



Securing a sustainable inshore fishing sector

The future profitability of the inshore fishing sector must be underpinned by the improved health of Scotland's seas and the recovery of more diverse fisheries. Some inshore fishing activities are currently having unsustainable impacts on our marine environment, namely non-target by-catch, seabed habitat damage and overfishing, even within some European Marine Sites. Measures taken by fishermen to reduce these impacts are welcomed and the inshore fleet must continue to address these impacts head on, so that Scotland's seafood can be marketed with pride all over the world.

The development of a Marine Protected Area (MPA) network will contribute to the long-term prosperity of Scotland's coastal communities. Innovative approaches to regulation developed via broad stakeholder engagement should be encouraged to deliver sustainable, targeted, regional and adaptive fishing regimes. Better resourcing for both enforcement of fisheries regulations and the governance structures necessary for regional-level planning of fisheries (and interacting sectors) is essential.

CONTEXT

Scotland's inshore fishing fleet are long-term custodians of Scotland's precious marine environment, catching and landing fish and shellfish which spawn, grow and feed in complex, and still poorly understood marine ecosystems. Over several decades, overfishing, by-catch of non-target species including seabirds, sharks and cetaceans and seabed habitat damage have had serious implications for these fragile ecosystems upon which Scotland's fisheries depend. Scotland's fisheries have become less diverse **in recent decades**: whitefish stocks have declined and now smaller boats, which primarily target shellfish (**mostly *Nephrops*, scallops, lobster and crab**) account for 1,431 of the 2,026 vessels now active in Scottish waters¹. Of these small boats 1,257 are creelers, fishing with static gear for lobster, crab and *Nephrops*.

Like all other marine industries, Scotland's fishing industry must help the Scottish Government meet its many responsibilities to recover marine ecosystems which are in decline, as so starkly illustrated by Scotland's Marine Atlas. This new regulatory and policy landscape includes:

- The **Marine Strategy Framework Directive** (MSFD) requires that EU member states achieve Good Environmental Status (GES) in regional seas by 2020 - for fisheries, populations of all commercially exploited fish and shellfish must be within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock and sea-floor integrity requires that benthic ecosystems, in particular, are not adversely affected;
- The development of Scotland's first **National Marine Plan** will require the integration of fisheries into its emerging regulatory framework for marine spatial planning covering all uses of the sea;
- OSPAR, MSFD and the Marine (Scotland) Act require the development of an ecologically coherent network of well-managed **Marine Protected Areas** in Scottish waters by 2016;
- Six recently re-constituted **Inshore Fisheries Groups** have been set up around Scotland's coast to provide more effective inshore fisheries management via improved stakeholder engagement.

LINK members want to see sustainable, profitable inshore fisheries which work within management regimes that seek to protect marine wildlife and ecosystems.

1. MARINE PROTECTED AREAS

There is significant potential for marine protected areas to co-deliver fisheries management objectives. The Scottish Government will soon publish its analysis of responses to the recent consultation on a network of nature conservation MPAs. LINK members support the designation of at least the best 29 MPAs, with an announcement on all proposed MPAs due before summer recess. In the pressing context of marine biodiversity decline, it is crucial that the management measures for new and existing MPAs are developed to protect the features for which they are designated *and also* deliver

¹ <http://www.scotland.gov.uk/Topics/Statistics/Browse/Agriculture-Fisheries/provisionalfishstats/2013provscotseafishstats>

broader ecological enhancement. **Protection of these species and habitats and the wider improvement of the health of the Scottish inshore area is essential to underpin a more resilient inshore sector.** Existing and future fisheries management areas should only be considered part of the network if they are subject to the same impact assessment, adaptive management, monitoring and Parliamentary scrutiny required of statutorily designated marine protected areas in the network. The emerging Scottish Marine Protected Area network (which requires good management of existing marine Special Areas of Conservation, forthcoming nature conservation MPAs, and other designations) **offers scope for innovative partnerships between the science community and various sectors of the inshore fishing industry; for example, to monitor ecosystem health indicator species or designated species within protected sites.**

2. CONTINUED IMPROVEMENT OF THE FRAMEWORK FOR FISHERIES MANAGEMENT

A suite of high-level management proposals derived from the Management Plans of Scotland's six Inshore Fisheries Groups have recently been subject to Strategic Environmental Assessment (SEA). LINK members remain concerned that the management plans focus largely on conserving the stock levels of target species. Few measures meet the high level environmental objective (of '*maintain and restoring the quality of inshore marine environment for fisheries and wildlife*') and therefore fail to address wider ecosystem concerns. LINK members recommend the introduction of better management and enforcement of spatial restrictions and effort limits on mobile gear, particularly bottom trawling, and a strategic approach to creel fishing, including a limit to creel numbers per boat and per area based on the carrying capacity of that area of Scotland's seas. (LINK's response to the recent consultation on the SEA of IFG Management Plans can be accessed [here](#)). Management of our existing protected areas, the European Marine Sites, currently does not comply with European Legislation as damaging trawling activities continue without restriction in many sites. The measures adopted recently in Lochs Duich Long and Alsh demonstrate that urgent action is required to ensure compliance and bring Scotland up to the standards recently attained in England. It is essential that these measures are seen as the benchmark for the management of the whole MPA network.

The mechanisms for developing this management are now emerging. Integration of fisheries into marine planning will be crucial in achieving Scotland's contribution to achieving GES², so it is imperative that Scotland's National Marine Plan integrates fisheries into a holistic approach to sustainable development in the marine environment. Alongside the aforementioned SEA of the IFG management proposals, **individual fisheries plans must be subject to Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) in keeping with other economic uses of the sea.**

Nested within that overarching approach to management, the Scottish Government has commissioned a review of the Scottish scallop fishery, currently a major activity of the inshore fleet. **The outputs from this review are urgently required to inform strategic, spatial and sustainable management of scallop dredging**, which is known to be one of the most damaging forms of fishing for seabed ecosystems.

Opportunities for regional-scale, sensitive management have already been well-demonstrated by the Shetland Shellfish Management Organisation and an emerging vision for the Clyde fishery as part of the Clyde 2020 project indicate that innovative, stakeholder-led and – crucially – adaptive approaches to fisheries management should be encouraged.

3. GOVERNANCE & RESOURCING

Equally, the governance of the planning and regulatory mechanisms required for delivering coordinated fisheries management must be well-resourced. The profile of the management of Scotland's fisheries is rising on the public agenda. To be effective and ensure engagement with all stakeholders, enhanced and secure funding streams for IFGs must be developed. Furthermore, the emergent Regional Marine Planning Partnerships - required by the Marine (Scotland) Act – to better plan the activities of the many marine sectors highlighted in Scotland's draft National Marine Plan and which may interact with the interests of the inshore fishing sector will require secure funding to ensure evidence-based, adaptive decision-making via stakeholder participation. This new, but important tier of governance will need significant investment if the Regional Marine Planning Partnerships are to succeed.

² Scottish Environment LINK's response to the consultation on a draft National Marine Plan
<http://www.scotlink.org/files/policy/ConsultationResponses/LINKrespNatMarPlanNov2013.pdf> See page 34



4. ENFORCEMENT

Whilst a general culture of compliance with emerging management is essential, **effective enforcement of new and existing regulations is urgently needed**. Few reported breaches of conservation regulations have led to successful prosecutions of those vessels whose actions undermine the reputation of the law-abiding majority. It is essential that any measures put in place to prohibit fishing in marine SACs or MPAs are not hamstrung by the enforcement problems we see in some closed fisheries areas around the UK. Fisheries prohibitions must be enforceable and Statutory Instruments must be drafted so that it is clear that the purpose is to protect conservation interests, otherwise prosecuting authorities may decide that prosecution is not in the public interest. Improved enforcement will also require extra resourcing.

KEY RECOMMENDATIONS:

1. A strategic approach to inshore fisheries management, including introduction of restrictions on mobile gear, that is known to damage protected habitats, and integration with marine planning.
2. A strategic approach to creel fishing including a limit to creel numbers per boat and per area based on the carrying capacity of that area of Scotland's seas.
3. All fishing in Scottish waters must comply with robust management measures for all MPAs.
4. Fishing impacts on Priority Marine Features, wherever they are found, mitigated.
5. Notwithstanding our support for the IFG process to date, LINK members strongly recommend that the environmental requirements of the IFG proposals are improved.
6. Proper funding of science, monitoring, enforcement and management governance is essential.

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. This briefing is supported by LINK's marine taskforce.



Scottish Environment 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; WWF Scotland.

For more information contact:

Esther Brooker

LINK Marine Policy & Advocacy Officer
07920287086 esther@scotlink.org

Nick Underdown

LINK Marine Policy & Engagement Officer
07726362727 nick@scotlink.org