

North & East Coast Regional Inshore Fisheries Group

FISHERIES MANAGEMENT PLAN

[Updated 19th March 2019 – This update now records decisions made by the NECRIFG Management Committee at their meeting of 18th January 2019.](#)

OVERVIEW

Introduction - The North & East Coast Regional Inshore Fisheries Group (NECRIFG) is a non-statutory body that aims to improve the management of Scotland's inshore fisheries out to 6nm and to give commercial inshore fishermen a strong voice in wider marine management developments.

The North & East Coast Region stretches from Burnmouth by the English border, up the east coast and along the north coast to Durness. More information about NECRIFG and to view previous meeting minutes, go to our website at: http://ifgs.org.uk/rifg_nec/.

Regular meetings of the NECRIFG provides a forum for licenced fishermen's representatives drawn from the pelagic, demersal and shellfish sectors to work collaboratively and use the Decision Making Process (also available at http://ifgs.org.uk/rifg_nec/), to make formal Recommendations to Scottish Ministers and Marine Scotland.

The NECRIFG Fisheries Management Plan (FMP) aims to deliver:

- 1) Sustainable fishing in inshore waters 0-6nm
- 2) A more profitable inshore sector
- 3) Well managed inshore fisheries

These aims are consistent with the Scottish Inshore Fisheries Strategy and National Marine Plan aims and objectives.

This plan is derived from the former Moray Firth & North IFG and the East Coast IFG Fisheries Management Plans which were combined, updated, and formally adopted by the NECRIFG Management Committee on 7th June 2017.

Scottish Inshore Fisheries Strategy - The targeted outcomes of the Scottish Inshore Fisheries Strategy (SIFS) are:

- 1) To address the barriers to good governance by updating the 1967 and 1984 Fisheries Acts by introducing new legislation by 2020.

- 2) To improve the evidence base upon which fisheries management decisions are made.
- 3) To utilise the RIFGs in decision making and involve local fishermen in the sustainable management and conservation of their fishery.
- 4) To comply with national and international obligations to prosecute fishing at Maximum Sustainable Yields (MSY), protect the marine environment and vulnerable coastal communities.
- 5) To be able to make balanced management decisions that take in to account the various interests in the marine environment.
- 6) To maximise funding for various initiatives from the European Maritime & Fisheries Fund (EMFF).

NECRIFG has a role helping to deliver SIFS targeted outcomes which is recognised throughout our Fisheries Management Plan.

National Marine Plan - Against a background of climate change and a growing World population, the National Marine Plan (NMP) provides a framework for marine spatial planning aimed at the sustainable use and development of marine resources:

- NMP Planning Principle No1 articulates that there is a presumption in favour of sustainable development, especially relevant to fisheries as a food sector (*Note Cabinet Secretary Roseanna Cunningham's statement to the Scottish Parliament on 12th August 2018 that food sources should be protected as we move towards a carbon neutral economy*).
- National Marine Plan Section 6 articulates all the objectives and policies for Sea Fisheries that we need to be cognisant of when implementing our FMP (*On 20th April 2018, Marine Scotland requested the NECRIFG Management Committee's view on implementation of the NMP. Feedback was collated and submitted - see separate report*).

NECRIFG has a role helping to deliver the aims and objectives of the National Marine Plan.

Implementation Overview - To deliver a more sustainable, profitable and well managed inshore fisheries sector, it was agreed that implementation of our Fisheries Management Plan should encompass the following topics:

- 1) Fisheries Management
- 2) Accreditation and Branding

- 3) Science Evidence Base
- 4) Inshore Fishing Communities Support
- 5) Funding
- 6) Spatial Planning

As required by the National Marine Plan, we have taken a science and data led, eco-systems based approach when considering how best to implement our Fisheries Management Plan.

1. FISHERIES MANAGEMENT

Sustainable Fishing - Marine management and conservation experts advocate that the sustainable management of fisheries is best achieved by a combination of government policy, targeted outcomes and stakeholder efforts.

As we are required to take a data/evidence led approach when considering improvements to the management of our inshore fisheries, we recognise that Marine Scotland's SIFIDS project will deliver much needed information from which to make informed decisions. SIFIDS is due to report in 2019.

In the interim, the NECRIFG Management Committee agreed to progress a number of projects. It should be noted now that the outcome of the national discussion paper on Future Fisheries Management, <https://www.gov.scot/publications/national-discussion-paper-future-fisheries-management-scotland/>, may supersede or cause us to amend the decisions taken to date:

Mapping Fisheries & Habitats - Funding was granted for an independent consultant to conduct a mapping project for fisheries and habitats important to target species in the NERIFG area.

The aim of the project is to provide us with an information framework in order to:

- 1) Provide additional base data to help us implement our Fisheries Management Plan
- 2) To inform other marine users of important fish and shellfish spawning grounds, nurseries, critical habitats and fishing areas
- 3) To enable us make an informed contribution to future sectoral planning considerations
- 4) To help us understand what additional information we need

As advised at the 18th January 2019 meeting, the consultant reported back and sign-off is now required by Marine Scotland to release the report for use.

Fisheries Improvement Plan – A Fisheries Improvement Plan (FIP) is a tried and tested method used to deliver targeted outcomes. The first stage of a FIP is an assessment exercise.

It has been noted that a MSC led UK level project group is considering fisheries improvement measures for Nephrops and scallops which encompassed Scottish inshore waters. It was agreed at our 24th August 2018 meeting to revisit the methodology for implementing a FIP (i.e. MSC or another option) once the pre-requisite Fisheries Assessment Project had reported.

Fisheries Assessment Project - A Fisheries Assessment Project (FAP) is a gap-analysis exercise to assess the management needs of key fisheries and inform the next stage of a FIP, which is to develop an Action Plan. The FAP will include bringing together relevant fishing data and identifying the challenges each fishery faces working towards the objectives of sustainable fishing, minimising environmental impact and providing effective marine management.

Accordingly, an Expression-of-Interest was submitted to Marine Scotland on 29th January 2019, for funding a suitable consultant/consultancy to conduct the Fisheries Assessment Project – *decision pending*.

The FAP will provide an overview of our current key fisheries, which are Nephrops, brown crab, velvet crab, lobster, squid, scallop, clams, whelks and mackerel (noting any currently MSC certified) as well as an overview of possible diversification opportunities for herring, sprat, cod, haddock, razors fish, cockles, blue mussels, brown shrimp, pink shrimp, lemon soul, plaice, dabs and native oyster.

Diversification – The NECRIFG Management Committee discussed the need for diversification to take pressure off target species and help protect prices by:

- 1) Using new fishing methods and/or gear
- 2) Taking advantage of existing inshore quotas
- 3) Opening new fisheries for species not currently targeted

Scottish Natural Heritage (SNH) advised that a Habitat Regulations Assessment (HRA) may be required to open up a new fishery and worked with Marine Scotland to produce the Simple Guide to Opening a Fishery:

http://ifgs.org.uk/rifg_nec/rifg_nec_news/2018/. It has been noted that this Simple Guide is not so user friendly as hoped for and it is planned to update it.

- **Mackerel** - Following a successful four-year mackerel pilot for the Scottish 10-metre and under pool, mackerel fishing is now an established diversification opportunity. Due to a cut in TAC (Total Allowable Catch), the 2019 allocation for the North Sea has been reduced to 850 tonnes. It will continue to be managed via fortnightly catch limits.
- **Diversification Pilots** – Two new diversification opportunities are currently in scope:
 - 1) Herring Pilot – A pilot herring fishery using static gear has been approved and will report later in 2019 (Project Owner is Sandy Patience)
 - 2) Sprat Pilot - A pilot for a sprat fishery has been proposed by Hamish McPherson who is working with SNH and Marine Scotland to shape it for approval.

Additional diversification opportunities for herring, sprat, cod, haddock, razors fish, cockles, blue mussels, brown shrimp, pink shrimp, lemon sole, plaice, dabs and native oyster are being encouraged. Applications for a controlled electro-fishing trial for razor clams was advertised by Marine Scotland in December 2017. No outcome report has yet been made available.

Management Measures – The NECRIFG Management Committee has discussed the case for various management measures.

The following management measures currently in scope are:

- **Whelk Management** – Following concerns about overfishing in certain areas and slow stock recovery times, management measures were recommended to Marine Scotland and then discussed at IFMAC to get a national perspective. A project to establish the optimum Minimum Landing Size (MLS) for whelks (e.g. 80mm in Isle of Mann & 50mm in Jersey) is under consideration. An update from Marine Scotland has been requested.
- **Berried Lobsters** – Following discussion that DEFRA had prohibited the landing of berried lobsters in England, Marine Scotland stated they

would require clear evidence there was an appetite across the country for introducing legislative controls before they would consider progressing to national consultation.

Consequently, the NECRIFG Static Gear Work Group suggested a questionnaire was sent out to static gear fishermen working 0-6nm within the region, seeking their views.

Subsequently, it was reported at the 18th January 2018 meeting that:

- 67.2 % of respondees voted that berried hen lobsters should be v-notched
- 82.1% of respondees voted that red berried hen lobsters should not be landed.

Following discussion, Marine Scotland was requested to consider extending a ban to any berried hen lobsters being landed so as to bring in the area outwith 0-6nm. Additionally, consider a ban on trawling for lobsters.

➤ **Other Management Measures** – The other outcomes of the NECRIFG Static Gear Work Group questionnaire were:

- Should escape panels be fitted to parlour creels – 71.6% NO
- Should there be a limit on soak times – 59.7% NO
- Should unworked creels be lifted – 82.1% YES
- Should creel numbers be limited – 68.7% YES
- Should there be controls for boat size, Kw, season or gear types – 59.7% YES

The suggestion in the Future Fisheries Management discussion paper that TAC may be extended to shellfish would supersede the demand for limiting effort by introducing creel limits. Whilst escape panels are not supported, there was feedback that soft eyes should be banned and creel size should be specified. The full Static Gear Work Group questionnaire outcome report is available on the NECRIFG website at: http://ifgs.org.uk/rifg_nec/rifg_nec_news/.

➤ **Marine Scotland Zonal Management Pilots** – Marine Scotland recently announced plans for three zonal management pilots which included Arbroath in our region. These pilots will look to develop local and spatial management measures:

<https://www.gov.scot/publications/consultation-proposed-sites-host-inshore-fisheries-pilots-2017-outcome-report/>.

Compliance - The NECRIFG Management Committee has discussed the need for more effective compliance which is considered a critical success factor for delivering well managed fisheries.

The case for more effective compliance is currently in scope:

- **Unlicensed Fishing** – Following discussions about illegal fishermen posing as hobby fishermen, recommendations were made to Marine Scotland and subsequently new legislation was brought in which set Daily Catch Allowances for unlicensed fishermen. The effectiveness of this new legislation is yet to be reported.
- **Reporting Illegal Fishing** – A Suspicious Activity Hotline (0131 271 9700) and email (ukfmc.govt.scot) have been provided to report illegal fishing activity directly to Marine Scotland Compliance. Significantly, the Static Gear Work Group questionnaire reported that 53.7% were currently aware of illegal fishing activity but 82.1% had not reported it, citing no faith that anyone would get investigated or convicted.
- **Gear Conflict** – The NECRIFG Static Gear Work Group had investigated gear conflict between mobile and static sectors followed by static versus static and produced reports for various NECRIFG meetings (see website for details), which allowed us to have an informed discussion and make various recommendations to Marine Scotland. Consequently, our advice has been reflected in the recently announced new guidelines and proposed new legislation for static gear marking encompassing both commercial and hobby fishermen.
Two requests for spatial separation orders was made to Cabinet Secretary Fergus Ewing and he counter-proposed seeking voluntary agreement as a first step. This led to two new voluntary agreements:
 - 1) Mobile gear vessels over 300HP will not go west of a line between Lothbeg Point and Burghead in the Inner Moray Firth or west of an area up to this line for vessels over 400HP plus and that vessels fishing within these areas must be singled rigged and use a cod end of 6mm single twine and no less than 100mm mesh and a lifting bag no less than 200mm.
 - 2) For the gear conflict ‘hotspot’ area between Gardenstown and Lossiemouth a ‘Call Ahead’ sheet has been created so visiting vessels can liaise with locals to arrange access to fish (seasonal

squid primarily). To support this protocol and prevent snagging/towing in all weather and visibility conditions, Marine Scotland funded a pilot project to investigate the use of CE certified Aid-to-Navigation transceivers fitted on dhans. This project has now reported qualified success in that the technology works except in strong tide conditions (when the transceiver is dragged under the water), and it does enforce the call ahead protocol to the satisfaction of both parties.

2. ACCREDITATION & BRANDING

To help deliver a more profitable inshore sector, it was recognised that the market will pay a premium for sustainably sourced fish and shellfish.

Following advice that we should first acquire the key credentials the market is looking for, as stated above, we agreed to commission a market recognised Fisheries Improvement Plan (FIP), starting with a Fisheries Assessment Project (FAP).

In parallel with this we are investigating accreditation and branding options. Seafood Scotland have offered to help with branding but we must first find a partner to develop and manage a Code of Good Practise with us, for example: <http://thecodeofgoodpractice.co.uk/>.

Having an independent third party accreditation scheme to enable a comprehensive code of good practice is followed and adhered to, will provide a credible base for branding that our catch comes from sustainably managed fisheries and is supported by high quality and welfare conditions. Evidence suggest this leads to new market opportunity and better, more stable, prices.

3. SCIENCE EVIDENCE BASE

Following advice from Marine Scotland Science and MASTS (Marine Alliance for Science and Technology Scotland), the NECRIFG Management Committee agreed that in order to take a science led, eco-systems based approach to implement our Fisheries Management Plan, we will need to commission science projects.

Based on Case Study evidence, to sustainably manage fisheries by area and by species will require a system for:

- 1) An annual stock assessment – NECRIFG Management Committee have recommended the Shetland RIFG model should be adopted
- 2) Harvest Control Rules – NECRIFG Management Committee should be able to consider Scottish Government Policy such as limits on quota, season or spatial factors etcetera to feed in to developing appropriate management measures
- 3) Appropriate management measures – NECRIFG Management Committee have recommended this should encompass all fishing methods and all target species to ensure they are fished within Maximum Sustainable Yield (MSY or equivalent)
- 4) Effective compliance

The outcome of Future Fisheries Management may build on or supersede this view but in any event, commissioning science projects will build the evidence base for making better informed decisions.

- **Nephrops Survivability** – NECRIFG Management Committee recommended investigating the survivability of undersize Nephrops to counter what appeared to be bogus science that their survivability was low. SAMS (Scottish Association for Marine Science) instigated a Nephrops survival trial on the West Coast which reported that there was insignificant impact of size on survival. Marine Scotland has been asked to consider if new management measures are now appropriate.
- **Windfarm Noise** – NECRIFG Management Committee recommended investigating OREIs (Offshore Renewable Energy Installations) to determine if noise and vibration constrain or enhance the contribution of berried females, embryos and larvae to the fishery. This project may optimise the productivity of crustacean fisheries for otherwise unproductive marine space.
- **Windfarm EMF** – NECRIFG Management Committee recommended investigating OREI cables and Electromagnetic Fields to determine if windfarm cables constrain or enhance the contribution of berried females, embryos and larvae to the fishery. This project may optimise

the productivity of crustacean fisheries for otherwise unproductive marine space.

- **Increasing MSY** – NECRIFG Management Committee previously noted Scottish Natural Heritage and various marine scientists’ agreed that by pro-actively managing fisheries, it is ultimately possible to increase the maximum sustainable yield (or equivalent) of target species. It was recognised this approach may lead to increased revenue for the inshore fishing sector, provide more food for our growing population (a key deliverable of the National Marine Plan) and make a significant contribution to the Scottish Government’s Ambition 2030 plan to increase our food and drink economy: <https://beta.gov.scot/publications/foi-17-02823/>. Scottish Natural Heritage have offered to work with us to develop a method for achieving this objective.
- **Sea Bed Survey** – Scottish Natural Heritage also advised that managing the use of the seabed would be an effective method for delivering our fishery and biodiversity objectives (including increasing MSY). St Abbs & Eyemouth Voluntary Reserve commissioned St Andrews University to conduct a Sediment Characterisation Survey and identified ten different types of sea bed which are: Bedrock & sand; Cobbles & boulders; Course sand; Fine sand; Gravel; Medium ripples/coarse sand; Medium sand; Muddy gravel; Shelly sand & Shoreline bedrock. Accordingly, to build our information framework further, leading to a more granular consideration how best to deliver sustainable fishing and then increased MSY area by area (and not just by species alone), a region wide survey is now recommended.
- **Best Practice Gear Survey** – NECRIFG Management Committee recommended investigating mobile gear and crustacean productivity to determine if various mobile gear types ‘working the seabed’ constrain or enhance the contribution of juvenile crustaceans to the fishery. Considering the different sea bed types, this project may lead to a clearer understanding of what would be best practice mobile gear fishing practices in inshore mixed fisheries.

Following advice from MS Science that it is possible to boost recruitment and build the spawning biomass via various methods, the NECRIFG Management Committee recommended the following:

- **Artificial Habitats** - Optimising Offshore Renewable Energy Installations (OREI) sites to investigate how to enhance unproductive marine space to optimize density and productivity of crustacean fisheries. Following circulation of a meeting report with BEIS (UK Government department for Business, Energy & Industrial Strategy) about oil rigs becoming reefs, SNH's advice was: *“Managing the use of the seabed is more effective for fishery and biodiversity objectives than deploying artificial reefs. However, in the case of built infrastructure being approved and going onto the seabed, there is merit in looking at whether the design and installation can be done in a way that provides some value in a fishery and/or biodiversity context”*. The Loch Linnhe pilot using quarry rubble is yet to report but the NECRIFG Management Committee recommended pilot projects are instigated such as creating horse mussel reefs around turbines or using cable route rubble for lobster habitats, now be considered.

4. INSHORE FISHING COMMUNITIES SUPPORT

Considering how best to deliver the SIFS requirement to protect vulnerable coastal communities, the NECRIFG Management Committee agreed to progress a number of projects:

- **Fit-for-Purpose Harbours** – To deliver sustainable fishing requires fit for purpose fishing harbours but many harbour owners have not used the income from their inshore fishing fleet (typically mooring fees, landing fees, fuel levy & ad-hoc charges) to leverage available EMFF and other grants to maintain infrastructure or upgrade and provide facilities. Numerous reports indicate failure to comply with HSE and SEPA requirements putting people and the marine environment at risk. Transport Scotland has been made aware of our concerns but have not accepted the NECRIFG Management Committee recommendation that a survey is conducted of inshore fishing harbours and that harbour owners are instructed to fulfil their obligations and make the improvements identified in the survey report. At our request, this topic is included in the Future Fisheries Management discussion document.

- **New Entrants** – Following concerns about an ageing fishing population and the barriers facing new entrants, a discussion document was produced by Marine Scotland and considered by IFMAC. The NECRIFG Management Committee also discussed the subject and recommended this should become a priority matter. This topic is included in the Future Fisheries Management discussion document.
- **Personal Safety** – Following concerns about personal safety, it was agreed by the NECRIFG Management Committee to recommend it should be mandatory that Personal Locator Beacons (PLB) are worn by licenced fishermen whilst at sea. In the interim, fishermen were to be encouraged to apply online to Marine Scotland for a EMFF grant.
- **Risk of Eviction** – In June 2018, a Scottish Court ruled that harbour owners have the right to summarily evict their resident fishing fleet when he ruled against the Cove fishermen. Following discussion, the NECRIFG Management Committee backed a proposal for a Scottish Statutory Instrument (SSI) to return the protections lost by repeal of the White Herring Fisheries Act. Transport Scotland rejected our recommendation and the Cove fishermen are now lobbying Scottish Ministers (i.e. Fergus Ewing) directly with support of local MSP's. To protect vulnerable coastal communities from loss of livelihood, this matter needs to be resolved as recommended.
- **Representation** – For a variety of reasons, inshore fishermen have been difficult to engage with. To give commercial inshore fishermen the opportunity of a strong voice in wider marine management the NECRIFG Chairman has held numerous open fishermen's meetings where they were encouraged to join an existing association or form their own. For example, Burghead fishermen joined the local SWFPA and the St Andrews IFA, South East IFA, Whitehills IFA and Rosehearty IFA used a Constitution template provided. The Static Gear Work Group questionnaire demonstrated that by using online technology, direct democracy is possible. PC to text technology could provide an effective method of communicating short messages.

5. FUNDING

As provided for in the Structures & Functions RIFG governance document, the NECRIFG Management Committee discussed and recommended setting up an

‘Executive’ sub-group to take legal responsibility for implementing the Fisheries Management Plan as well as raising money and managing our own finances. However, Marine Scotland advised that it was too soon and there were wider considerations in play. The role and responsibilities of RIFG’s is included in the Future Fisheries Management discussion document.

6. SPATIAL PLANNING

The NECRIFG Management Committee discussed various concerns about marine spatial planning which led to the production of a Spatial Management Position Statement for use by commercial fishing interests when interacting with other marine users: http://ifgs.org.uk/rifg_nec/rifg_nec_news/.

- **Marine Planning Partnerships** – It is Scottish Government policy that regional marine planning will be undertaken by Marine Planning Partnerships: <https://www.gov.scot/Topics/marine/seamanagement/regional/partnerships>. In preparation for the introduction of MPPs in our region, Marine Scotland advise that we should now engage with other inshore fisheries stakeholders to advise them what we are doing to deliver the aims and objectives of the National Marine Plan. A presentation was made on 6th December 2018 to the Forth Estuary Coastal Forum and the other Local Planning Partnerships will be presented to on 25th March 2019.
- **Marine Protected Areas** – At the last IFMAC meeting, Marine Scotland provided a chart of the proposed new MPAs: <https://www.gov.scot/Topics/marine/marine-environment/mpanetwork/MPAMGT/protectedareasmgt>. The first stage of consultation is entitled ‘Improving protection given to Priority Marine Features outside the Marine Protected Area network’ (<https://consult.gov.scot/marine-scotland/priority-marine-features/>). SNH previously committed that the ‘protected feature’ in Marine Protected Areas (MPA’s) and Special Areas of Conservations (SAC’s) would be identified so fishing may continue in those areas without harm to the protected feature. SNH also advised that where management plans were in place, there could still be opportunities to open up new fisheries (diversification opportunities), that would not impact on the protected features.

- **Crown Estate Scotland** – The CES recently announced Local Management Pilots <http://www.crownestatescotland.com/the-assets/local-management/asset/about-the-scheme> to enable 3rd parties to lease areas of the seabed. NECRIFG wrote to CES to record that the National Marine Plan No1 Planning Principle requires food sources i.e. spawning areas, nurseries, critical habitats and fishing grounds, should be protected.
- **Community Empowerment** – Referring to the Community Empowerment (Scotland) Act 2017, Alasdair McKinlay (Head of the Community Empowerment and Public Bodies Unit, Scottish Government), presented to the Sea Scotland conference about Community Empowerment and Local Governance which invites a variety of stakeholders to seek power to manage elements of the marine environment:
<https://beta.gov.scot/policies/community-empowerment/>
- **Spatial Conflict** – The NECRIFG Management Committee has discussed numerous reports of spatial conflict with Offshore Wind (OW) supply vessels and barges. Following complaints, a De-Confliction Notice has been issued to BOWL. The root of the problem is the OW vessel Skippers claiming their Right to Navigate negates Gear Vandalism.

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Fisheries Management Plan version control by NECRIFG Chairman, Iain Maddox. This update submitted 19th March 2019.