



The Scottish Parliament
Pàrlamaid na h-Alba

RURAL AFFAIRS, CLIMATE CHANGE AND ENVIRONMENT COMMITTEE

Richard Lochhead MSP

Cabinet Secretary for Rural
Affairs, Food and Environment

Scottish Government

Via email only

c/o Clerk to the Committee
Room T3.40

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24 September 2015

Dear Richard

Re: Development of operational rules for Marine Protected Areas for inclusion in forthcoming SSIs

Thank you for agreeing to our request to a delay in the process of laying various Scottish Statutory Instruments (SSIs) relevant to the operation of Scotland's network of Marine Protected Areas (MPAs) before the Parliament, until the Committee has an opportunity to consider various concerns raised in relation to these issues.

As a Committee, it is our view that Marine Protected Areas are a vital part of Scotland's marine landscape and central to ensuring a vibrant and sustainable future for Scotland's seas, both for the whole nation and for those marine communities which they support.

Mindful of the need to ensure the network of MPAs becomes fully operational as early as possible, and operate on a basis which attracts support from as many marine stakeholders as possible, the Committee undertook an oral evidence session with stakeholders from the fishing sector on 23 September 2015. This session explored concerns raised about the proposed forthcoming SSIs on MPAs. I refer the Official Report of that meeting to you for your consideration and response.¹

While there was a diverse range of views expressed to the Committee on the issue of the latest Government consultation on proposed MPA SSIs, what is

¹ See the Rural Affairs, Climate Change and Environment Committee, *Official Report, 23 September 2015*: <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/29878.aspx>

clear from the evidence we received is that many stakeholders share concerns about how the Scottish Government arrived at the final decisions about the operation of various MPAs, which have resulted in the present proposals.

As a Committee, we would request clarity on the issues raised during the evidence session, and especially on the following questions, before we can decide what further action, if any, we should take on scrutinising these issues. Only then will we be in a position to provide you with our considered view on these issues, which you have agreed to take on board before reaching a final decision on the provisions to be set down in any SSIs to be laid before the Parliament.

That being the case, we request you respond to us, in writing, on the following—

- The Committee heard evidence that in many cases the Government is seeking to change the boundaries of effective MPAs and impose different management restrictions for them than were proposed in the options put forward by some stakeholders in the consultation on the forthcoming SSIs. What is the rationale for the decisions reached by the Government in terms of setting out the boundaries, and the management measures which applied to effective MPAs?
- Upon what evidence are such decisions based, how were those calculations made and to what extent did the Government seek to independently and transparently test all of this evidence?
- Did such evidence include calculations of the socio-economic impact on stakeholders, and did it include any assessment of the sustainability of fish stocks for future fishing needs?
- How are concerns about fishing vessel safety taken into account in this decision making process, and, in particular, the need for small inshore vessels to be able to fish in sheltered areas?
- How were such decisions communicated to all those involved in the consultation process, and to what extent did the Scottish Government take on board the need to achieve maximum support for, and confidence in, MPAs when announcing such decisions?

We are conscious of the concerns expressed by many non-fishing stakeholders who were not represented at the evidence session on 23 September, to have the evidence presented to us by fishing stakeholders tested in a transparent manner.

I'm sure you will agreed that it is of paramount importance that if all parties are to have confidence in the decisions taken on MPAs, then we must have confidence in the process undertaken to arrive at those decisions.

As a Committee we reserve the right to take further oral evidence from stakeholders, Marine Scotland and you as Cabinet Secretary, should the need arise. However, such decisions will be based on the response you provide to us.

This being the case, **I would ask for a response Friday 2 October 2015.**

Yours sincerely

A handwritten signature in black ink that reads "Rob Gibson". The signature is written in a cursive style with a horizontal line underneath the name.

Rob Gibson MSP
Convener

Cc: Mike McLeod, Head of Marine Conservation, Marine Scotland.