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Company	[Redacted]	
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30 May/0645/95

### REVIEW OF INSHORE FISHING REGIME

The views of fishermen on improvements to the inshore fishing regime, both on measures to conserve fish stocks and on whether any of the current restrictions can be lifted, have been invited today by Sir Hector Monro MP, Scottish Fisheries Minister in a consultation paper.

Sir Hector stressed that controls are only introduced where necessary, and that many types of fishing in inshore waters will remain unaffected by the proposed changes.

Sir Hector said :

"There has been an inshore fishing regime in place in Scottish waters since 1985. It was established to streamline and update the management measures which had been built up over many years. The regime has been working well in recent years, but I want to give fishermen the opportunity of letting me know whether there are any changes they want introduced.

"We have reviewed the management controls at three yearly intervals since the first regime was introduced, and a number of minor changes have now been proposed. Fishermen can be reassured that we prefer voluntary agreements to control competing fishing methods, and that we will only introduce controls where necessary. Many types of fishing will be unaffected by these proposals. I now want to hear views on these proposals from fishermen and other interested parties. I would also welcome any further suggestions on how the regime can be improved, including whether any of the current restrictions could be revoked. These will be given careful consideration".

Fishing undertaken in Scottish inshore waters (within six miles of the coastline) includes a wide range of methods for a variety of species. There are important shellfish fisheries for scallops, crabs, lobsters, and nephrops ('scampi'), as well as fishing for white fish, such as cod, haddock, and whiting. These fisheries are the exclusive preserve of British registered fishing vessels, and no other countries have any rights to fish within UK inshore waters.

The new proposals are:

- continued use of the ban on mobile gear on the Firth of Clyde at weekends
- a closed season in Scapa Flow for all creel fishing between July 1 and September 30 (this is consolidating a voluntary local ban already in place);
- the continuation of the current level of prohibitions on the use of mobile gear in sea lochs; and
- a weekend ban on fishing for scallops in all Scottish inshore waters
- full year prohibition on the use of suction dredging equipment in Loch Caolisport

Responses to the consultation are requested by September 30, 1995. If, following the consultation, changes to the current regime are judged to be required, a new Order under the Inshore Fishing (Scotland) Act 1984 would be introduced, coming into force early in 1996.

These proposals are independent of the new arrangements for cockle dredging announced on May 25, 1995. However, it is expected that these new cockle controls would be incorporated into the inshore regime for the next review in 1998.

#### NOTES TO NEWS EDITORS

The Inshore Fishing (Scotland) Act 1984 was brought into effect in July 1985. It gave the Secretary of State for Scotland general powers to prohibit sea fishing in specified areas, and repealed old legislation. A new Order - the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1985 - was brought into force at the same time, the intention of which was to introduce a modern, streamlined inshore fishing regime.

The main objectives of the 1985 Order were to aid conservation by, for example, preventing the use of certain types of fishing gear in some specified areas, and to prevent conflicts between different groups of fishermen. In general, however, the Government prefers to allow different groups of fishermen, wherever possible, to reach voluntary agreements to control fishing, and to introduce statutory prohibitions only as a last resort.

Comments are sought from interested organisations and members of the public. Responses to the consultation paper should be addressed to Miss Elinor Hendry, Division J, Scottish Office Agriculture and Fisheries Department, Room 502, Chesser House West, 500 Gorgie Road, Edinburgh, EH14 5EY. Further public copies of the paper are available from Mrs Joyce Burnett at the same address.

Media copies of the consultation paper are available by phoning the number at the end of this release.



May 30, 1995



[To all addresses on attached list]

24 May 1995

Dear Sir/Madam

## REVIEW OF CONTROLS ON INSHORE FISHING IN SCOTLAND

### Introduction

The Inshore Fishing (Scotland) Act 1984 was brought into effect in July 1985. The Act gave the Secretary of State for Scotland general powers to prohibit sea fishing in specified areas, and repealed the large mass of outdated legislation which was then in force. A new Order - the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Scotland) Order 1985 SI 962(S85) - was brought into force at the same time, the intention of which was to introduce a modern, streamlined inshore fishing regime.

A commitment was given, at the time of the Act, to review the inshore fishing controls regularly, to ensure they were still needed and relevant. Since the passage of the 1984 Act, there have been 3 general orders and a number of specific orders which seek to meet the conservation needs of Scottish Fisheries. The Department now proposes to review the controls and introduce a further Order under the Act.

### Background

The main objectives of the 1985 Order were to aid conservation by, for example, preventing the use of certain types of fishing gear in some specified areas; and to prevent conflicts between different groups of fishermen. In general, however, the Government prefers to allow different groups of fishermen, wherever possible, to reach voluntary agreements to control fishing, and to introduce statutory prohibitions only as a last resort.

The inshore fishing regime appears generally to be working well, although a number of problems have arisen. The most significant of these relate to the management of cockles. The Department recently issued a separate consultation paper to ensure that effective management arrangements could be introduced quickly. The resulting controls are expected to be introduced during June 1995.

The present consultation paper addresses the remaining aspects of inshore fishing controls and is being circulated widely. Comments on the proposals are invited by 30 September. The Department also seeks any other local or national proposals for improving the present

management regime in inshore waters. The current schedule of general prohibitions and restrictions is attached at Annex A.

For the first time, the proposed new controls are listed by species, rather than area. This reflects the conservation requirements for certain stocks. Unless stated to the contrary, the Department proposes that all current controls remain in place. However, in the interest of deregulation, recipients are invited to comment on whether any of the current prohibitions could be relaxed, rescinded or otherwise simplified.


### **Summary of the Department's Proposals**

1. **Introduction of a weekend ban on fishing for scallops in inshore waters.**
2. **Continuation of the weekend ban on the use of mobile gear in the Firth of Clyde.**
3. **A closed season in Scapa Flow for all creel fishing between 1 July and 30 September.**
4. **Continuation of existing prohibitions on the use of mobile gear.**
5. **A full year prohibition on the use of suction dredging equipment in Loch Caolisport.**

### **Consultation Period**

The Department would welcome responses from fishermen and others with an interest in inshore fishing around Scotland's coastline on the above proposals. In line with usual practice, copies of responses will be made available for public inspection in the Library of St. Andrews House. Any respondent who does not wish their reply to be publicly available should mark the response "In Confidence".

**Responses should be sent to the Department by 30 September 1995 addressed to:**

  
Division J  
Scottish Office Agriculture and Fisheries Department  
Room 502  
Pentland House  
47 Robb's Loan  
Edinburgh  
EH14 1TW

## **CLOSED SEASON FOR VELVET CRABS IN ORKNEY WATERS/BAN ON LOBSTER FISHING IN SCAPA FLOW**

### **Background**

There is presently a voluntary ban in place on fishing for velvet crabs in Orkney waters between June and September/October which is observed by most of the local merchants and fishermen in the Orkney Fishermen's Association. This was introduced by locals because of the high mortality rate of crabs while in transit from Orkney to the Continent during the heat of the summer. A closed summer season also protects recently moulted crabs and berried females.

There is also currently a ban on fishing for lobsters between 1 April and 30 September in Scapa Flow. This was introduced to preserve the stock for a sheltered fishery in winter, assist an artificial re-stocking scheme and limit the activity of lobster fishermen.

Unfortunately the voluntary ban for velvet crabs is not universally observed, and the Department has received representations from the industry requesting that the closed season be put on a statutory footing. There has also been some interest in introducing a closed season in the West of Scotland.

There are significant enforcement difficulties concerning the ban on fishing for lobsters in Scapa Flow; and there are likely to be further enforcement problems if a statutory closed season is introduced for velvet crabs only.

The Department would also welcome views on whether there is interest in or support for the introduction of a closed season for creel fishing for crustacea in other waters around Scotland.

### **Proposal**

**A closed season in Scapa Flow for all creel fishing between 1 July and 30 September.**

## **BAN ON USE OF MOBILE GEAR IN SEA LOCHS**

### **Background**

There are currently prohibitions on the use of mobile gear in sea lochs ranging from 6 months to 12 months duration. Scientific advice shows that creels do not catch undersized nephrops nor do they take a fish by-catch. 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%.

## **SCALLOPS**

### **Background**

There is some concern over the state of scallop stocks, in particular the sustainable rate of exploiting the Fisheries in the East and North East, which are becoming increasingly dependent on recruits. The state of the main scallop stocks was assessed at the end of 1994. Stocks examined in detail were:

- a) West of Kintyre
- b) North West
- c) Shetland
- d) North East
- e) East

For the West and Shetland grounds, the main conclusions were that overall fishing mortality was very low and there were indications of recent improvements in recruitment and stock biomass. There had been a reduction in effort on the West Coast as more effort diverted to the North Sea grounds. The situation in the North East fishery was broadly similar to the West Coast: overall estimates of fishing mortality were low and there were signs of recent increases in recruitment and stock biomass. In some parts of the North East area there was evidence that the fishery was becoming increasingly dependent on recruits; this was also the case in the expanding East Coast fishery.

Scientific advice is that there should be no increase in effort in any of the scallop fisheries. At the recent SFIA scallop workshop, it was proposed that a working group be set up to report on effort management for scallop fisheries. The review will take account of the conclusions of this group. The workshop also proposed a weekend ban, which was generally well received.

### **Proposal**

**A weekend ban on fishing for scallops in all inshore waters. This will apply to all forms of scallop collection.**

### **WEEKEND BAN ON THE USE OF MOBILE GEAR IN THE FIRTH OF CLYDE**

The current prohibition runs from midnight on Friday until midnight on Sunday throughout the year. This ban was introduced to assist sea anglers by reducing gear conflict. This ban is being reviewed, as the Department has received representations from the industry requesting a more flexible regime, for example any 2-day per week tie-up or 8 days in a month tie-up. The Department considers that no change is required to the current regime, as the week-end ban is generally well accepted by fishermen and the system is easily enforceable.

### **Proposal**

**The weekend ban on the use of mobile gear in the Firth of Clyde should continue.**

In some West Coast sea lochs, there have been violent gear conflict situations. However, the Department expects that local fishermen should manage these issues locally, and therefore does not propose any changes to the existing prohibitions.

**Proposal**

**The Department proposes that the existing prohibitions on the use of mobile gear remain.**

**SUCTION DREDGING IN LOCH CAOLISPORT**

The Department has received several representations which request reduction of destructive fishing activity in Loch Caolisport. This area is of considerable natural and scientific interest, and has been listed as an SSSI.

**Proposal**

**The Department proposes a full year prohibition on the use of suction dredging equipment in Loch Caolisport.**

**SOAFD**

**24 May 1995**