

# Consultation on new controls in the Scottish King Scallop Fishery 2014



## RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response to ensure that we handle your response appropriately

### 1. Name/Organisation

#### Organisation Name

Scottish Environment LINK Marine Task Force

Title Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate

#### Surname

Brydson

#### Forename

Kara

### 2. Postal Address

c/o RSPB Scotland Headquarters

2 Lochside View

Edinburgh Park

Edinburgh

**Postcode**  
EH12 9DH

**Phone**  
07739 600702

**Email**  
kara.brydson@rspb.org.uk

### 3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes  No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

**(b)** Where confidentiality is not requested, we will make your responses available to the public on the following basis

**Please tick ONE of the following boxes**

Are you content for your **response** to be made available?

**Please tick as appropriate**  
 Yes  No

Yes, make my response, name and address all available

**or**

Yes, make my response available, but not my name and address

**or**

Yes, make my response and name available, but not my address

**(d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

**Please tick as appropriate**

Yes

No

## Consultation on New Controls in the Scottish King Scallop Fishery 2014

Scottish Environment LINK is the forum for Scotland's voluntary environment organisations, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. LINK's Marine Taskforce collectively represents over 480,000 memberships and comprises of eight organisations: Hebridean Whale & Dolphin Trust, Marine Conservation Society; National Trust for Scotland; RSPB Scotland; Scottish Ornithologists' Club; Scottish Wildlife Trust; Whale & Dolphin Conservation; and WWF Scotland.

### Summary

Scottish Environment LINK's Marine Taskforce welcomes the opportunity to respond to this consultation on new controls in the king scallop fishery. **While we support the proposed restrictions, we are highly disappointed in the limited scope of the consultation.** Despite recommendations from the 2013 independent review of the Scottish scallop fishery<sup>1</sup> that Marine Scotland should identify spatial reserves to protect locally important scallop beds from over exploitation and support recruitment, and to safeguard biogenic reef habitats and other priority features as if they were in Marine Protected Areas, the Scottish Government has again delayed the consideration of urgently needed spatial management measures.

We note from the consultation document that "*other recommendations*" arising from the 2013 review "*will be dealt with separately*" and that the creation of spatial reserves will be developed through IFGs. **We ask that the Scottish Government creates a timeline for implementing spatial measures for scallop fisheries, including supporting the IFGs through the process of creating statutory closed areas.**

It is with increasing frustration that, yet again, Scottish Environment LINK must request that the Scottish Government proposes adequate measures to safeguard scallop stocks and secure fishing opportunities for those in the fleet fishing sustainably. In 2006, the then Scottish Executive's 'Sustainable Framework for Scottish Sea Fisheries promised work to "*reduce or mitigate any impact of scallop dredging on known sensitive marine areas in Scottish waters*"<sup>2</sup>.

The 2012 Scottish Government consultation on Proposed New Statutory Scallop Fishing management measures highlighted that there are regions in Scotland where fishing effort should be restricted. It is a discredit to the Scottish Government that the 2012 consultation resulted in no changes to legislation, and we challenge the reason given in the 2014 consultation paper that this was due to "*respondents highlighting a lack of evidence to support the proposals.*" We believe that the evidence was indeed there, and most certainly exists now from Vessel Monitoring System<sup>3</sup> (>15m) and ScotMap<sup>4</sup> (<15m) data.

---

<sup>1</sup> A Review of the Scottish Scallop Fishery, Poseidon, Dec 2013  
<http://www.scotland.gov.uk/Resource/0045/00450683.pdf>

<sup>2</sup> <http://www.scotland.gov.uk/Resource/Doc/55971/0015242.pdf>

<sup>3</sup> Inshore MPA/SAC fisheries management options maps:  
<http://www.scotland.gov.uk/Publications/2014/11/6197/downloads>

<sup>4</sup> <http://www.scotland.gov.uk/Publications/2014/12/4821/0>

This new consultation again fails to explore spatial measures which are urgently required to address the wider environmental impacts of scalloping. Furthermore, we believe that restrictions in scallop dredging would bring considerable economic benefits. In addition to those associated with averting the direct detrimental impact of the dredging (increased availability of high quality scallops for diving, decreased damage to and loss of fixed creels and increased spat production) there are a number of non-use benefits such as decreased damage to the benthic ecosystem and its associated species, improved ecosystem services and benefits to recreational activities (diving, angling and wildlife viewing). We believe that if these economic costs and benefits were fully assessed there would be a clear case for further restrictions in scallop dredging within the 3nm zone. We welcome and support management of activity in MPAs but, of course, measures can only be applied which protect the designated feature of the site. The 'third pillar' approach to protect wider seas – a key tenet of the Marine (Scotland) Act 2010 and accompanying Marine Nature Conservation Strategy – is entirely lacking. Without an urgent strategy for spatial measures, the Scottish Government's very welcome proposals for management restrictions may fail in their aim to underpin good management, promote the sustainability of the sector and ensure Scotland meets its obligations under the Marine Strategy Framework Directive.

## **Consultation Questions**

### **4.1 Do you support increasing the MLS of scallops?**

Yes. As we said in our response to the 2012 consultation, we support an immediate increase in minimum landing size to 110mm. We do not believe that a phased approach is necessary given that such measures have been discussed by industry and scientists for a number of years.

However, in order for this management measure to benefit both stocks and businesses, it must be part of a wider strategic approach to scallop management which includes capacity reduction, and spatial and temporal measures to mitigate overfishing and impacts on important scallop beds and sensitive seabed habitats.

### **4.2 On what basis should the MLS be increased?**

#### **(a) 105 around the Scottish coast**

As stated in our response to Q4.1, we support an immediate increase in minimum landing size to 110mm. If the Scottish Government does not implement this increase as a matter of urgency, we request that Marine Scotland Science publish an analysis of what impact to the scallop stocks will arise from a) delays to an increase to MLS, and b) increasing to 105mm rather than 110mm.

#### **(b) Should be increased in line with IFG requests**

We applaud the IFGs which have proposed an increase to 110mm, and support them in working towards implementation. However, we must not have a

situation where forward-thinking IFGs take action and other IFGs are allowed to lag behind. How will Marine Scotland ensure that ALL 9 IFGs contribute to a sustainable scallop fishery, and that a level playing field is maintained?

**5.1 Do you support restricting the upsizing of vessels currently involved in the scallop fishery?**

Yes.

**6.1 Do you support the introduction of a single bar length restriction within 12 nautical miles capable of carrying 8 dredges per side?**

Yes. It is to Scotland's discredit that we have the least restrictive arrangements within its waters, and are lagging behind all other administrations in tightening restrictions to protect against the intensified efforts of larger, more powerful vessels.

We request more detail on the environmental rationale for opting for 8 dredges per side, and an assessment of the benefits to the stock and the wider environment of selecting a lower limit, as in Wales and Northern Ireland.

However, we stress again that this measure will be of limited environmental benefit if not coupled with a wider strategic approach to scallop fisheries management which includes spatial and temporal measures, and an increase in MLS.

We believe that a thorough economic analysis should be carried out to assess the benefits of prohibition of scallop dredging within large parts of our coastal waters.

**6.2 Do you support the lifting of dredge number restrictions outside 12 nautical miles?**

No. We urge the Scottish Governments to make representations to raise UK standards to our own for these offshore waters, therefore aiming to deliver high environmental standards rather than encouraging a 'race to the bottom' in terms of regulation. This type of collaboration is essential for the necessary regional approach to achieving Good Environmental Status for UK seas in compliance with the EU Marine Strategy Framework Directive.

**7.1 Do you think that the length of time that scallop vessels spend at sea should be restricted?**

## **7.2 Should any restriction be introduced on the basis of:**

### **(a) An overnight restriction?**

### **7.3 A day at sea regime?**

Yes, this is especially vital as the consultation document acknowledges the overall increase in effort in Scottish waters, the difficulties in enforcing dredge restrictions, and the displacement into Scottish waters from areas that already have effort limits.

We support restrictions introduced on the basis of an overnight curfew but we also support consideration of further restrictions on the basis of a days at sea regime in order to cap effort.

However, any temporal restrictions, in whatever way they are introduced, must be coupled with spatial measures and an increase in MLS as part of a strategic plan for Scotland's scallop fisheries.