

Rural Affairs, Islands and Natural Environment Committee

21st Meeting, 2022 (Session 6), Wednesday, 22 June

Aquaculture regulatory review

Introduction

1. This paper supports the Committee's evidence session with Professor Russel Griggs on his recommendations following his external review of the regulatory process involved in fish farming.

Background

2. In August 2021, Professor Griggs was [asked](#) by the Cabinet Secretary for Rural Affairs and Islands to—
 - review the existing evidence base and engage with key stakeholders in order to identify the issues impacting on the efficient and effective operation of the regulatory framework for aquaculture from the perspective of industry, users of the shared marine environment (tourism, wild fisheries), communities and regulators; and
 - make recommendations for further work in relation to improved efficiency and more fundamental institutional reform.
3. The Cabinet Secretary's letter set out the projected phasing of the review—

Phase one (framing the issues)

Establishment – August 2021

- SG sets remit, principles and criteria;
- SG appoints initial reviewer.

Evidence gathering - November/December:

- SG evidence paper on initiatives to-date
- initial stakeholder engagement
- identification of issues
- recommendations on further work required

Phase two

Efficiency and effectiveness (including research and analysis) - summer 2022:

- consultancy (i) on international comparators
- consultancy (ii) on the efficiency of the system
- institutional engagement;
- recommendations for change within the current framework

Phase three

Roles and responsibilities - late summer 2021 *[it is presumed 2022 is meant]*:

- consultancy (iii) on reform options
 - recommendations on options for fundamental reform
 - public consultation etc. thereafter
4. Professor Griggs [reported](#) his findings in February 2022. The Scottish Government has [accepted](#) all its recommendations in principle but is yet to respond in detail.
5. Key recommendations included in Professor Griggs's report include—
- There should be different regulatory solutions for finfish, shellfish, and seaweed with each based on a framework specifically designed for that part of the sector and in which the consenting and other regulatory processes will sit and be driven by;
 - There should be a single website and body where anyone with any questions around starting up an aquaculture business or who have questions on more general issues or aquaculture regulation can go to find out all that they need to know;
 - A new single consenting document for aquaculture should be created, that mandates what all parties (the applicant, regulators, the community, and other statutory consultees) involved in an application are subject to derived from a pre-application consultation prior to submission;
 - The creation of a central science and evidence base should be put in place jointly run and managed by industry and the Scottish Government which gathers, collates and examines scientific and other evidence relating to this sector so decisions within the framework can be made in the most effective way.
5. The Cabinet Secretary [wrote](#) to the Committee on 3 May 2022 to announce phase 2 of the review. The Cabinet Secretary stated that—
- “In summary, I have launched and will lead a new Ministerial Aquaculture Strategy Forum, which will oversee implementation of Professor Griggs recommendations and development of the new vision for sustainable aquaculture. I have asked my officials to form a consenting task group to make rapid progress on streamlining the aquaculture consenting system, including making an immediate change to the marine licence validity period from 6 to 25 years to align it with Crown Estate Scotland sea bed lease cycles. In response to Griggs' references to the use of science and evidence in the consenting process, I have today asked the Scottish Science Advisory Council to give consideration to the relevant recommendations.
6. The Cabinet Secretary went on to set out [further information](#) about phase 2 at the Aquaculture UK conference on 3 May 2022.