfalls to be identified, and adequately screened or treated
- Proper enforcement of CSO discharge consents by the competent authority and strict penalties for failure to comply with discharge consents
- Improve public education to encourage correct use of sewage system

Q 11. The Marine Litter Strategy must take a wide-ranging approach if it is to achieve its vision. Therefore all actions are deemed important, and it is difficult, if not impossible, to single one out as being most important; none of them on their own will achieve the vision of this Strategic Direction.

Q 12. We feel that none of those actions marked ‘existing’ are occurring to the level required or are not being sufficiently enforced to achieve the SD and the wider vision. Therefore whilst they may be able to be achieved by existing activities, they are not and it is likely that more resources and actions are required to do so. Better policing and enforcement with sufficient resources are required to fully realise these actions and the benefits they could bring.

Q13. We do not believe the existing actions are being implemented sufficiently to achieve this Strategic Direction or the vision.

## Strategic Direction 3:

**Question 14: What are your views on the possible actions?**

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

**Question 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?**

**Question 17: Do you think any of the existing actions need to be improved? If so, please provide details.**

Response

We are unsure to what degree the existing actions are being implemented, and to what effect. As such, we would welcome them all being listed as possible actions and an additional action of enforcement added. A review should be undertaken to understand why enforcement is not occurring and which resources are required to achieve this.

Q14. Both possible actions have merit. The re-design of products should be included within the first possible action, encouraging manufacturers to better design packaging and products in the first instance, reducing the need for disposal and increasing the number and efficiency of recycling.

Q15. Both possible actions are required to deliver the Marine Litter Strategy. As noted above, better policing and enforcement with sufficient resources to realise these, should also be included as an action.

Q16. Existing bodies and their activities can help with these actions but a lead body is required to ensure a focussed, join-up, and coherent approach across Scotland incorporating the relevant policies, strategies, bodies, land managers and land owners. More resources are likely required to ensure better policing and enforcement of existing activities.

Strategic Direction 4:

**Question 18: What are your views on the possible actions?**

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

**Question 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?**

**Question 21: Do you think any of the existing actions need to be improved? If so, please provide details.**

Response

Q18. In order to prevent and reduce marine litter, a comprehensive monitoring programme is essential and as such reliable baseline data should be established. The existing and proposed actions are comprehensive and represent a significant change in gathering data on marine litter.

Q19. The most important action is the 1<sup>st</sup> of the 'possible actions' – the alignment of current and future monitoring methods and organisations. This ensures that data is of the highest quality, is geographically consistent and can contribute to establishing a Scottish wide baseline and inform regional and international policy such as OSPAR and the MSFD.

Q20. While actions such as voluntary beach cleaning can and should continue outside of the national strategy, the development of a consistent method and central data repository is something that will need to occur under the strategy. A workshop between all data providers and those collating national data sets (e.g. MCS) should be a priority under a new strategy.

## Strategic Direction 5:

**Question 22: What are your views on the possible actions?**

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

**Question 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?**

**Question 25: Do you think any of the existing actions need to be improved? If so, please provide details.**

### Response

Q.22. Marine litter cuts across scales. Addressing this pervasive problem involves identifying the full life cycle of different debris products, most notably plastics. Plastics are produced in a global system and pass through supply chains through to retailers, communities and individuals – therefore a joined up approach at an international scale is appropriate.

Scotland is obliged to participate in UK delivery of the MSFD and is a leading player in OSPAR. Clearly continuing these roles is important. However addressing litter requires a policy ‘step change’ and additional actions are necessary, we support those listed in the consultation. In addition to UK, EU and OSPAR engagement, Scotland would benefit from further involvement with the Global Environmental Faculty (GEF) who is leading the international response to marine debris. This would benefit mutual learning and policy implementation between Scotland and the broader international community, including the implementation and effectiveness of different policy mechanisms e.g. market based and incentive systems. The GEF is soon to advance regional level studies of marine debris taking a lifecycle approach in the context of the Green Economy and facilitating global dialogue between producers, consumers and waste managers. Scotland would be well placed to contribute to this dialogue and incorporate this into its strategic actions.

Q23. The most important action in our view is the development of a national steering group on marine litter that coordinates activities across Government departments, directorates, agencies and NGOs. This integration must also include clear and accountable roles in line with the National Litter Strategy ensuring that coastal and marine debris is addressed across all jurisdictions of government – and within society. The steering group should develop clear SMART objectives and indicators including process measures and outcomes orientated measures in addition to the MSFD criteria. Following this, the action on inclusion of marine litter objectives into regional marine planning is critically important. RMP will not be the only solution to a cross border issue such as coastal litter, but RMP could provide a regulatory lever for action across marine industries. Clearly this only applies to marine based industries affected by RMPs – terrestrial sectors will still need to be covered by relevant planning and licencing laws and manufacturing standards etc. This highlights the need for governmental integration.

Q24. Existing activities can be delivered under existing institutional roles. However, the coordination role of the national steering group will require specific operational rules, resources and a constitution established under the guide of the strategy and the responsible Minister.

Q25. See above.

### **Option for delivery**

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

Response: Yes

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

Response

Q26. It is good to have third sector involvement but we have concerns that without sufficient resourcing the actions will not be met.

Central coordination from Marine Scotland and a dedicated policy officer is essential for driving through the necessary changes. This will require senior policy and potentially Ministerial support in the context of working across the national litter, low carbon and marine policy initiatives and engagement in international fora such as OSPAR and the EU. Dedicated multi-year resourcing and bipartisan support of the strategy will support its successful implementation. We would like to see a strategy move early to codify its rules (e.g. advisory board), policy and implementation plan including clear objectives and performance measures. Establishing a monitoring plan for levels of debris in the environment and the effectiveness of the strategy itself will need to be a part of Option 4.

### **Equalities**

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

Response: No

### **Strategic Environmental Assessment**

**Question 28: Do you have any feedback on the findings of the Strategic Environmental Assessment?**

Response: No

### **Partial Business and Regulatory Impact Assessment (BRIA)**

**Question 29: 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?**

Response: No

### **General**

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

Response: No