

Mark Roberts  
Chief Executive  
Environmental Standards Scotland

By email  
[REDACTED]

30 September 2026

Dear Mr Mark Roberts

### **Marine litter – an assessment of sources, controls and progress in Scottish seas**

In response to your follow-up letter of 22 January 2026, I am pleased to provide you with further details of our work in the Scottish Government to tackle marine litter and other issues raised.

### **Recommendation 1 – Source-to-Sea Approach**

The Scottish Government continues to implement its Marine Litter Strategy which was reviewed at the midpoint. In August 2026 we published the outputs of this review which showed the good progress made by ourselves and delivery partners against the Action Plan with short, medium and long-term actions. The National Litter and Flytipping Strategy action plan is updated each year following consultation with the marine litter policy team, key stakeholders and delivery partners. In October 2025 we published a year 2 update which contains a year 3 action plan for 2025-26 and the year 4 action plan is due to be published later this year.

Our source-to-sea approach has also continued with the ongoing support of riverine litter projects with funding available through our Marine Fund Scotland, including Keep Scotland Beautiful's Upstream Battle and expansion of their trial of OSPAR riverine litter monitoring methodology.

## Recommendation 2 – Plastic Pellets

As stated, the issue of preventing plastic pellet loss from across the supply chain is indeed complex. When the EU 2025/2365 Pellet Regulations were published, the Scottish Government commissioned a critical evaluation comparing it with the scope and ambition levels of the adopted OSPAR Recommendation 2021/06 and guidelines. This evaluation has been subject to standard commenting procedures within OSPAR and is expected to be published on the OSPAR website alongside the evaluation of the EU Operation Clean Sweep Certification Scheme as Technical Outputs in October 2026.

The evaluation was necessary to determine how effective a tool the Regulations could be in reducing plastic pellet pollution, and the findings have supported consideration of alignment or bettering of the legislation in Scotland. Given that the scope of the EU Regulations extend across the full supply chain, including activities that may fall within reserved matters, we have sought engagement with the UK Government on this issue.

We are using the Common Framework Process to encourage a commitment of resource in UK Government on pellet policy development. Until joint-working has been confirmed we are unable to set timescales, but we do recognise how very important it is to develop and deliver policy on this issue and it remains a current, prioritised work stream.

## Recommendation 3 – Circular Economy Approach

Thank you for your response to [The Circular Economy Strategy](#) consultation. You will be aware that the Strategy published in March 2026 and provides a high-level framework for Scotland's transition to a circular economy, setting out a broad vision and outcomes as well as priorities across policy mechanisms, priority sectors, product stewardship and a monitoring and indicator framework.

Specifically in relation to plastic wrappers and packets, packaging Extended Producer Responsibility (pEPR) came into force in April 2025, meaning that producers must now cover local authorities' efficient and effective costs to manage this packaging. As plastic wrappers and packets are currently not recycled at scale within UK infrastructure, from March 2026 producers using plastic wrappers and packets must pay an additional 20% surcharge (modulated fee) on top of the pEPR base fee; this surcharge will increase to 60% in 2027/8 and 100% from 2028/29. Switching to recyclable packaging will incur a small discount against the base fee, while packaging that has been reused incurs no cost. In addition to these fees, packaging producers must fund consumer communication campaigns to reduce litter and increase recycling. In future years the Scottish Government seeks that pEPR fees also cover binned litter and local authority cleanup costs.

In addition to pEPR, the Scottish Government is developing policy measures to reduce consumption of plastic wrappers and packets and management in line with the waste hierarchy. First, the Scottish Government seeks alignment with the EU's Packaging and Packaging Waste Regulation (PPWR), which includes a ban on plastic sachets in hospitality settings, as well as wider packaging reduction and recyclability measures. As this requires UK-wide cooperation, we are working with the Four Nations to bring forward a consultation on PPWR alignment in due course, subject to the views of other Governments.

Second, the Scottish Government remains committed to introducing collection and recycling requirements for plastic films and flexible plastics from 2027, despite the delay to this commitment in England. Requirements for non-households have already been introduced via an update to the Duty of Care Code of Practice, and will commence in April 2027. Requirements for household collections of flexible plastics will be introduced through the new Household Recycling Code of Practice, due to be consulted upon by the end of 2026.

## **Recommendation 4 – Marine Litter from Fishing**

Since our last correspondence, the Scottish Government has continued its policy development towards improving the waste management of end-of-life fishing and aquaculture gear. This has been done largely outwith a 4-nation approach as this work was deprioritised by the UK Government. The research we commissioned to map relevant recycling infrastructure and capacity was published in May 2026. At the same time we also published our findings from the stakeholder engagement work on policy options which included in-person events around our coastline and an online option too.

In combination with previous research, referenced in previous correspondence, which included drivers and causes of poor waste management, enough evidence was gathered to support trialling a preferred policy option. This option focuses on the pre-processing of gear to better enable recycling; collecting, washing, drying, dismantling and sorting of polymers for onward treatment. An 18-month trial was commissioned through an open tender process and began in September 2026. During the trial, assuming good progress, we will consider options for expansion of a gear collection and pre-processing hub network across Scotland and funding options which will take into account the Polluter Pays Principle and resourcing.

There are other pieces of work underway to support the reduction in fishing derived marine litter, which help address the behaviour change required in the sector, but also technical aspects that can provide support.

- We continue to fund KIMO's Fishing for Litter initiative which has expanded and is now active in 46 of our ports and harbours, and seeks to not just encourage the landing of waste passively caught by fishers, but to improve general waste management practices;
- We have undertaken an informal review of Port Reception Facilities (PRF) in our main harbours and continue to encourage the UK Government and the Maritime and Coastguard Agency, with the reserved enforcement powers, to transpose the revised PRF Directive and fulfil their duties to oversee waste management plans of ports and harbours across the whole of the UK;
- We have a research project underway to better understand the tagging systems used in England and elsewhere for pots and creels, to see how these may be able to help reunite fishers with gear that has been lost due to weather or other events;
- We are also investigating better ways of recording gear that has been lost for whatever reason to support potential retrieval work in the future.

This work is being undertaken as part of the wider Circular Economy Strategy, recognising that the expertise in fishing and aquaculture gear, and the complexities of the supply chain and industry challenges are best understood within the Marine Directorate.

## Recommendation 5 – Marine Litter Monitoring

We continue to work towards the expansion of the number of beaches used for data collection under the OSPAR beach litter indicator. This is challenging as selected beaches can't be cleaned between monitoring visits, must be accessible, 100 meters long and importantly have committed resource to allow for regular data collection. Where resource hasn't been available consistently, the data unfortunately cannot be used and these beaches have had to be removed from the list.

Our current sites are;

- Cramond, City of Edinburgh
- Kinghorn Harbour, Fife
- Lunderston Bay, Inverclyde
- Sandford Bay, Aberdeenshire
- Mersehead, Dumfries and Galloway

We are also supporting research through Marine Fund Scotland to determine which beach(es) could be used in our islands, given their very different marine litter challenges, and the need to ensure their representation at a Scottish, UK and OSPAR region level.

We continue to use the Marine Conservation Society's Beachwatch data gathered by volunteers. It is our intention to use an updated data set to re-run the Pilot Scottish Beach Litter Performance Indicators analysis of 2019 in this financial year. This will help us ensure that our limited resources are focused on tackling the most problematic sources of marine litter.

We continue correspondence with ESS regarding seafloor integrity and policy areas are linked to enable information exchange.

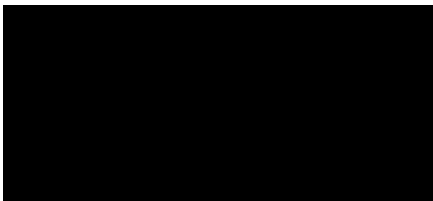
## Recommendation 6 – EU Alignment

Since the report's publication, the UK Government published its updated Environmental Improvement Plan (December 2025). The EIP states as an action, in relation to Commitment 40 ("Reform UK Registration, Evaluation, Authorisation, and Restriction of Chemicals (REACH) to enable protections that address chemical pollution to be applied more quickly, efficiently, and in a way that is more aligned with our closest trading partners, especially the EU, by December 2028") under Goal 4 on Chemicals and Pesticides, that regulatory decisions made by other trusted jurisdictions should be taken as the starting point for UK regulatory decisions to enable new protections to be applied more quickly and more efficiently, and to align regulation more closely with our closest trading partners unless there are compelling reasons to diverge. Work to progress these reforms is underway, and the Scottish Government expects in due course to discuss how existing EU restrictions will be considered under a reformed UK REACH. We cannot give a timeline for this work currently as REACH reform is in its early stages, we expect the Defra Microplastics report will provide valuable analysis and data to support any future REACH restriction process.

Regarding the recast Urban Waste Water Treatment Directive, Deputy director for Water Industry, Jo Blewett wrote to ESS on 3 September 2026 on this issue and overflows, further commentary is therefore not provided in this reply.

I hope you found this information helpful.

Yours sincerely,



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Scottish Government