



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE

Wednesday 14 April 2010

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2010

Applications for reproduction should be made in writing to the Information Policy Team, Office of the Queen's Printer for Scotland, Admail ADM4058, Edinburgh, EH1 1NG, or by email to:
licensing@ogps.gov.uk.

OQPS administers the copyright on behalf of the Scottish Parliamentary Corporate Body.

Printed and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by
RR Donnelley.

Wednesday 14 April 2010

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	2625
SUBORDINATE LEGISLATION	2626
Water Quality (Scotland) Regulations 2010 (SSI 2010/95)	2626
Sea Fishing (Transitional EU Technical Conservation Measures) (Scotland) Order 2010 (SS1 2010/100)	2626

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE
9th Meeting 2010, Session 3

CONVENER

*Maureen Watt (North East Scotland) (SNP)

DEPUTY CONVENER

*John Scott (Ayr) (Con)

COMMITTEE MEMBERS

*Karen Gillon (Clydesdale) (Lab)

*Liam McArthur (Orkney) (LD)

*Alasdair Morgan (South of Scotland) (SNP)

*Elaine Murray (Dumfries) (Lab)

*Peter Peacock (Highlands and Islands) (Lab)

*Bill Wilson (West of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Rhona Brankin (Midlothian) (Lab)

Jim Hume (South of Scotland) (LD)

Nanette Milne (North East Scotland) (Con)

Sandra White (Glasgow) (SNP)

*attended

CLERK TO THE COMMITTEE

Peter McGrath

LOCATION

Committee Room 6

Scottish Parliament

Rural Affairs and Environment Committee

Wednesday 14 April 2010

[The Convener *opened the meeting at 10:02*]

Decision on Taking Business in Private

The Convener (Maureen Watt): Good morning and welcome to the committee's ninth meeting of the year. I ask those present to remember to switch off their mobile phones and BlackBerrys.

The main purpose of the meeting is to consider the contents of the committee's stage 1 report on the Crofting Reform (Scotland) Bill. As is standard practice, the committee will discuss the matter in private. Before that, we have subordinate legislation and our forward work programme to consider.

Agenda item 1 is a decision on taking business in private. Is it agreed that we take in private item 3?

Members *indicated agreement.*

Subordinate Legislation

Water Quality (Scotland) Regulations 2010 (SSI 2010/95)

Sea Fishing (Transitional EU Technical Conservation Measures) (Scotland) Order 2010 (SSI 2010/100)

10:02

The Convener: Agenda item 2 is consideration of two negative instruments: the Water Quality (Scotland) Regulations 2010 and the Sea Fishing (Transitional EU Technical Conservation Measures) (Scotland) Order 2010. The Subordinate Legislation Committee has commented on the water quality regulations, and the relevant extract of that committee's report has been circulated to members as paper 3. No member has raised any concerns in advance and no motions to annul have been lodged. Do members have any comments on the instruments?

Liam McArthur (Orkney) (LD): In relation to the sea fishing technical conservation measures order, I recollect that United Kingdom ministers, with the support of Scottish ministers, voiced concerns about the measures when they were adopted, and even went as far as to vote against them. The temptation to vote to annul the order is significant, save for the fact that doing so would leave us with a vacuum and the threat of retaliatory measures from the European Commission.

However, I am concerned that although the measures were described by the fisheries secretary as damaging, and by the First Minister as likely to affect badly large parts of the Scottish fleet, the regulatory impact assessment appears to suggest that there will be no additional impact on small and micro firms or vessels, as the order merely continues the current arrangements. That is debatable, in that the proposals have been rolled over not just for a further 12 months but for a further 18 months. In the context of further catch and effort restrictions, it is not hard to see that the cumulative impact will impose further costs on the vessels affected.

I do not think that we are in a position to annul the order because the consequences of doing so are significant and potentially hugely damaging. Nevertheless, it would perhaps have been helpful in the context of the note prepared by the Government if ministers had set out their intentions for negotiating as a matter of some urgency more manageable measures. The measures were agreed to in 2008 for introduction in 2009 as emergency transitional measures. The

intention to have a rollover for a further 18 months is deeply worrying. It would be helpful to the committee—certainly to me—if ministers were to set out where they are in the negotiations with the Commission on the introduction of more manageable and effective measures, especially on the west coast.

The Convener: Is it agreed that we write to the minister to ask him what his plans are for following that up?

Members *indicated agreement.*

The Convener: Apart from the issue raised by Liam McArthur, do we agree not to make any recommendations in relation to the Scottish statutory instruments as detailed on the agenda?

Members *indicated agreement.*

10:06

Meeting continued in private until 12:48.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

Members who wish to suggest corrections for the archive edition should mark them clearly in the report or send it to the Official Report, Scottish Parliament, Edinburgh EH99 1SP.

PRICES AND SUBSCRIPTION RATES

OFFICIAL REPORT daily editions

Single copies: £5.00

Meetings of the Parliament annual subscriptions: £350.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Printed and published in Edinburgh by RR Donnelley and available from:

Scottish Parliament

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

For more information on the Parliament, or if you have an inquiry about information in languages other than English or in alternative formats (for example, Braille, large print or audio), please contact:

Public Information Service

The Scottish Parliament
Edinburgh EH99 1SP

Telephone: 0131 348 5000

Fòn: 0131 348 5395 (Gàidhlig)

Textphone users may contact us on **0800 092 7100**.

We also welcome calls using the Text Relay service.

Fax: 0131 348 5601

E-mail: sp.info@scottish.parliament.uk

We welcome written correspondence in any language.

Blackwell's Scottish Parliament Documentation

Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

Telephone orders and inquiries

0131 622 8283 or

0131 622 8258

Fax orders

0131 557 8149

E-mail orders, subscriptions and standing orders
business.edinburgh@blackwell.co.uk

Blackwell's Bookshop

**53 South Bridge
Edinburgh EH1 1YS
0131 622 8222**

Blackwell's Bookshops:

243-244 High Holborn
London WC1 7DZ
Tel 020 7831 9501

All trade orders for Scottish Parliament documents should be placed through Blackwell's Edinburgh.

Accredited Agents

(see Yellow Pages)

and through other good booksellers