

**The Rural Affairs, Islands and Natural Environment Committee’s call for views on [The Sea Fish \(Prohibition on Fishing\) \(Firth of Clyde\) Order 2022 \(SSI 2022/5\)](#).**

**Response by Scottish Environment LINK’s Marine Group  
February 2022**

Scottish Environment LINK’s Marine Group submitted a response to the Scottish Government’s consultation regarding the continuation of the closure for spawning cod in the Clyde (SSI 2022/5) in November 2021. The response can be found here:

[https://www.scotlink.org/wp-content/uploads/2021/11/2021-11-Firth-of-Clyde-Cod-spawning-closure-22\\_23-SELINK-response.pdf](https://www.scotlink.org/wp-content/uploads/2021/11/2021-11-Firth-of-Clyde-Cod-spawning-closure-22_23-SELINK-response.pdf)

The Marine Group welcomed the Scottish Government’s decision to maintain the seasonal closure and remove the exemptions for fishing activities to support the recovery of Firth of Clyde cod, in turn contributing to the recovery of west coast cod populations, but the opportunity must be taken to support or trial urgent spatial management solutions. The Fisheries policies in the National Marine Plan set a key ecosystem framework for protecting all life history stages of breeding fish, including “in particular for spawning and juvenile stocks” and the Future Fisheries Management strategy commits the Scottish Government to “considering additional protections for spawning and juvenile congregation areas”. Our members recognise that to deliver effective and successful fish stock recovery, all stages of the species’ lifecycle must be protected. For example, the recent Red Rocks and Longay Urgent marine protected area (MPA) for an important flapper skate egg-laying site, recognises its important contribution to the recovery of a critically endangered species, complimenting the existing Sound of Jura MPA designated to protect adult flapper skate.

Marine Group members consider the seasonal closure to be a vital fisheries management measure, which, if implemented effectively, could provide much needed protection for the Clyde cod and, in turn, west coast cod populations. For the closure to be successful, Marine Group members consider the following key points:

1. We support a precautionary approach to fishing gear restrictions on the basis that:
  - a. The primary objective of the closure is to ensure recovery of Clyde cod populations, in turn contributing toward recovery of wider west coast cod populations, ensuring fishing opportunities for future generations;
  - b. West coast cod populations are severely depleted and management efforts to date have failed to deliver stock recovery;
  - c. Spawning cod are highly territorial and susceptible to disturbance from all forms of bottom-contact fishing gear during these aggregations, recognising that there is a gradient from high impact, high risk mobile gear which can also modify the seabed and bycatch cod as well as disturb across a wide area, to lower-impact creels that may disturb spawning behaviour on a more localised basis<sup>1</sup>;

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<https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2022/01/cod-spawning-areas-research/documents/disturbance-of-cod-spawning-areas/disturbance-of-cod-spawning-areas/govscot%3Adocument/Disturbance%2Bof%2Bcod%2Bspawning%2Bareas.pdf?forceDownload=true>

- d. Both cod and cod spawning habitats (including circalittoral and offshore sand and coarse sediment communities) are identified as Priority Marine Features;
- e. The recovery of a fish stock cannot be achieved through the management of a single pressure in isolation (i.e. restricting only fishing activities that target adult fish) and an ecosystem-based approach that addresses multiple pressures at the same time is required.

Marine Group members consider the current critical status of west coast cod to merit stronger management measures in order to begin the process of stock recovery. West coast cod populations are already critically low<sup>2</sup> and to provide the best opportunity for stock recovery, the management tools already in place (such as the SSI) must be implemented.

2. To provide the greatest opportunity for the recovery of Clyde cod populations, thereby helping contribute toward wider west coast cod recovery, and ensure a just transition to sustainable nature and climate-friendly fishing, the SSI must be considered as one of a suite of measures that relieve pressure on cod.

Whilst targeted management measures are essential for stock recovery, it is equally important that a reliable and robust monitoring programme is also established to ensure measures are fit for purpose and being implemented effectively. The proposal to remove all fishing exemptions within the cod spawning closure for 2022 is the first time a prohibition on all fishing methods has been put in place for this seasonal closure and it is therefore critical that monitoring is effective. The data collected over the following years (depending on how many years these seasonal fisheries management measures are put in place) will provide valuable information on the impact the closure has on cod recovery and also the rate of recovery.

To assist with data collection on cod recovery, and also the impact different fishing methods have on Clyde cod populations, the roll out of Remote Electronic Monitoring with cameras must be prioritised. Empirical impact studies of Clyde cod populations, which inform a long-term monitoring plan, would further our collective understanding on the closure's impact and inform an adaptive management approach. This is particularly important as the recovery of Clyde cod populations may take several years. REM with cameras represents a robust and cost-effective way to deliver data as well as accountability in the fishery.

3. Marine Group members recognise that the implementation of the proposed measures will result in the displacement of fishing activity during the cod spawning season and that consideration must be given to how fishers affected by the closure can be supported as part of a just transition toward a sustainable nature and climate-friendly fleet. In the case of SSI 2022/5, where the removal of all fishing pressure from the cod spawning area is proposed, an action plan to offset the economic and social impact to local fishing businesses should be set out by the Scottish Government.

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<sup>2</sup> <https://academic.oup.com/icesjms/article/72/9/2627/2458713?login=true>

Whilst recognising that any gear that comes into contact with the seabed can disturb spawning behaviour, there will be a gradient of impact. For example, mobile T2 trawls targeting *Nephrops norvegicus* and mechanical dredges targeting scallops that present a high risk of seabed modification, bycatch and disturbance, will have a high impact. Static gear, such as creels, may disturb spawning behaviour during deployment and recovery of gear but will likely have a lower, localised impact.

In the absence of a credible and urgently needed spatial and ecosystem-based fisheries management plan for the Firth of Clyde\*, or indeed other Marine Regions in Scotland, it is crucial that there is a short-term plan to manage gear displacement from the seasonal closure in a proportionate way. For example, the opportunity could be taken to trial gear separation at scale beyond the cod closure for the duration of the closure, providing confidence to both the mobile and static sector, and to compensate as necessary any part of the fleet whose fishing opportunities may be most curtailed in the short-term. Noting that we have had sight at extremely short notice of muddy habitat being removed from the closed area, the opportunity could also be taken to allow creel effort, suitably capped, on some of the mud remaining within the outer closed area, and monitor the results to inform future strategic spatial management approaches.

In the medium to longer-term, informed by the results of monitoring of the closure that we recommend, a spatial and ecosystem-based fisheries management plan for the Firth of Clyde is essential so that the most sustainable fisheries opportunities can be linked to stock recovery (for example line-caught cod) and habitat recovery (for example low impact *Nephrops*, scallop, brown crab and lobster fisheries).

In the midst of an intertwined climate emergency and nature crisis, Scotland must seize the opportunity of the Future of Fisheries Management Strategy, Joint Fisheries Statement and Fisheries Management Plans to transform fisheries management and deliver world-leading climate and nature smart fisheries. Measures for the protection of spawning cod in the Firth of Clyde must be included in the proposed West Coast of Scotland Cod Fisheries Management Plan listed in the draft Joint Fisheries Statement.

Discussion around both Red Rocks and Longay MPA and the Clyde seasonal cod closure have highlighted that, welcome though these reactive measures are, permanent spatial management measures for fishing, particularly for shellfish inshore, that provides confidence to all stakeholders is a glaring omission that needs to be strategically addressed, as we have been highlighting for many years. Marine Group members consider the cod closure in the Clyde an important opportunity for the Scottish Government to demonstrate its intention to deliver ecosystem-based fisheries management and meaningful protection and recovery of important fish stocks, but it should also be recognised that this decision is happening in the absence of an urgently needed inshore spatial management framework.

\*that provides permanent protection to critical fish and shellfish habitat and protects and recovers sensitive benthic Priority Marine Features, whilst also delivering gear separation,

no-take zones, static-only zones and mobile-only zones, providing confidence and support across the inshore sector.

This response has been compiled by members of LINK's Marine Group and is supported by:

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