

T: +44 (0)131 244 4976
E: eamon.murphy@scotland.gsi.gov.uk

Fergus Cochrane
Clerk to the Public Petitions Committee
TG.01
The Scottish Parliament
Edinburgh
EH99 1SP

3 February 2011

Dear Mr Cochrane,

PETITION PE1386 - Petition by Richard Munday on behalf of the Torridon Nephrops Management Group

I refer to your letter dated 25 January in which you asked the Scottish Government to provide a response to Petition 1386.

The Scottish Government shares the local and more widespread concern about the suspension of the Loch Torridon nephrops creel fishery accreditation.

Your letter asks specifically for a response to the text of the Petition and to the three questions set out in Section 5 of the Petition headed Background Information. The Scottish Government's response to the Petition and to those three questions is set out in the Annex to this letter.

Eamon Murphy
Policy Manager

Petition text: “Calling on the Scottish Parliament to urge the Scottish Government to review and pilot the establishment of further spatially separated static gear only inshore fisheries to improve fisheries management”.

The Scottish Government presently has no plans to pilot static gear only fisheries on a blanket or untargeted basis. We would, however, be willing to consider a review of the effectiveness of the current fisheries management in Loch Torridon.

We are aware that sectoral/spatial fisheries management has recently been mooted elsewhere, including proposals for a 1 mile fixed gear only zone in Argyll and Bute and proposals for the reinstatement of a three mile fixed gear only zone in the Clyde. Apart from instances where fishing management is required under EU legislation or may be put in place to help protect important locations for biodiversity or cultural heritage such as European marine sites or marine protected areas designated under the Marine (Scotland) Act 2010, our preference is that proposals for inshore management more generally are developed and taken forward by or with the help of the fishing industry.

It is on that basis we now expect with some interest to receive over the next few months draft management plans from Scotland’s six Inshore Fisheries Groups.

Section 5 Point 1

A larger economic return from each tonne of nephrops landed to Scottish ports. For each additional 1,000T of creel caught nephrops, an extra £6.21m could be generated for the Scottish economy. (According to the Scottish Sea Fisheries Statistics 2009, creel caught nephrops generated £8.39 first sale value per kg, while trawl caught nephrops generated just £2.18 first sale value per kg.)

The statement does not seem to take account of wider economic factors such as the capacity to maintain the existing total value of nephrops catches from creeling alone or the fact that the total value of trawl caught nephrops significantly outweighs that of those caught in creels; the value of trawl caught nephrops in 2009 being approximately £51m compared to approximately £14m for creeling. There is no assessment of the economic impact on the nephrops fleet or on stocks of the proposals, for example, as result of displaced or more concentrated fishing and there is no assessment of how the market might respond to a shift in the nature and nephrops landings. In particular, there is no consideration of the relative value of creel and trawl caught nephrops.

Section 5 Point 2.

The substitution of creel fishing with its benign impact on the sea bed and other marine life for much more damaging trawling would offer very considerable and much needed protection to the marine environment in all the areas which would be closed to trawling on the Torridon model. The size and locality of every further static gear only fishery would need to be agreed on a local basis following national policy guidelines. The Scottish Government’s current national policy on Marine Protected Areas clearly fits well with this objective.

Marine Scotland is overseeing the establishment of a network of Marine Protected Areas (MPAs) under the Marine (Scotland) Act 2010 to protect biodiversity and geological features. The Act also includes powers to designate Historic MPAs and Demonstration & Research MPAs. Where required, fishing will be managed to prevent damage to MPAs as well as European marine sites. Such management may involve statutory measures made under the Inshore fishing (Scotland) Act 1984.

We have received a copy of Scottish Natural Heritage's (SNH) response to the Committee on this petition and will be considering the issues raised in discussion with SNH in the context of our policy of promoting sustainable use of the marine environment.

More generally, the Committee may wish to note that given the concerns which have been expressed about the Clyde in particular, arrangements are currently being finalised for a study which will look at the present understanding of the state of the Clyde and the possible reasons for that state. The study will also consider whether there are any similar scenarios elsewhere and whether there may be any steps which could be taken to help to improve the area through, for example, habitat restoration. Further information on this review will be available shortly.

Section 5 Point 3. *Giving local communities considerably more control over the management of local sustainable fisheries resources, would—*

a. provide a much greater incentive for long term sustainable management of fisheries stocks than present arrangements, meeting national and international policy criteria as well as MSC certification standards – the Scottish Government has clearly stated its support for Scottish fisheries to seek certification under the MSC Marine Stewardship Scheme.

b. result in a larger proportion of the economic benefits of local fisheries accruing locally, thereby meeting national policies for strengthening the economic and social backgrounds of these often very fragile rural communities.

Nephrops is an EU quota species and is therefore subject to a number of management measures to ensure sustainability of the stock and of other commercial fish species. There is a fundamental need to meet EU management requirements. Beyond that the Scottish Government's general view is there is a need to maintain a balance across fishing and consideration should be given to the wider implications of any proposed management measures on individuals, communities, stocks and the fishing fleet more generally.

The Committee may also want to note that the Stornoway nephrops trawl fishery recently and successfully underwent its reassessment of its MSC certification.

The Scottish Government is firmly of the belief that Inshore Fisheries Groups are the way forward for inshore fisheries management. We would encourage the members of the Torridon Nephrops Management Group to continue to work with the North West Scotland Inshore Fisheries Group, the catchment of which contains the Torridon creel only zone, to develop proposals for management of the area concerned. While there are currently no plans to give Inshore Fisheries Groups statutory powers, the situation is that where appropriate, management measures will be underpinned statutorily by means of an Order under the Inshore Fishing Scotland Act 1984.

Conclusion

The Scottish Government shares the local and more widespread concern about the suspension of the Torridon Nephrops Management Group creel fishery accreditation. Marine Scotland Science and Policy Officials will seek to engage with the Torridon Nephrops Management Group the MSC and, in particular, Moody Marine, the independent certifier which suspended the MSC certification of the Torridon nephrops fishery, to establish what steps might be taken to address the situation.

MARINE SCOTLAND

February 2011