Dear Richard Lochhead

Delay in the laying of forthcoming subordinate legislation on the establishment of Marine Protected Areas (“MPAs”)

The Rural Affairs, Climate Change and Environment Committee understands that the Scottish Government intends to lay approximately six Scottish Statutory Instruments (“SSIs”) before the Parliament on 17 September, and that these will form the statutory basis for the establishment of new MPAs. All of these SSIs will be subject to negative procedure in the Parliament.

You will, no doubt, be aware that there have been some very strong views expressed in public recently by key stakeholders, both for and against the establishment of MPAs, as envisioned under the forthcoming SSIs. Following representations from concerned stakeholders, the Committee considered this issue as part of its work programme planning at its meeting earlier today, 2 September.

As a result, the Committee has agreed that it should undertake an oral evidence session with key stakeholders on this topic at the earliest opportunity. The Committee has, therefore, made space available for such an evidence session at its meeting on Wednesday 23 September.

As you will know, once SSIs have been laid before the Parliament, they are subject to the 40 day procedure and are not subject to any form of amendment. In order for our evidence session to inform the public debate on the establishment of the MPAs, the Committee agreed that I urgently write to you to request that you delay the laying of these SSIs before the Parliament until after 23 September.
The Committee appreciates that delaying any SSI may have implications for the subsequent timetable of actions which follow. However, I hope you will agree that seeking a delay in the laying of these SSIs, in order to facilitate meaningful parliamentary scrutiny on this important issue, is not an unreasonable request to make under the circumstances.

Following the evidence session on 23 September, the Committee may wish to seek oral evidence from you and your officials on this issue, in advance of the SSIs being laid before the Parliament. The Clerk of the Committee will liaise with your office on these details.

Given the very short timescales involved, the Committee is seeking a response from you on this issue by close of business on Monday 7 September.

I am copying this correspondence to the Delegated Powers and Law Reform Committee for their information, as well as making it publically available on our website and social media channels.

Yours sincerely

Rob Gibson MSP
Convener

Cc. Nigel Don MSP, Convener, Delegated Powers and Law Reform Committee