

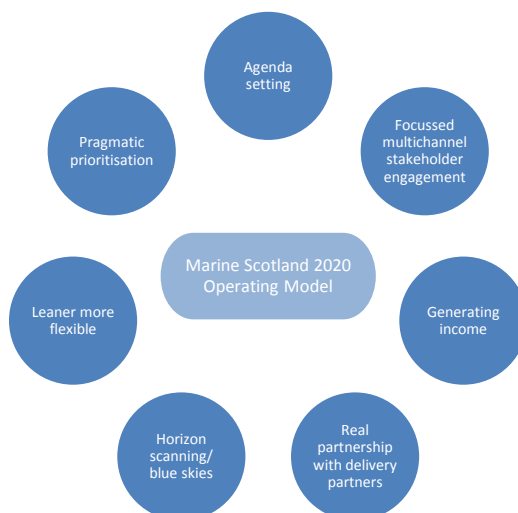
Environment, Climate Change and Land Reform Committee**Draft Budget 2018-19****Written submission from Marine Scotland****ECCLR Committee scrutiny of Scottish Government draft budget 2018-19**

- **When will Marine Scotland's Strategic Framework 2017-20 be published, and how are Marine Scotland's strategy and priorities likely to change over the coming years?**

Marine Scotland as a core directorate of Scottish Government has a strategic connection with the Scottish Governments overarching purpose 'to focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth' and aligns itself with the five strategic objectives.

1. **Wealthier and fairer** – enabling businesses and people to increase their wealth and more people to share fairly in that wealth
2. **Healthier** – helping people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to healthcare
3. **Safer and stronger** – helping local communities to flourish, becoming stronger, safer places to live, offering improved opportunities and a better quality of life
4. **Smarter** – expanding opportunities for people in Scotland to succeed from nurture through to life-long learning, ensuring higher and more widely-shared achievements
5. **Greener** – improving Scotland's natural and built environment and the sustainable use and enjoyment of it

Whilst Marine Scotland has previously operated under a strategic framework there is no requirement to publish such a document and after a period of review an operating model (see below) has been instigated to provide a bridge between the overarching strategy and the changing landscape that we now operate.



- **How does Marine Scotland prioritise between its statutory duties and allocate funding to its departments e.g. compliance, licensing, planning, fisheries etc and is this likely to change over the coming years, especially in light of a UK exit from the EU?**

Marine Scotland operates a tiered approach to the allocation of funding with statutory duties and legally committed sums ranking along the top tier of priorities, receiving first call of the available budget. The remainder of the budget is allocated on a priority basis which is determined through a series of planning events.

The budget planning process will continue to be based on relative priorities and responsive to the changing environment that it operates.

- **Is Marine Scotland expecting its budget to continue to decline and, if so how is it planning to cope with this? What areas of work are likely to be most impacted?**

Marine Scotland is currently reviewing a number of key areas of activity to determine whether best value is being derived from the way resources are currently being allocated. This, alongside the changes to the operating model will ensure that Marine Scotland is more responsive to future budgetary pressures and is able to maintain the level of resources being allocated to priority programmes of work.

- **How much is Marine Scotland planning to spend annually on MPA development and implementation, and do you have adequate resources for their maintenance?**

Marine Scotland will ensure that adequate resources are allocated to this priority area, it is not though able to quantify this figure until the budget planning process has been concluded.

The Scottish MPA Monitoring Strategy has been developed with a diminishing resource in mind. It therefore seeks to integrate MPA monitoring as far as possible with other current activities by maximising opportunities for better co-ordination, cost sharing and avoidance of duplication to minimise resource requirements. Table 1 below shows the amount being invested in 2017-18. Subject to future budgetary constraints the intention is to maintain a similar level of investment over the next couple of years. The European Maritime and Fisheries Fund project “engaging fishermen in marine survey and monitoring” will assist with this over the next two years, but not in the long-term.

Table 1: Breakdown of annual costs for 2017-18 related to MPA development and implementation (£,000s)

Item	Cost
Vessel costs	£834
Staff costs	£365
External funding	£115
EMFF Project	£248
Total	£1,562

- **To what extent is the success of the MPA network reliant on collaborative working (e.g. with local authorities), and how might budgetary restrictions impact upon this?**

The Scottish Marine Protected Areas (MPA) Monitoring Strategy ([MPA Strategy](#)) has been developed in conjunction with key partners and is set against the backdrop of an uncertain financial position. The strategy includes a number of guiding principles which if followed, minimises the impact of future budget uncertainties.

A key principle of the MPA Monitoring Strategy is to ensure that monitoring is well co-ordinated, makes best possible use of existing information sources, and that collaborative delivery partnerships between Marine Scotland, Scottish Natural Heritage, Scottish Environmental Protection Agency, Joint Nature Conservation Committee and other key stakeholders, including local authorities, are developed. Increasingly, elements of monitoring are being undertaken by NGOs in coastal environments, while information collected by marine industries can be relevant in some instances. For example Seasearch is an organisation made up of volunteer divers who collect information on marine species distribution. This information is being used to improve the knowledge gaps in relation to distribution and abundance of protected features within MPAs and other Priority Marine Features (PMFs).

Marine Scotland will need to seek further collaborations with industry, academia, local coastal communities and other marine stakeholders to deliver the MPA monitoring programme, as well as looking at how existing information sources can assist.

- **How much is the enforcement of Marine Conservation Orders estimated to cost annually, and how might budgetary restrictions impact upon this?**

Marine Scotland's monitoring and surveillance efforts across all sea areas around Scotland is undertaken on an intelligence-led, risk-based approach. This means that no resource is pre-allocated to any particular issue or region but rather activity is dynamically adjusted following analysis of all intelligence held and regular risk assessments. In the past twelve months approximately 80 hours of surveillance aircraft time has been used to monitor activity in Scotland's Marine Protected Areas. The cost of this was approximately £180,000. Aircraft are the main method of gathering information and detecting illegal activity.

In addition Marine Protection Vessels (MPVs) operating on the West Coast have a standing remit to have a presence in MPAs to serve as a highly visible deterrent. Depending upon other tasking priorities this role might be their prime function or one undertaken ancillary to another task. It is not possible to divide the costs of Marine Protection Vessels between all the tasks they undertake but the cost of the MPV normally present on the West Coast is £2.7 million per annum. In addition shore launched Rigid inflatable boat patrols also cover MPAs. The total cost of these patrols in the last twelve months was £70,000.

Vessel movements in the vicinity of MPAs is continuously monitored by satellite surveillance and AIS in the HQ Fisheries Monitoring Centre. Future levels of surveillance and enforcement activity will depend on the levels of compliance with the management measures in place in each MPA. This is determined by Marine Scotland Compliance's tactical tasking officers who also have to take other conflicting priorities into account. Any future budget reductions may reduce the overall amount of Monitoring and Surveillance resource available but the impact this might have on future MPA surveillance is impossible to say as the level of resource applied to MPAs is just one element of a complex decision making and prioritisation process.

- **How much is Marine Scotland planning to spend on science annually, and how do you propose to ensure that a robust evidence base is maintained for your activities?**

The importance of a robust evidence base is widely acknowledged and resources will continue to be allocated as part of the budget planning process to safeguard future scientific evidence is maintained at the required levels.

- **What do you consider to be the broader challenges and impacts of leaving the EU in terms of Marine Scotland's priorities and focus of resources and what work is underway in Marine Scotland to address this?**

There are a number of challenges for Marine Scotland and the marine sector in Scotland as a result of the UK leaving the EU:

1. Trade

Around 75 per cent of British seafood exports are sold in the EU. Outside of the Customs Union, Scottish seafood businesses could face a number of tariff and non-tariff barriers. For example under WTO rules tariffs of up to 13% would apply to Scottish smoked salmon exports to the EU. Non-tariff barriers such as additional customs requirements, rules of origin and sanitary and phyto-sanitary requirements could also increase the cost of exporting to the EU.

2. Labour

Stakeholders from across the marine sector have raised concerns about access to EU labour post-Brexit. For example The Scottish Salmon Producers Organisation estimates that 65% of their members' employees working in primary and secondary production are from other EU countries.

In Marine Scotland we also employ many talented people from other EU countries. In Marine Science Scotland for example approximately 12% of staff are non-UK EU nationals.

3. Funding

The European Maritime and Fisheries Fund (EMFF) provides Scotland with €107.7 million over the course of the programming period. As well as the contribution this EU funding makes to the marine sector and coastal communities in Scotland, it also accounts for £30m of Marine Scotland's expenditure of science, data and compliance.

4. Regulation

There are a significant amount of EU legislation which is relevant to the work that Marine Scotland does. These will need 'fixing' to ensure that the legislative framework continues to function once the UK has exited the EU.

The EU (Withdrawal) Bill as drafted places significant limitations on Marine Scotland's ability to achieve our long term policy objectives. For example, all directly applicable EU legislation requires amending in Westminster, this is a significant issue for fisheries where the framework is virtually all from directly applicable EU law. Post EU exit, the Scottish Parliament and Scottish Ministers ability to amend this legislation is seriously restricted. In effect the UK Government will be managing Scottish fisheries and potentially many parts of the Marine Environment as well given the complex set of relationships between the inshore and offshore legislative framework.

Scottish Ministers have been clear that any UK wide frameworks should be jointly developed and agreed. Frameworks should only cover those areas where a UK wide approach is needed, otherwise it should remain fully devolved. However, this position has yet to be accepted by the UK Government.

So while we are doing everything possible to ensure that we and the marine sector in Scotland are as prepared as possible for Brexit, we are constrained in many areas by the action or inaction of the UK Government.

5. Data exchange and collaboration

Marine Scotland exchanges information with other countries in the EU. This helps us with various aspects of our work, such as marine science. Depending on the results of the UK-EU negotiation this might be more difficult or impossible to do in future.

To address these challenges Marine Scotland is:

- working closely with our colleagues in Scottish Government to demonstrate the practical, as well as constitutional negative impacts of the EU (Withdrawal) Bill.
- supporting our Ministers in their efforts to secure future funding guarantees from the UK Government.
- identifying the deficiencies in the relevant legislation and drafting how these deficiencies can be fixed, so that we are prepared to either amend these here in Scotland or to input into the work that DEFRA is doing on this.
- highlighting to the relevant parties the importance of data exchange for our work to help ensure that this aspect is considered as part of the future UK-EU partnership.
- considering the longer term implications of the UK leaving the EU for the marine sector and environment in Scotland and working with stakeholders to develop our longer term policies and objectives for a variety of scenarios.

[End]