

Responsibilities

Organisational Roles and Responsibilities	Relevant legislation or policy	Existing Management
Licencing the deposition or removal of materials from the seabed	The Marine (Scotland) Act 2010	An assessment of impact on nature conservation designations is be carried out by Marine Scotland before a Marine Licence is granted
Issuing of licences for activities likely to disturb a marine protected species	Wildlife and Countryside Act 1981, as amended Conservation (Natural Habitats, & c.) Regulations 1994	Before granting a wildlife licence, Marine Scotland assesses the likely impacts of the proposed actions. Actions will not be authorised if they will be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
Issuing of licences for control of seals	The Marine (Scotland) Act 2010	Under the Marine (Scotland) Act 2010 it is an offence to intentionally or recklessly kill, injure or take a seal at any time of year, except under licence or for welfare reasons.. The number of seals that can be shot in any given year is informed by the Potential Biological Removal (PBR) (number of individual seals that can be removed from the population without causing a decline in the population) which is calculated annually by Sea Mammal Research Unit (SMRU) using the latest seal counts. The seal licensing process considers all Special Areas of Conservation individually and collectively.

Designation of Seal Haul Out Areas	The Marine (Scotland) Act 2010	It is also an offence to intentionally or recklessly harass seals at significant haul-out sites under the Protection of Seals (Designation of Haul-out Sites) (Scotland) Order 2014. One of the designated seal haul-out sites is located between Dunbar and Eyemouth. A map of this area can be found at http://www.gov.scot/Resource/0045/00454620.pdf
Power to prohibit or restrict inshore sea fisheries for marine environmental purposes	Inshore Fishing (Scotland) Act 1984	Use of mobile fishing gear is prohibited on a section of the Berwickshire and North Northumberland Coast SAC
Statutory Consultee on planning application for aquaculture operations	The Town and Country Planning (Scotland) Act 1997 (as amended)	Planning advice provided as required
Preparation of Marine Plans in Scotland and the creation of a National Marine Plan	The Marine (Scotland) Act 2010	A National Marine Plan has been created https://www.gov.scot/Publications/2015/03/6517 Regional marine planning will be undertaken by Marine Planning Partnerships, which will be made up of marine stakeholders who reflect marine interests in their region. No regional partnership yet exists for the Berwickshire coast.
Ensuring compliance with fisheries regulations (fishing vessel licences, time at sea and quotas for fish and seafood)	To be completed	Marine Scotland employs local fisheries enforcement staff
Managing the European Maritime and Fisheries Fund in Scotland	n/a	
Advice on the use of dispersal agents and chemicals in the event of marine pollution	The UK National Contingency Plan	Advise provided as needed

emergencies		
Competent Authority with a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive	Conservation (Natural Habitats, & c.) Regulations 1994	Any competent authority authorising a plan or project that may (either alone or in combination with other plans or projects), have a significant effect on the protected site, must undertake an appropriate assessment of the implications for that site in view of that site's conservation objectives
Statutory duty as a public authority to take reasonable steps to conserve and enhance the special features of sites of special scientific interest (SSSIs)	Wildlife and Countryside Act 1981, as amended	Section 28G of the Wildlife and Countryside Act 1981(as amended) imposes a duty on public bodies in exercising their functions to take reasonable steps, consistent with the proper exercise of those functions, to further conservation and enhancement of the special features on a SSSI. This applies where the public body is exercising its statutory functions on a SSSI or on land outside the SSSI where those functions affect a SSSI.
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)	Under the Nature Conservation (Scotland) Act (2004), all public bodies in Scotland are required to further the conservation of biodiversity when carrying out their responsibilities. This includes coastal and marine biodiversity where relevant to the functions of the public body. The Wildlife and Natural Environment (Scotland) Act (2011) requires public bodies in Scotland to provide a publicly available report, every three years, on the actions which they have taken to meet this biodiversity duty.

