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# Summary of Roles and Responsibilities for management of marine designated areas in Scotland

## Responsibilities of individual organisations

| **Organisation** | **Responsibilities in MPA Management** |
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| Scottish Government | Provide the overall management policy framework for work on marine designated areas |
| Joint Nature Conservation Committee (JNCC) | Statutory conservation adviser to UK Government and the Devolved Administrations for **offshore** areas (12-200 nautical miles)Development of conservation objectives and advice on operations/activities in **offshore** MPAs. |
| Scottish Natural Heritage | Development of conservation objectives and advice on operations/activities for **inshore** SACs and SPAsManagement of Sites of Special Scientific Interest (SSSIs), including issuing of consent/assent for potentially damaging activitiesReporting on condition of SSSIs and SACs/SPAsStatutory conservation adviser to the Scottish Government for **inshore** areas (0- 12 nautical miles)Provide advice to relevant authorities regarding the scope of appropriate assessment needed for proposed plans or projects under the Conservation (Natural habitats, &c.) 1994Statutory consultee on local plans and planning applicationsIssue and enforce wildlife licences for disturbance, taking or harm to Schedule 1 breeding birds and terrestrial protected species |
| JNCC | Statutory conservation adviser to UK Government and the Devolved Administrations for offshore areas (12-200nm)Development of and advice on conservation objectives and advice on operations/activities (**offshore** EMS)Duty to notify public authorities if it believes the exercise of its functions may result in a significant risk of hindering the achievement of the conservation objectives of a Nature Conservation Marine Protected Area outside of 12 nautical miles |
| Scottish Environment Protection Agency (SEPA) | Issuing of permits for industrial processes and discharges to the environmentProduction of Flood Risk Management StrategiesLead authority in delivering the river basin management plans and objective settingMonitoring of water quality and bathing watersStatutory Consultee on planning applications and local development plans |
| Marine Scotland | Licencing the deposition or removal of materials from the seabedIssuing of licences for activities likely to harm or disturb a marine protected speciesIssuing of licences for control of sealsDesignation of Seal Haul Out Areas Power to prohibit or restrict inshore sea fisheries for marine environmental purposesStatutory Consultee on planning application for aquaculture operationsPreparation of Marine Plans in Scotland and the creation of a National Marine PlanEnsuring compliance with fisheries regulations (fishing vessel licences, time at sea and quotas for fish and seafood)Advice on the use of dispersal agents and chemicals in the event of marine pollution emergencies |
| Local Authorities | Local Planning Authority dealing with Local Development Plan production and with Development Control down to Low Mean WaterBeach management and maintenanceWaste management and waste collection |
| Water companies(Scottish water) | Collection treatment and discharge of domestic sewageLicencing discharge of trade effluent to a sewer |
| Harbour Authorities [within the meaning of the Harbours Act 1964(2)] | Maintaining and conserving the harbour facilities and ensuring safe and efficient marine operationsMaintenance of lights and navigational markersDevelopment of Harbour Pollution Incident Contingency PlansProduction of Harbour Waste Management Plan and provision of waste disposal facilities  |
| General Lighthouse Authority (Northern Lighthouse Board) | Remit to provide aids to navigation and assist the safe passage of vessels |
| Maritime and Coastguard Agency (MCA) | Production of ‘The National Contingency Plan - A Strategic Overview for Responses to Marine Pollution from Shipping and Offshore Installations’Coordination of national marine pollution responsesSign-off on Local Pollution Incident Contingency PlansInspection and certification of vessels and monitoring compliance with the MARPOL Convention |
| River Tweed Commission | Management of migratory fisheries (e.g. salmon or trout) in the Tweed and Eye Fisheries District (an area just north of Cocksburnspath in Berwickshire down to just north of Holy Island in Northumberland and out to 5km offshore) |

### General Duties on all Public Authorities

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| **Duty** | **Legislation** |
| General duty on Competent Authorities (any Minister of the Crown government department, statutory undertaker, public body of any description or person holding a public office) to have regard to the EC Habitats Directive and Wild Birds Directive in the exercise of any of their functions | The Conservation (Natural Habitats, &c.) 1994 |
| Statutory duty to take reasonable steps to conserve and enhance the special features of Sites of Special Scientific Interest (SSSIs) | Nature Conservation (Scotland) Act 2004 |
| Statutory duty as a public authority to further the conservation of biodiversity when carrying out their responsibilities.  | The Wildlife and Natural Environment (Scotland) Act 2011 |