



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs, Islands and Natural Environment Committee

Wednesday 16 March 2022

Session 6



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Pàrlamaid na h-Alba

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RURAL AFFAIRS, ISLANDS AND NATURAL ENVIRONMENT COMMITTEE
9th Meeting 2022, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Karen Adam (Banffshire and Buchan Coast) (SNP)

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Ariane Burgess (Highlands and Islands) (Green)

*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)

*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)

*Jenni Minto (Argyll and Bute) (SNP)

*Mercedes Villalba (North East Scotland) (Lab)

*attended

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs, Islands and Natural Environment Committee

Wednesday 16 March 2022

[The Convener opened the meeting at 09:00]

Subordinate Legislation

Red Rocks and Longay Urgent Marine Conservation (No 2) Order 2021 (Urgent Continuation) Order 2022

The Convener (Finlay Carson): Good morning, and welcome to the ninth meeting in 2022 of the Rural Affairs, Islands and Natural Environment Committee. I ask all members who are using electronic devices to switch them to silent.

Our first item of business is consideration of an instrument that is subject to the negative procedure, the Red Rocks and Longay Urgent Marine Conservation (No 2) Order 2021 (Urgent Continuation) Order 2022. I refer members to page 3 of paper 1. No motion to annul the instrument has been lodged. If any member has any comments to make on the instrument, please raise your hand or, if you are participating remotely, type R in the chat box.

Mercedes Villalba (North East Scotland) (Lab): You might be getting some feedback—I can hear a bit of an echo.

I want to comment on the type of fishing that is being restricted. I understand that, when the Government announced its public consultation on the proposals, it confirmed that hand diving for scallops will no longer be prohibited but that creeling will still be prohibited, along with dredging and trawling. Could we seek some clarification from the minister about why those different types of fishing—creeling, dredging and trawling—are being treated in the same way despite the fact that the Scottish Government categorises dredging as severe, whereas creeling is considered low impact?

The Government previously said that it wants to take a precautionary approach, but, because it chose the smaller of two possible boundary areas, I am confused about whether the approach is precautionary. It seems that, within the new, smaller boundary, everything will be prohibited and that, outside the boundary, everything will be allowed. There are different types of fishing, with different impact levels, so I would be grateful if we could seek some clarity from the minister about why those activities have been categorised in the same way.

The Convener: The committee can write to the cabinet secretary for clarification of the scientific evidence behind the decision.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I was going to ask the same question.

The Convener: We will write for clarification.

As there are no further comments, are members content to note the instrument?

Members indicated agreement.

Organics (Derogations) (Amendment) Regulations 2022

The Convener: Our second item of business is consideration of the Organics (Derogations) (Amendment) Regulations 2022. I refer members to paper 2. Under the protocol between the Scottish Parliament and the Scottish Government, this consent notification has been categorised as type 1, meaning that the Scottish Parliament's agreement is sought before the Scottish Government gives consent to the United Kingdom Government making secondary legislation in an area of devolved competence.

I refer members to the committee papers, which set out the recommendations to the committee. If any member has any comments to make on the recommendations or on any other aspect of the consent notification, please raise your hand or type R in the chat box.

Rachael Hamilton: I just want clarification from the minister about why the Scottish Government has chosen to go along with the same policy as the UK. I believe that there is an issue with the supply of some of the material for organic pullets. Every time we consider legislation, there is never an explanation why the Scottish Government has chosen not to take a different route from the rest of the UK.

The Convener: We can write for clarification of that.

As there are no further comments, is the committee content that the provisions set out in the notification should be included in the proposed UK statutory instrument?

Members indicated agreement.

The Convener: Is the committee content to delegate authority to me to sign off a letter to the Scottish Government, informing it of our decision?

Members indicated agreement.

The Convener: Thank you. That concludes our business in public.

09:04

Meeting continued in private until 13:18.

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