

# **PE2131/B: Grant Scottish rivers, including the River Clyde, the legal right to personhood**

## **Petitioners written submission, 19 February 2025**

Many thanks to the Scottish Government for their consideration of this petition. We welcome the response from the Forestry and Environmental Directorate (F+ED). We also wish to thank the Petitions team at the Scottish Parliament for guiding us through the process this far.

We have prepared this statement in response to the concerns expressed by the F+ED in their response to the petition with the intention of clarifying our position and aims.

We recognise that there are strong and robust policies in place regarding river management and water quality as outlined in the response to the petition. We also fully appreciate the ambitions of NPF4 in relation to Scotland's planning landscape, particularly around ecological considerations. As petitioners, we fully support and applaud this approach to date. However, in relation to the River Clyde, we dispute how effective and enforceable these policies are at present, particularly in relation to river dynamics, governance and associated land. There are a range of reasons for this as follows:

- **Lack of governance and stewardship mechanisms specifically relating to the Clyde**  
We expand on this below as it is a key consideration for the Committee in relation to this petition and any next steps.
- **Historical consequences of privatisation**  
The fragmented and unknown ownership along the banks, breadth and length of the River Clyde, combined with a lack of accountability of major asset-holders, is restricting the river's potential.
- **Cultural significance and natural capital of the Clyde**  
The potential of the Clyde's cultural significance and natural capital is not being fully realised to an extent that would befit their importance to Scotland's social, economic, and ecological ambitions.
- **The River Clyde is one of our nation's great assets**  
For centuries the River Clyde was the lifeblood of Glasgow, but this is no longer the case. It is vital to reignite the river's status so that it might realise its social, economic, and ecological potential locally, nationally, and internationally.

There are insufficient governance and stewardship mechanisms in place to implement and safeguard the River Clyde and its potential. Whilst we understand that the River Clyde is central to Clyde Mission's broad remit and indeed sits at the centre of the Clyde corridor, the river itself is not represented as an entity.

We also understand that the River Basin Management Plan (RBMP) via SEPA is enhancing water quality nationwide, this does not actively address the wider socio-economic considerations around river dynamics and stewardship.

We see no active mechanisms or forums in place to ensure all actors with interests around the River Clyde address its significance. For example, private owners, some of whom hold and manage significant portions of the river in their portfolios, have no requirement to come forward with proposals beyond planning and statutory obligations. Neither do they have an obligation to sit within visible, public forums where they might be held publicly accountable. This means that sites and assets currently being left dormant or vacant and derelict are left unchecked in terms of how they are managed and sustained for the future.

The reframing of existing policy into the language of river rights would provide the opportunity to better protect the River Clyde and other rivers in Scotland. River rights should naturally be balanced with other critical factors affecting society such as inclusive growth, human activity, flood mitigation, and adaptation measures. This is one of the reasons why a Guardian of the River, and associated governance measures, are integral to river health and management whilst living in harmony with existing and new communities.

We recognise that the call for legal personhood of cultural and environmental assets is not yet established in Scotland. River rights are recognised in many places around the world and there are people and organisations in Scotland and the UK working in various ways to address this.

Our petition calls for the River Clyde to be given equal status to other entities that currently hold significant control over it. Limited companies have rights of legal personhood, councils have right of legal personhood, SEPA has the right of legal personhood, even the Scottish Government itself has the right of legal personhood. Yet, the River Clyde, with its intrinsic characteristics and critical role, does not. It currently has no representation in a court of law or someone (or body) to advocate specifically on its behalf.

At present, Scotland is not fully realising the potential of the environmental capital and cultural significance of the River Clyde. We recognise that the River Clyde is cited as a key national development focus for regeneration and economic growth within NPF4. It is heartening to see new directives and spatial strategies being developed for the Clyde Corridor via Clyde Mission. This petition advocates for the River itself and for structures and mechanisms to be put in place that recognise and champion its full potential and wider socio-economic benefit.

We are calling for the development of enhanced stewardship and governance models for the Clyde that go beyond the status quo to ensure holistic and sustainable outcomes for the river itself.

There are areas across Scotland that, due to their national significance and distinct characteristics, have guardianship in place of varying form. For example, the Loch Lomond and the Trossachs National Park.

We fully appreciate the complexity around river rights and granting of legal personhood. However, given the cultural significance and natural capital of the Clyde – and the potential it offers to inclusive, economic growth, community wealth building and prosperity – we ask that the Committee consider next steps and governance mechanisms that might be put in place to ensure that this national asset be better stewarded, represented, and protected to allow it to thrive for the benefit of all.

Let the Clyde flourish.