

T: +44 (0)131 244 6741
E: diane.buchanan@gov.scot

Mr Calum Duncan
Scottish Environment LINK's Marine Group

Via email: esther@scotlink.org

Our ref: 2019/0004713

12th March 2019

Dear Mr Duncan,

Thank you for your email of 11th February 2019 attaching correspondence from Calum Duncan, Scottish Environment LINK's Marine Group addressed to the Cabinet Secretary for the Rural Economy. As the matters raised within your correspondence fall within the remit of my branch, I am replying on behalf of the Cabinet Secretary.

I am pleased to note that non-governmental organisations such as Environment LINK were in attendance at the Inshore Fisheries Conference held in Inverness in October last year. I hope that you have had time to start to review the Future of Fisheries Management in Scotland National Discussion paper which was published on Monday 5th March.

Future of Fisheries Management in Scotland National Discussion

You will not be surprised by the Cabinet Secretary for the Rural Economy's assurances in the paper that we will continue to manage our natural resources in a sustainable and responsible manner.

I would draw your attention to specific parts of the paper. Specifically, chapter one which sets out our vision for environmentally conscious and sustainable fishing, an area of the National Discussion where we would particularly welcome non-governmental organisations' contributions.

Chapter 2 sets out our commitment to engagement and maintaining good governance which I am pleased you acknowledge is observed by Marine Scotland, which we intend continuing.

Chapter 6 which covers inshore policy speaks specifically to the issue of competing marine priorities and highlights how vessel tracking and monitoring can support intelligence led management measures.

We would be grateful to see your detailed input to the National Discussion and I would ask you to encourage others to also contribute. We would, as previously indicated, be pleased to meet with you to discuss.

Methods of contribution include via Citizen Space:

<http://consult.gov.scot/marine-scotland/scottish-sea-fisheries-national-discussion-paper/>.

Alternatively written responses can be submitted by 7 June 2019 to: **Scottish Government, Sea Fisheries Division, Future Fisheries Management Discussion Paper, Victoria Quay, Edinburgh EH6 6QQ.**

By contacting a member of Marine Scotland including directly to the Future Fisheries Management team at **ffm@gov.scot**.

Reports Relating to Marine Protected Areas

The Parliamentary Question of how many reports of illegal scallop dredging having been recorded by Marine Scotland in the last year was lodged by Claudia Beamish on 20th November 2018, and answered by Ms Cunningham on 3rd December 2018. This confirmed that there had been 11 reports of activity by scallop dredging vessels in Marine Protected Areas, or other areas where fishing is restricted. However, Ms Cunningham also confirmed that it was not possible to say, of those 11 reports, how many constituted an offence nor indeed how many reports related to the same instance.

The Parliamentary Question of how many reports of illegal scallop dredging having been recorded by Marine Scotland in the last year was lodged by Claudia Beamish on 20th November 2018, and answered by Ms Cunningham on 3rd December 2018. This confirmed that there had been 11 reports of activity by scallop dredging vessels in Marine Protected Areas, or other areas where fishing is restricted. Ms Cunningham also confirmed that it was not possible to say, of those 11 reports, how many constituted an offence nor indeed how many related to the same instance.

It is important that everyone who uses Scotland's substantial marine resources and derives benefit from them, does so responsibly. Also, it goes without saying that the Scottish Government takes the enforcement of sustainable fisheries management and protection of the marine environment extremely seriously. That said, we do recognise the enforcement challenges that exist in covering a significant area of sea magnified by the large number of fishing vessels operating around our coast, both Scottish vessels and vessels and non-Scottish vessels.

As you are no doubt aware, Marine Scotland are duly investigating the alleged illegal dredging activity in the Loch Gairloch area.

Marine Scotland Compliance

Marine Scotland has considerable resources at its disposal in enforcing responsible use of our marine environment. The network of 18 Marine Scotland coastal offices includes teams of experts with considerable years' experience with a wealth of knowledge and intelligence around users of their coastal areas. This network is supported by the vessel monitoring systems which are already in place on all vessels over 12m. There is also heavy infrastructure support, including 3 marine protection vessels – MPV Jura, MPV Hirta and

MPV Minna. In addition to this offshore fleet we also regularly operate rigid inflatable boat patrols, which are chartered from different parts of the coast to maximise coverage of inshore waters. We also have 2 surveillance aircraft and in the past have make use of alternative technologies such as drones.

Modernisation of Inshore Fleet Programme

However, notwithstanding all of that, we are committed to modernising our commercial inshore fishing fleet towards achieving a greater congruence with sustainable fishing. The Cabinet Secretary recently gained widespread support from the mobile scallop sector in Scotland for enhanced vessel tracking and monitoring to be deployed throughout the Scottish scallop dredge fleet in 2019.

This work is in train with the design of a procurement programme and public consultation process underway. Scotland is leading the way with this initiative, which we believe will add an additional layer of support and strength to our current legislative framework in achieving Marine Protected Area's conservation objectives.

The whole Modernisation Programme is due to be delivered over the next two years and we are confident we will achieve this ambition. Scotland's commercial mobile fishing sector will take priority in this programme of work starting with our scallop dredgers followed by the static commercial fleet. The procurement and deployment of the technology will be cognisant of the principles of proportionality and appropriateness in its design.

Moray Firth Trial

Marine Scotland worked closely with our statutory advisors, Scottish Natural Heritage and the trial partner, Aberdeen University in designing the trial in compliance with the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended. An appropriate assessment in accordance with Regulation 48 of the Habitats Regulations has been undertaken.

Progress of the trial is reported to the North and East Coast Regional Inshore Fisheries Group which is regularly attended by Marine Scotland and Scottish Natural Heritage. The group heard at its last meeting on 18th January that the trial had not yet commenced due to a range of matters arising with the applicant. Since then we have heard that the applicant will not be fishing this winter.

Please get in touch with Vanessa Brown in my team if you would like to arrange a meeting to discuss any of the matters raised in your correspondence.

Yours sincerely,

Diane Buchanan
Marine Scotland