

Consultation Title: Aquaculture and Fisheries Bill Consultation

Date: 5 March 2012

To: Aquacultureandfisheriesconsultation@scotland.gsi.gov.uk

From: Scottish Land & Estates

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Scottish Land & Estates is a member organisation that uniquely represents the interests of both land managers and land-based businesses in rural Scotland. Scottish Land & Estates has over 2,500 members with interests in a great variety of land use interests and welcomes the opportunity to respond to this consultation.

Scottish Land & Estates has not had sufficient time to canvass the views of its members in connection with a detailed response to the Consultation, but would like to make the following general submission.

The members who would have an interest in the provisions of a Bill are those who are:

- owners of salmon angling rights in Scottish rivers
- owners of salmon netting rights in Scottish rivers
- owners and/or operators of fresh water fish farms
- owners and/or operators of sea water fish farms
- owners of rural businesses which have an interest in the general well-being of Scottish angling interests.

Consequently, there may be competing interests within the membership of Scottish Land & Estates in respect of different aspects of the proposed Bill. As such, and in the absence of sufficient time to canvass opinion among the membership, Scottish Land & Estates can only, at this time, restrict itself to general comments on the Bill. We have considered carefully the response of the Association of Salmon Fishery Boards (ASFB) to the consultation.

1. As is made clear in the comments lodged by ASFB to the Consultation, there appears to be an on-going risk presented to wild fish from the Aquaculture Industry, albeit in certain locations and on an occasional basis. These risks appear to be addressed by Section 1 and 3 of the proposed Bill.
2. Scottish Land & Estates is supportive of the principle behind the requirement to collect and publish sea lice data. It is evident that this is a major area of tension between the Aquaculture industry and salmon and freshwater fish interests. Accurate and meaningful data published in a publicly accessible manner will provide much needed evidence as to whether and, if so to what extent and in what locations, sea lice seriously affect wild fish.
3. District Salmon Fishery Boards are a proven and effective system of management of fishery districts throughout Scotland at a local level. They are wholly reliant on local funding, while elected and co-opted members of each Board are all volunteers. The Boards are statutory bodies with statutory powers and duties, including the requirement to hold an Annual Meeting, with triennial elections, and to publish a report. As such, Scottish Land & Estates is not aware of a

Consultation Response

proven lack of accountability and transparency. It is also aware of and supports the recently updated Code of Practice prepared by ASFB. Scottish Land & Estates has no objection in principle to the availability of additional powers to Scottish Ministers but agrees with ASFB that these should only be available as a safety net, there being no requirement for another layer of management at what is, effectively, local level. Scottish Land & Estates does not agree that Scottish Ministers should have powers to initiate changes to Salmon District Annual Close Times where there is an existing District Fisheries Board in place; it is more appropriate that such changes should continue to be initiated at a local level.