

SHIELDAIG COMMUNITY COUNCIL

CONTROLS ON INSHORE FISHING IN SCOTTISH WATERS – SECOND ROUND CONSULTATION EXERCISE – SUMMARY OF RESPONSES

New Proposals


- Make no comment on any of the new proposals.

Action following the 1st round

- They state strongly that they are not in agreement with the decision to act on neither proposal 3 (Loch Hourn) or proposal 4 (Loch Torridon) of the initial consultation paper. They feel that the decision not to push through either proposal is at odds with the Deputy Minister for Rural Affairs commitment to locally managed fisheries, the conservation of stocks and the survival of fragile rural communities. They ask that the Deputy Minister review the proposals.

SIFAG

- Feel that some (eg the H&IFA) were kept in the dark in the run up to its establishment.


SERAD
Sea Fisheries Division

15 September 1999

[REDACTED]

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1. *Journal of the American Medical Association*, 2000; 284: 2689-2694.

Shieldaig Community Council
Comhairle Coimhearsnachd Sildeag

Response to
Review of Controls on Inshore Fishing in Scotland
and
Scottish Inshore Fisheries Advisory Group

Proposal 3 Loch Hourn and Proposal 4 Loch Torridon

Thank you for the document published as a result of the consultation paper dealing with prohibitions under the Inshore Fishing Act(Scotland)Act 1984.

We are not in agreement with your conclusions regarding these proposals.

Having overcome the difficulties in obtaining access to the Response Documents to the initial Consultation Paper, which were not placed in the Library at St Andrew's House for public view as you stated they would be, we have now studied them carefully.

Given the huge amount of support for the total closure of Loch Hourn and Loch Torridon to trawl fishing expressed in 47 of the responses you received it is difficult to believe that you have chosen to ignore

- Highland Council
- Highlands and Islands Enterprise
- West Coast Community Councils
- Highlands and Islands Fishermen's Association (SG)
- Wester Ross Fisheries Trust
- Environmental Groups
- Marine Biological Consultants
- Economic Consultant

as well as many individual creelmen.

We must inform you that your decision not to agree with our proposal, nor any part of it, has been received in the community with anger and utter disbelief. You have cunningly chosen to ignore our economic and social arguments by focussing attention on gear conflict which is only a symptom of the problem.

To add insult to injury at the time the 2nd Consultation Paper was received by us The Deputy Minister of Rural Affairs, Mr John Home Robertson, issued a Press Release stating his interest in

- locally managed fisheries
- conservation of fish stocks
- the survival of fragile rural communities

We believe that our proposals were absolutely compatible with his stated policies. It is difficult to believe that he has seen the Response Documents to the 1st Consultation Paper and chosen to ignore them.

We, therefore, request that **Proposals 3 and 4** be reviewed by the Deputy Minister with a view to rescinding the decision to maintain the status quo.

There are two sides to every argument but having looked closely at the 7 Response Documents which do not favour our point of view only two points seem to emerge viz. safety and economy

Safety: As the lochs are currently closed in winter and most trawlers are geared to work safely throughout these months, how is it, when the weather is good during the summer months they would be more likely to require shelter? *There is no reason why any trawler, at any time of the year, cannot shelter in the lochs provided they are not fishing.*


Economy: The economic reasons given simply do not stand up to scrutiny.

Scottish Inshore Fisheries Advisory Group

The Labour administration has committed itself to an open and democratic form of government.

We note from the press that your proposed Scottish Fisheries Advisory Group has been the subject of discussion between yourselves and the Mallaig and North West Fishermen's' Association.

We also note the Highlands and Islands Fishermen's' Association appears to have been kept totally in the dark on the issue. Perhaps darkness can be turned into light when a more equitable form of consultation is implemented.



August 27th, 1999

HIGHLANDS & ISLANDS FISHERMEN'S ASSOCIATION (S.G.)

CONTROLS ON INSHORE FISHING IN SCOTTISH WATERS – SECOND ROUND CONSULTATION EXERCISE – SUMMARY OF RESPONSES

New Proposals

- Make no comments on any of the new proposals.

Action following 1st round

- In relation to point V – Loch Hourn/Loch Torridon – they state that they did not request a full year closure of this fishery to mobile effort in order to solve gear conflict, but rather on the grounds of economic sustainability. They do not accept the decision to maintain the status quo.
- Referring to a Review paper issued by the department in 1995 they feel that a ban is justified on both conservation and economic grounds (creeled prawns fetch a much higher price than trawled prawns).



SERAD
Sea Fisheries Division

14 September 1999

Don't acknowledge.

HIGHLANDS AND ISLANDS FISHERMEN'S ASSOCIATION (S.G.)

Secretarial Office

Ardarroch
KISHORN
Strathcarron
Ross-shire IV54 8XA

TEL: 0520 733250
FAX: 0520 733280

Accounts Office

2 Raddery
FORTROSE
Ross-shire
IV10 8SN

TEL/FAX: 0381 620103

[REDACTED]
Inshore Fisheries Branch,
Scottish Executive, Rural Affairs Department,
Pentland House,
47 Robb's Loan,
EDINBURGH. EH14 1TY.

28 th August 1999.

Dear [REDACTED]

REVIEW OF CONTROLS ON INSHORE FISHING IN SCOTLAND 1998/1999.

We refer in particular to your paper 'Action on first round of proposals' Sec (v), where you convert our request for an all year round closure to mobile effort of the Loch Torridon/Loch Hourn fishery on grounds of economic sustainability, into an issue of gear conflict.

We did NOT request a full year closure of this fishery to mobile effort, to solve gear conflict. The Torridon Port Committee [REDACTED]

[REDACTED], has been trying since September 1994 to solve gear conflict in this fishery. Over these five years, further hundreds of fishermen's creels have been destroyed by trawlers, not one single creel has been compensated for by the perpetrators, and not one single incident has been investigated in depth.

We do not believe, and long years experience of Port Committees including the last five years of [REDACTED] confirms our view, that problems of gear conflict are soluble while creelers and trawlers pursue the same species on the same grounds.

We DO believe, as in the case of Loch Gairloch, that separation of the methods of fishery would lead to a gradual diminution of incidents, that the high quality prawn landings would quickly lead to other areas following the Torridon example, and a prosperous creel fishery would rapidly expand in west highland coastal communities, which have solidly through Community Councils expressed support for closure of the Inner Sound fishery to mobile effort for a trial period of three years. This call has also won the support of Highland Council, all representations which you have ignored in your long delayed decision.

We do not accept your decision, nor that your decision is based on logic nor sustainability, and we will seek ways of challenging it.

+?

From your departments Review paper issued on 24 th May 1995, we quote:
BAN ON USE OF MOBILE GEAR IN SEALOCHS.

There are currently prohibitions on the use of mobile gear in sea lochs ranging from six months to 12 months duration. Scientific advice shows that creels do not catch undersized nephrops nor do they take a fish bycatch. Sea lochs have an important part to play as nursery areas for cod, saithe and whiting. While 6 month closures are sufficient to protect juvenile herring, they are not sufficient to protect other species. The case for closure on conservation grounds remains strong. Separating nephrops creel fishing from nephrops trawling is particularly effective in conservation terms, as survival of creel discards is virtually 100%. Unquote.

We quote the department's published view in 1995 and it has proved all too correct. Apart from nephrops, in 1999 the sealochs of Scotland are well described as marine deserts, devoid of all whitefish species. This, in the light of the departments failure to take action over the years to introduce management in the light of their own published conclusions, we believe is challengeable, and should be challenged in the light of a decision four years later to again take no action.

West of Four Fisheries Management Group summed up their reply to your consultation document. Quote; but most importantly that any decision has as its cornerstone, the sustainability of stocks, and ultimately their enhancement for the benefit of future generations of fishermen, and the communities they support. Unquote.



Our Associations case to Highland Council stated the simple fact; Quote; There are strong economic arguments for a 12 month closure in that trawled prawns average £2.20 per kg whilst creel prawns average £6 per kg.. Unquote.

Six thousand pounds per tonne, a mean average of 50 pence per prawn, but not achievable where the prawns have been trawled and tailed and sold for a mean average of 1.79 pence each.

These are the hard economic facts we have furnished you with, and we feel we are entitled to be told why you have disregarded them in arriving at your decision.

X. We consider that legal opinion may well show that a most valuable community resource is being wasted by mismanagement to the grave detriment of community economics over the whole west highland seaboard.

Yours sincerely,



MALLAIG & NORTH-WEST FISHERMEN'S ASSOCIATION

CONTROLS ON INSHORE FISHING IN SCOTTISH WATERS – SECOND ROUND CONSULTATION EXERCISE – SUMMARY OF RESPONSES

New Proposals

- Scallop ban at Shianta – opposed to this suggestion for 3 reasons
 1. Variable factors, which affect fishing effort (make reference to current prevalence of ASP) necessitate a high degree of flexibility.
 2. The timing of the suggested closure coincides with the open season in the Irish Sea, which may lead to unnaturally heavy effort in the area after the closure.
 3. The area represents a major traditional winter fishery and its closure would lead to hardship.
- Scallop dredging ban in Barra – opposed to this proposal also, mentioning the importance of sheltered fishing grounds (as presumably this is) during the winter months. M&NWFA also feel that there are no convincing arguments as to why the current bans should be extended.
- Ban on longlining in Loch Etive – again object to this proposal. Feel that longlining poses little threat to stocks, and offers an alternative to local vessels when their core fishing method is restricted for whatever reason.


Action following 1st round

Support suggested actions I-IV.

On point V – seasonal closures in West Coast Sea Lochs – they state that any decisions will be left to SIFAG as the existing closures were introduced to protect juvenile herring stocks, not to address the gear conflict issue as is now the case.

SIFAG

Support the establishment of SIFAG.


SERAD
Sea Fisheries Division

14 September 1999



Mallaig & North-West Fishermen's Association

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PH41 4QB

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30th August 1999

[REDACTED]
Inshore Fisheries Branch
Scottish Executive Rural Affairs Dept.
Pentland House
47 Robb's Loan
Edinburgh EH14 1TY

Dear Sir,

1. REVIEW OF CONTROLS ON INSHORE FISHING IN SCOTLAND; CONSULTATION ON ADDITIONAL PROPOSALS.
2. SCOTTISH INSHORE FISHERIES ADVISORY GROUP.

We refer to the second letter following initial consultation on the triennial review of the Inshore Fishing (Scotland) Act 1984, and the additional proposals contained therein.

Addressing the decisions taken on the original proposals, we would support the suggested action on (i) Scappa Flow, (ii) Mons Craig to Doolie Ness, (iii) Dredging controls and Regulating Orders and (iv) The Firth of Clyde.

However, on (v) seasonal closures in West Coast Sea Lochs, we would respectfully remind the Department that the issue of gear conflict is irrelevant to the existing six month closure.

This measure was introduced to protect juvenile herring stocks, and based on science that is now 25 years out of date.

Although our understanding is that the science was reviewed at the time of the introduction of the 1984 Act, it was never actually re-evaluated, and has certainly not been revisited for 15 years.

Our legal advice suggests that this period of time is too long to be considered 'regular' under European law, and therefore, the legitimate status of the seasonal closure as currently framed must be in question.

Cont'd../..

Closure to alleviate problems of gear conflict for the areas under review represent a new departure and should be regarded in a strategic context, having due consideration for the latest ICES advice on nephrops stocks and the warning intimated with regard to the effects of static gear fishing on breeding stocks.

We would hope that the task of deciding such matters could be properly delegated to the new Scottish Inshore Fisheries Advisory Group.

This also applies to the new Proposals contained in the Annex to your letter.

However, we would take this opportunity of commenting in these proposals as follows:-

SEASONAL CLOSURE TO SCALLOP DREDGING SOUTH OF SHIANTS

First, any closures affecting scallop dredging should be treated with great caution in the light of current and past experiences concerning the cessation of activity due to Algal Toxins.

This and other variable factors affecting fishing effort underline the importance of ensuring that a high degree of flexibility is applied to any future restrictive proposals.

Secondly, the timing of the suggested closure loosely coincides with the open season in the Irish Sea, which means that the point at which the closure is lifted would invite an unnaturally heavy fishing effort in the area, to the obvious detriment of conservation considerations.

Thirdly, the area represents a major traditional winter fishery for the local fleet, the removal of which would present unacceptable hardship again, especially in the light of difficulties experienced through the ASP closure of the Summer fishery.

For these reasons, we regret that we must register our strong opposition to the proposals.

BAN ON SCALLOP DREDGING IN BARRA, NOVEMBER TO APRIL

As stated in your letter, "Existing seasonal prohibitions on scallop dredging in the Western Isles have worked well." No cogent arguments have been forwarded as to why they should be extended, and indeed recent experience has shown that static gear is not necessarily removed during the Summer months, as suggested. Furthermore, it is important to ensure that as much sheltered ground as possible remains available to scallop dredgers during the Winter months. We would therefore support a retention of the Status Quo.

BAN ON LONGLINING IN LOCH ETIVE

Longlining, and indeed most other commercial fishing activities in Loch Etive are relatively spasmodic, and definitely lightweight. It seems curious to propose a ban on an activity that seldom takes place, and when it does, causes no measurable harm. Nonetheless, longlining at this level offers a conservation friendly method of fishing capable of providing a useful alternative to local vessels when their core fishing methods are restricted by quotas, markets, weather, toxic blooms etc., and it is inconceivable that the occasional longlining venture could have any detrimental effect on tourism.

It would be illogical to ban longlining without also banning sea angling, and it would appear that this proposal is motivated by an incorrectly perceived threat, rather than any serious attempt at promoting conservation. Once again , we regret that we must register out objection to the proposal.

2. SCOTTISH INSHORE FISHERIES ADVISORY GROUP

We believe that the initiative to establish a Scottish Inshore Fisheries Advisory Group, as outlined in your letter, presents an excellent opportunity for Government and industry to work together to establish a long term strategy for the structure and modus operandi of the Scottish inshore fleet.

We also consider that such a Group would offer the ideal forum for the debate of a whole range of measures, some of which are typically described in your letter.

Since we have been in close contact with the Department on this matter, we would hope that our views are well know, but for the record, we now reiterate our wholehearted support of the proposed Scottish Inshore Fisheries Advisory Group, in this formal reply,

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.

SCOTTISH FISHERMEN'S FEDERATION

CONTROLS ON INSHORE FISHING IN SCOTTISH WATERS – SECOND ROUND CONSULTATION EXERCISE – SUMMARY OF RESPONSES

New Proposals

- The SFF do not support the new proposals, feeling that they are premature, and that such decisions should be up to the SIFAG. In addition they feel that any scallop measures should be withheld until the West Coast Scallop Management proposals have been implemented.

Action following 1st round

- They question the reasoning behind the 6 month bans in Loch Hourn and Loch Torridon.

SIFAG

- The SFF support the establishment of the SIFAG. They hope that scallop management will be high on the agenda, and that responsibility for scallop effort management issues will transfer from the Fisheries Conservation Group to the SIFAG.


SERAD

9 September 1999



SCOTTISH FISHERMEN'S FEDERATION

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Telephone (01224) 582583 Fax (01224) 574958
E-Mail: SFF@sff.co.uk

Your Ref:

Our Ref: CE/TM/P3.3

1st September 1999

[REDACTED]
Inshore Fisheries Branch
The Scottish Executive
Rural Affairs Department
Pentland House
47 Robb's Loan
EDINBURGH
EH14 1TY

Dear [REDACTED]

REVIEW OF CONTROLS ON INSHORE FISHING IN SCOTLAND: SCOTTISH INSHORE FISHERIES ADVISORY GROUP

I refer to Neil Fleming's letter of 21st July 1999 and on behalf of the SFF would comment as follows.

Action on first round of proposals

These have been noted. Contrary to what is stated in the letter, it is our understanding that the six month bans in Loch Hourn and Loch Torridon are premised on the need to protect spawning herring stocks, as opposed to minimising gear conflict. It is also our understanding that herring no longer spawn in either area and thus that the rationale underpinning the six month closures is in some doubt. This matter will presumably require to be discussed within SIFAG when it meets. Thus whilst we do not intend to labour the point here, please make note of it.

New proposals following the 1998 consultation paper

The Federation contends that the proposals listed in the Annex to the letter are most premature. The proposals in respect of area closures to scallop dredging are particularly controversial and indeed misplaced at a time when the new SIFAG has yet to meet. At the very least we would insist that such matters be deferred from further consideration until the new West Coast Scallop management proposals, developed by the Clyde and Mallaig Associations (and endorsed by the Federation), are implemented. Moreover, we believe that access arrangements such as these are matters for SIFAG. To adopt them on the margins of the Group would destabilise and undermine it before it has even begun to operate. We make a similar comment in respect of Longlining in Loch Etive.

Scottish Inshore Fisheries Advisory Group

The concept of such a Group is warmly welcomed and the Federation looks forward to the first meeting. We would prefer that this were held on 17th September 1999 and would

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V.A.T. Reg. No. 605 0967 48

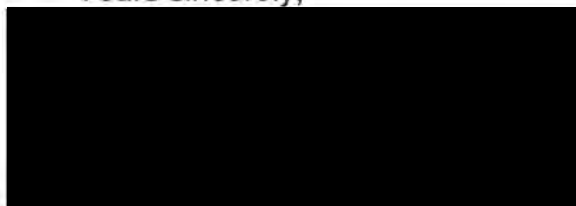
Members: Clyde Fishermen's Association ; Eyemouth & District Fishermen's Association ; Fishsalesmen's Association (Scotland) Limited ; Mallaig & North-West Fishermen's Association ; Orkney Fisheries Association ; Scottish Pelagic Fishermen's Association Limited ; The Scottish White Fish Producers' Association Limited ; Shetland Fishermen's Association

advise that all 8 SFF nominated places will be taken up. The question of who should fill the two remaining places from the Group is probably a matter for the Department. However, we would imagine that the East and West Coast places would be filled by Fife FA and the Federation of Highlands and Islands Fishermen respectively.

Whilst no doubt an Agenda will be circulated in due course, we would expect scallop management to be high on it. SIFAG will require to decide at its meeting how it should monitor progress on scallop management within other forums e.g. the UK Technical Conservation Group. To this end, we have probably reached the stage where the matter of effort limitation in the West Coast scallop fisheries (e.g. weekend bans, etc.) could sensibly be de-coupled from consideration of technical conservation measures. It would seem appropriate to discuss effort management within SIFAG whilst remitting it to the UK Conservation Group to take forward technical conservation matters.

I trust that due consideration will be given to all that we write.

Yours sincerely,

A large black rectangular box redacting the signature of the sender.

FRF/11/16/17

Female pig worker case

MAN who parted with a prominent pig farmer after a feed the had to lift, the case she took to a tribunal.

Liane Schoobella, 47, Gardes, Fearn, aimed unfair dismissal and discrimination in the brought against David of Castle Craig

Ms Schoobella was in when told of the tribunal's decision — the findings will be issued at a later date. She said: "I can't understand it, I am considering an appeal and will do it with my lawyer."

Mr Whitford said, "I am passed these horrendous allegations by Miss Ashbells against my staff. It seems to have been totally unfounded. The decision totally vindicates them and underpins their honesty and integrity."

Banned for speed

MUR of Ord driver Ian MacDonald registered a speed of 110mph as he climbed the hill after the Crossway Bridge, in a hurry to get home where friends

West Ross creel fishers' despair

Disbelief and anger as Scottish Executive rejects trawler ban

WEST coast fishing communities have condemned the Scottish Executive for rejecting their pleas for an all-year ban on trawling in sea lochs.

Trawlers are to be given continued access for half the year between April and October, prompting claims that the latest round of consultation was a sham.

Five community councils from Wester Ross had called for a blanket ban on trawlers in sea lochs between Cairloch and Loch Hourn, including the Inner Sound of Raasay. The people of Raasay also supported the campaign, as did several local bodies.

There has for years been conflict between west coast trawlers and creel fishermen, who claim that trawling is destroying what should be Europe's most lucrative prawn fishery.

However, the government believes that the conflict can only be resolved through dialogue and cooperation, rather than by legislation. A Scottish Inshore Fisheries Advisory Group has been set up as a forum for future discussion — but the status quo is being retained in the case of trawling in sea lochs.

This has led to an angry response from community leaders, who accuse the government of a basic failure to listen. They are especially angry with the deputy Rural Affairs minister, John Home Robertson, who claimed he was determined to fully involve local com-

munities in the quest for sustainable and locally-managed fisheries.

"This government is prepared to listen to the views of the people of Scotland," said Mr Home Robertson as he announced another review of the inshore industry last week.

The response from Wester Ross has been swift. "It's very disappointing," said Lochacron community council chairwoman Helen Marchison. "We were unanimous in supporting the creelmen on economic and environmental grounds. Basically it's a very simple argument — do you want a sustainable prawn fishery, or do you not?"

"But the trawlers are such a powerful lobby and their voice is stronger than the creelmen's, so I suppose this was inevitable."

Alastair McCowan, chairman of Apperross community council, said, "We're worried that the prawn fishery will not be sustainable if they keep on pushing it towards its limits."

"Herring and white fish have been fished to extinction locally, and that's due to unscrupulous trawling. Prawns are almost certainly heading the same way."

The chairman of Shieldaig commu-

nity council, Norman Cameron, described Mr Home Robertson's statement as "a load of rubbish," with no recognition given to the overwhelming community view.

"It's farcical," said Mr Cameron, a prawn fisherman. "What we proposed was a sustainable and locally-managed fishery — precisely what the government said they wanted, and yet they threw it out."

"We're fast heading for marine desert status, killing everything in sight. On a scale of one to ten, we've already reached something like 8.5."

Added Mr Cameron, "We're also acutely disappointed that our two local MPs in Edinburgh and London, who came to our meeting with Scottish Office officials here in Shieldaig and heard our arguments, and appear to have done nothing on our behalf."

The creelmen's body, the Highlands and Islands Fishermen's Association, plan to hold a meeting soon to discuss strategy. Said secretary John MacDonald, "What's taking place is the grusomest waste imaginable and the Scottish office seems happy for that to continue. We know nothing about this new forum that's being proposed."

Thr



● All the school children took drama pe

Kyle m fre

Kyle McCormick with an

FXF/11/16/7

NB Lib dems are
not named
and it is hinted that the
6 other MSPs were there
(1 certainly wasn't)

Ross-shire Journal

and General Advertiser for the Northern Counties

FRIDAY, 30 JULY, 1999

Empty words

THE newly set-up Scottish Executive, formed, so many thought to take cognisance of the voices and views of the little people in our society whose aspirations and concerns seldom reached the seat of power in Westminster, has certainly won few friends among the small fishing communities of the West Coast.

Indeed, in their first decision dealing with a hoary old problem which has dogged creel fishers on the west for many years, they have been roundly condemned for what is seen as their uncaring and unconcerned attitude towards the problems being faced by locals who fear not only for their livelihood, but also for the future of the very fisheries they have strived to protect and develop.

Members of the Highlands and Islands Fishermen's Association, which represents traditional prawn, crab and lobster creel fishers, had sought an all year round ban on trawlers entering into their fragile inshore sea lochs between Gairloch and Loch Heurn. At present the trawlers are allowed access between April and October and this already has resulted in conflict with the creelmen claiming trawlers have deliberately dragged up their static gear, causing damage running into thousands of pounds.

They are also fearful that the uncompromising fishing methods used by the trawl fleet will devastate stocks, ruining forever what was once a thriving industry supporting many local families.

The creelmen met with their MSPs and MP, outlined their situation, and expected the support of their representatives. Now, however, it seems their arguments have been thrown back in their faces by deputy rural affairs minister John Home Robertson who appears to have taken the side of the big boys, the trawlers. It was the same Mr Home Robertson who recently declared the Government was prepared to listen to the views of the people of Scotland.

Fine words indeed, but try telling that to the hardy souls who venture out in small boats in all weathers trying to scrape a sustainable living off harvesting what is fast becoming an increasingly rare crop.

A great

Sir — I had the privilege of being present at Fearalinn Dornhuill Arts production of the "Green Lady of Balcorrie", in Evanton last week, and felt I had to add my tuppence-worth to the review in the "Ross-shire Journal" (23rd July, 1999).

To me this show came over as a real team effort with each group relying on the other and playing off each other to the obvious enjoyment of the audience.

I shall always remember the "Drunken Fiddlers" in their "Hey Jimmy" caps. What a tour de force from Sarah Barbour and Alpie Munro!

And what about the troupe of energetic gorgeous happy dancers? Were there any dance form which they did not ex Contemporary, High and those Step sequences, especially the "Wee Folk" in "Wain Di-Mairi" so Brilliant, girls! A were they? According to the programme!! Alicen Mackinnon Preston, Gail Preston and Mackay.

[REDACTED]

CONTROLS ON INSHORE FISHING IN SCOTTISH WATERS – SECOND ROUND
CONSULTATION EXERCISE – SUMMARY OF RESPONSES

New Proposals

- Makes no comments on any of the new proposals

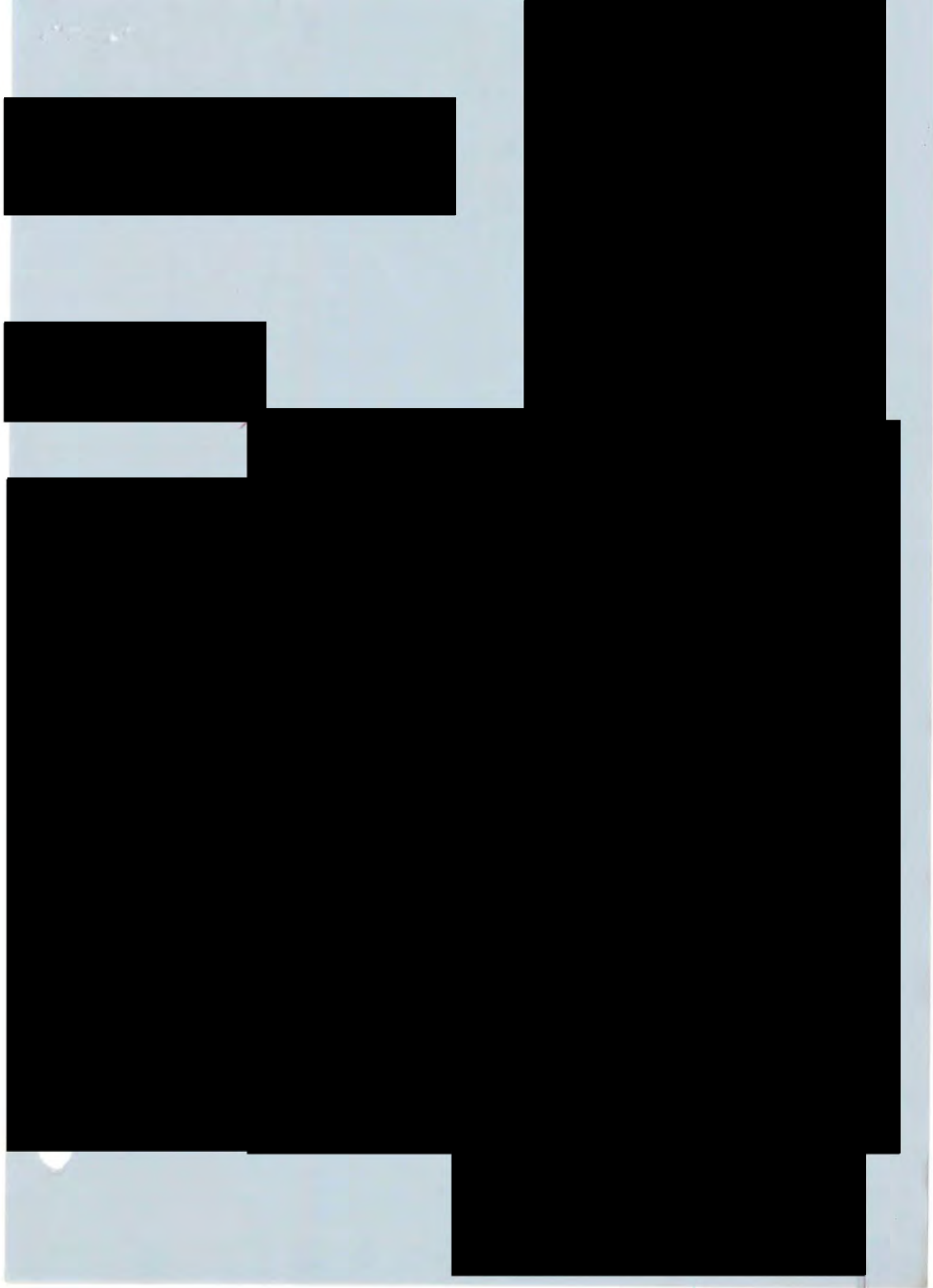
Action following 1st round

- Advocates extending the 6 month ban on the west coast sea lochs, making particular reference to Loch Hourne.

[REDACTED]

SERAD

8 September 1999



APPLECROSS COMMUNITY COUNCIL

CONTROLS ON INSHORE FISHING IN SCOTTISH WATERS – SECOND ROUND CONSULTATION EXERCISE – SUMMARY OF RESPONSES

New Proposals

- Make no comment on the new suggestions.

Action following 1st round

- Feel 6 month ban in west coast lochs is not sufficient, and that it needs to be extended. Feel that the current situation benefits the mobile gear sector. Express concern over the economic impact of the current situation.


SERAD

6 September 1999

[REDACTED], This is a new response.
The other 2, we have copies of already.

APPLECROSS COMMUNITY COUNCIL

Please summarise comments. Our
acknowledgement ^{for this one} should be no more than a
"Thank you for your comments" in view
of the fact that he is talking about the
West Coast Sea Lochs position

31st August, 1999

Inshore Fisheries Branch,
Scottish Executive Rural Affairs Department,
Pentland House,
47 Robb's Loan,
Edinburgh,
EH14 1TY.

7/9.

Dear Sir,

Review of Controls on Inshore Fishing in Scotland : Consultation on Additional Proposals

The matter which concerns this community particularly is gear conflict in west coast sea lochs. We are disappointed that it has been decided to retain the status quo - the 6 months' ban and presumably not to extend the area covered to include the whole of the Inner Sound down to Loch Hourn. We hope that it may be one of the first topics to be considered by a Scottish Inshore Fisheries Advisory group.

We feel that leaving the resolution of dispute through dialogue and co-operation between mobile and static gear interests is very much against the interests of the static gear operators, as it starts off as an unfair contest. If there is lack of co-operation - as appears to be the case - the larger and more powerful sector inevitably wins.

Our primary concern as a community is preservation of prawn fishing as an industry. We have seen other major classes of fishing, on which our rather fragile economy relies, destroyed as a result of trawling and it would be a monumental tragedy if the prawn fishing were allowed to go the same way. Trawling is, despite what may be argued by interested parties, a destructive process which should at least be tightly controlled. A six months' ban does not, in our opinion, provide a reasonably tight control.

Yours faithfully,

[REDACTED]



SCOTTISH EXECUTIVE

Rural Affairs Department
Fisheries Group

Pentland House
47 Robb's Loan
Edinburgh EH14 1TY



Date: 21 July 1999

Dear Sir/Madam

1. **REVIEW OF CONTROLS ON INSHORE FISHING IN SCOTLAND : CONSULTATION ON ADDITIONAL PROPOSALS**
2. **SCOTTISH INSHORE FISHERIES ADVISORY GROUP**

The current review of the prohibitions under the Inshore Fishing (Scotland) Act 1984 began last year. The Department issued a consultation paper in October offering a number of options for changes to the existing regime of inshore fishing controls in Scottish waters and inviting further proposals from consultees. There were a large number of responses to the consultation exercise and a number of additional proposals were made by respondents. Having considered all representations, the Department has decided to issue a short second consultation paper with additional new proposals. The attached Annex sets out the proposals on which we now seek further comments.

Strategic Context and the Scottish Inshore Fisheries Advisory Group

Recently, the Government has been discussing with the industry the establishment of a Scottish Inshore Fisheries Advisory Group as a means of providing a forum for new ideas. Such a Group may in future provide the source of new thinking on the application of the 1984 Act, as well as on inshore fisheries management in general. The Government is determined to fully involve the industry and local communities in its drive to deliver sustainable and locally managed fisheries.

A number of more strategic issues are of course already out to consultation in the context of the paper on the management of the under 10 metre fishing fleet issued at the end of March this year. For example that consultation paper presented the option of a ban on weekend fishing for the under 10 metre fleet, an issue on which we have received representations in the context of the responses to the first round of consultation on the Inshore Act controls. There is also a clear connection with a number of the issues being considered by the scallop sub group of the Fisheries Conservation Group.

LUK00105.DOC (1999)

Action on first round of proposals

The following decisions have been made on proposals that were the subject of proposals in the first consultation paper, following the comments of the industry and others.

- (i) Scapa Flow. Strong industry support for lifting the prohibitions was expressed. It was therefore decided to remove the prohibitions under the Act before they began to take effect on 1 April 1999, and this was put into effect by the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Amendment Order 1999 which came into force on 1 April 1999.
- (ii) Mons Craig to Doolie Ness. It was proposed to reinstate the 2 mile prohibition on mobile gear. There was support for this approach. It is our intention to implement this change in the next general revision of the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order.
- (iii) Dredging controls and Regulating Orders. The proposal was to ban suction dredging throughout Scottish inshore waters, in line with the prohibition on tractor dredging for cockles, and to allow exemptions to suction and tractor dredging bans where appropriate controls were in place under a Regulating Order. Following representations it has been decided not to implement a complete ban on suction dredging at present. Instead it has been decided to leave the prohibitions as they stand, and consider derogations as and when any appropriate Regulating Orders are applied for. It has also been decided to retain water jets within the definition of suction dredging but to keep this matter under review.
- (iv) On the Firth of Clyde, the continuation of the current weekend ban was widely supported and it has been decided not to change the current regime. Suggestions to use horse power limits to curtail fishing rather than length will be considered further. On gear conflict issues, the Department supports suggestions that mobile and static gear interests should try to develop a voluntary code of practice in line with the precedent on Loch Torridon.
- (v) On the issue of gear conflict in West Coast sea lochs, it has been decided to retain the status quo, the 6 month ban. The Department continues to believe that such conflicts are best resolved through dialogue and cooperation between all parties concerned. However it is an issue that on a strategic basis may be one of the first topics to be considered by any Scottish Inshore Fisheries Advisory Group that is set up. The Department is also currently working with Highlands and Islands Enterprise on research into the exploitation of nephrops and their contribution to the Highlands and Islands economy.

Responses

Your comments on the proposals outlined in the attached consultation paper are invited by 31 August 1999. Responses should be submitted to [REDACTED], Inshore Fisheries Branch, Scottish Executive Rural Affairs Department, Pentland House, 47 Robb's Loan, Edinburgh EH14 1TY.

Confidentiality

Further copies of the consultation paper are available on request from SERAD. Copies of the responses to this consultation will be placed in the Scottish Executive Library in St Andrew's House for public inspection. Therefore anyone who does not wish their response to be made public should mark it in confidence.

Yours faithfully

[Redacted signature]

[Redacted name]
Inshore Fisheries Branch

LUK00105.DOC (1999)

**REVIEW OF THE CONTROLS ON INSHORE FISHING IN SCOTLAND 1998-1999
NEW PROPOSALS FOLLOWING 1998 CONSULTATION PAPER**

**NEW PROPOSAL: SEASONAL CLOSURE TO SCALLOP DREDGING SOUTH OF
SHIANTS**

It is proposed that the area from the Shiant Isles to Eilean Glas to Rubha na [REDACTED] be closed to scallop dredging from 1 January to 30 April each year. [REDACTED] received representations that there is a need for action to find a balanced solution between the scallop and brown crab fisheries in this area. The timing of the prohibition would match traditional creeling and dredging patterns. Views on the possible spatial limits of such a prohibition would be welcomed.

**NEW PROPOSAL: BAN ON SCALLOP DREDGING IN BARRA, NOVEMBER TO
APRIL**

Existing seasonal prohibitions on scallop dredging in the Western Isles have worked well in reducing gear conflict and in managing the scallop fishery to balance fishing effort with market requirements. Brown crab fishermen and scallop dredgers are now both operating in an area south of Currachan during restricted daylight hours in winter. The proposed prohibition on dredges would coincide with intense potting activity during winter months to the east of Barra and would allow scallop dredgers in when potting activity shifted to the west during summer. Views on the possible spatial limits of such a prohibition would be welcomed.

NEW PROPOSAL: BAN ON LONGLINING IN LOCH ETIVE

The Department has received representations from local fishing and tourism interests to ban longlining in Loch Etive. This is an infrequent occurrence but its effects on angling interests and the local tourist economy are said to be substantial.