

MATTERS ARISING FROM PREVIOUS MINUTES

A Sub Group meeting of the Pot Limitation Pilot Project was held on 7 June with note of meeting attached and will be discussed in more detail at meeting.

A final application for Cockle Survey of 4 beaches was submitted by WIFA for FLAG funding. The only tender received had been from Outer Hebrides Fisheries Trust for the sum of £18,876.52. Other contractors had shown an interest but none had submitted a tender by the closing date. The final tender received was considered to be reasonably priced by members of the FLAG, when compared with similar cockle survey works in other areas. The project has been approved and a report will be circulated to members once the survey has been completed.

A number of tagged brown crab have been caught and recorded. Skippers will be notified to tag a further number of crabs for 2019.

Gear interaction has reduced during summer months as vessels shift gear to the West of the Hebrides, however, competition for grounds will intensify from October onwards as different fishing methods look to be fishing the same grounds. Skippers have been told to record all incidents of gear losses with the fishery office so that a better picture of hot spot areas can be identified.

Arrangements are in place for a meeting between MarPAMM Steering Group and a range of stakeholders in relation to future management of the Sound of Barra SAC.

White jigging project has been approved by local FLAG and the vessel is expected to commence fishing operations shortly.

Start of wrasse fishery has been slower this year due to lower temperatures, with similar numbers of vessels expected to participate in 2019 fishery at similar geographical locations throughout the Western Isles.

Positive feedback from vessels with regards to having appropriate monitoring systems installed aboard to cater for the requirements of fishing methods, area of operations and size of vessels involved.

ITEM 3

Chairman will give a verbal update on his activities since the last meeting.

ITEM 4

The Scottish Inshore Fisheries Integrated Data System (SIFIDS) which was coordinated by the MASTS1 Directorate based at the University of St Andrews, has now been completed.

Kyla Orr, Kathryn Logan and Ali MacKnight have been coordinating with industry during the various developments of the Work Packages. They will give a presentation on the final packages by video link from Inverness.

The Outer Hebrides pot limitation pilot will be using some of the technology development as part of the project to monitor activities undertaken aboard static vessels operating within the pilot area.

ITEM 5

The National Discussion Paper on the future of fisheries management in Scotland is currently out for consultation with closing date for responses being 12 July 2019.

The full national discussion paper on the Future of Fisheries Management in Scotland can be found at : (<https://www.gov.scot/isbn/9781787815605>)

The discussion paper has a number of chapters as follows:

Achieving our vision for environmentally conscious and sustainable fishing

The National Marine Plan already highlights long term objectives for the future of fisheries and those will be built into Regional Plans as they are developed. The Outer Hebrides will be one of the 11 Regions around Scotland which will develop Regional Marine Plans, with the OHRIFG represented on the Committee that will be finalising how such a Regional Plan will reflect sustainable fishing operations within the 12 mile zones.

The fishing industry has already undertaken steps to control marine litter with all trawlers taking all debris and waste collected in nets ashore to specially designed waste sites at various harbours.

Reducing marine waste and proper disposal of waste is now included in training courses which are compulsory for all fishermen to attend.

The OHRIFG has already engaged in the development of the National Marine Plan and will have further engagement with the Outer Hebrides Marine Region as they develop their Regional Marine Plan.

GOVERNANCE , ENGAGEMENT AND ACCOUNTABILITY

Governance and engagement

Scottish Government keen to engage with stakeholders which could result in better management and greater integration of stakeholders into decision-making processes. Possible increased roles for public sector bodies including local authorities, with some local authorities already involved in community quota schemes within Islands locations.

Hearing all voices

Government keen to provide clarity on which stakeholders should be engaged in relation to each issue. Specific role for Regional IFGs in some areas.

Local Management

Consideration to be given for RIFG's to take a more formal role and expanded to 12 nautical miles to being compatible with Marine Planning Partnerships.

Current management options through Regulating and Several Orders are expensive to operate and are not appropriate for certain circumstances within inshore fisheries

Delivering Confidence and Accountability

Rollout of Remote Electronic Monitoring (REM) on pelagic fleet, with appropriate and proportionate use of REM on other mobile vessels to also be considered.

- appropriate vessel tracking for the under 12 metre fleet, linked initially to access to buffer zones that should be created around all MPAs.
- the potential use of REM for higher risk vessels operating in sensitive areas.

The above links in very well with earlier discussions that have taken place between the OHRIFG, Marine Scotland Compliance and initial pilot trials with Anchor Lab systems

INTERNATIONAL

International Negotiations, Future Coastal State Negotiations and Future Relationship with the EU and other Countries

The Scottish fishing zone is the fourth largest of core European waters and makes up over 60% of the UK's total European waters. There is a significant abundance of fish in Scottish waters and numerous EU and third countries have a significant dependence on their ability to access fish quota allocations in our waters. These factors put us in a strong position in relation to negotiations with the EU. As such, the Scottish Government must play a lead role within any UK delegation. Whilst international relations are reserved, the Scottish Government has an interest in such relations because they are in many cases focused on access arrangements.

This reinforces the need for the UK Government to operate in partnership and not as sole arbiter as is currently the case. In any scenario of a UK Coastal State, Scotland's role should be the leading one where we have the critical voice in relation to stocks that are dominant in Scottish waters and in relation to access to Scottish waters by foreign vessels, our agreement must be sought. We want to work with stakeholders to consider what role they should play within Scottish and/or UK delegations at future negotiations. Closer involvement by stakeholders within the negotiating delegation brings advantages but also many challenges, not least the requirement for collective support required around any final decisions taken. Stakeholder representatives will want to consider how this situation can best be managed.

ESTABLISHING FISHING OPPORTUNITIES

A Science Based Approach to Setting Quota

Whilst we agree that we should continue to manage fishing stocks towards MSY we do not believe this can best be achieved by setting targets to achieve MSY by an arbitrary date. We will instead consider putting in place a sensible direction of travel, rather than focusing on undeliverable target setting. We believe the use of MSY ranges may prove to be a useful tool in helping us to manage towards MSY in mixed fisheries.

Data Limited Stocks

We understand the importance of improving our evidence base and we intend to divert resources for science, data collection and analysis towards targeted data limited stocks in order to strengthen assessments in the future. We will consider the recommendations from the SIFIDS project to help improve the data we can collect for inshore fisheries and are committed to introducing enhanced technology on a sentinel inshore fleet to further improve science. We will also look at simplification of data collection and will learn from international experience and other examples in doing this.

Principles for TAC Setting

We will have a number of priorities which will drive our approach to agreeing and managing fishing levels in the future. We would welcome further discussions with stakeholders on these priorities. We will always seek to maintain the highest standards of responsible behaviour when establishing fishing levels and will seek to challenge our international partners to do the same.

TAC vs Effort

The Scottish Government will continue to use TACs as the primary method of managing most fish stocks in the future.

We also consider there to be merit in at least some cases for introducing quotas for non TAC species, for example shellfish.

Members should consider how quotas should be developed and allocated for any additional shellfish species. The current quota system which has attracted value for both pelagic and white fish has and will continue to inflate prices due to reduced volumes being available and has concentrated ownership into fewer owners. Daily quotas are already in place for the razor fish fishery, with no value attached and works well to restrict daily landings coupled with a maximum annual daily allocation. Such a system seems fair in the shellfish sector with no value becoming attached to either quota or days at sea.

A West of Scotland sandeel licence was also in place which was non transferable and never attracted any value and disappeared as vessels ceased to participate in the fishery.

Quota Management System

The Scottish Government is committed to ending quota speculation and will bring forward measures to adjust this. The recently published UK Fisheries White Paper makes a number of suggestions regarding future management of fisheries. Whilst the majority of these are for England only, we are clear that actions taken in England and elsewhere in the UK cannot and must not impact negatively on opportunities allocated to Scotland or the ability of the combined UK to act responsibly in meeting international obligations. The reverse is also true and where we take decisions for the Scottish fleet we will also be mindful of the potential impacts on the rest of the UK. Diversion of rules is already common place and whilst commonality is helpful in many cases for businesses, different rules can equally be appropriate. These will have no negative effect on the functioning of internal UK markets. We want to continue to expand delegation of quota management to industry in the future. We want to explore whether this could be opened up beyond Producer Organisations and whether there could be a role for IFGs as well as distinct geographic local communities. We want to work with stakeholders to consider options for better management of the non-sector and would welcome stakeholders' views on this.

Producers Organisations already hold and manage quota for Community Groupings and this has model has been well used within fragile communities, to enable new entrants into the fishery for quota species, and should be maintained.

Fishing Opportunities after Brexit

Although it is not certain that additional quota opportunities will be delivered in the future, where we do have additional quota to allocate, our areas of priority will be to incentivise new entrants (as part of a specific new entrants scheme), to allocate conditionally against good practice/ sustainability and to develop additional inshore activity in support of coastal communities. We will learn the lessons of the past and not create a bank of new FQA units in doing so supporting the principle that this is a national asset.

The primary identifier of additional quota shall be where our share changes; for example, if we had a 30% share of a stock and over time that becomes 40% then there is a genuine 10% additional quota regardless of TAC fluctuations.

We believe that, where identified, at least 50% of additional quota should be used and distributed separately to the FQA system.

Through a combination of annually negotiated bilateral access agreements, a gradual recalibration of TAC shares to reflect zonal attachment, and the UK's assertion of its rights as an independent Coastal State, we will pursue the potential progressively to generate a range of new fishing opportunities for the Scottish fleet.

It is the intention of the UK to use zonal attachment criteria as the basis for adjusting shares of quota on a fairer basis between Coastal States, a position which we support. That being the case there is no reason not to use the same argument for allocating additional quota in the same way, domestically between all 4 administrations and we would expect this to be the case.

Members should consider whether this additional allocation can be beneficial to fragile coastal communities, in particular, enabling new entrants to source additional quota.

A bid should be made for an allocation of blue fin tuna to be allocated from a stock that has seen significant increased allocations to other Member States whilst the UK allocation has remained at zero, despite increased numbers shoaling in inshore waters on a seasonal basis. Any quota allocated could be controlled by a seasonal rod and line fishery.

Making the Most of Scottish Fishing Opportunities

The Scottish Government is committed to the principle that fish are a national asset. Our policies and interventions will be designed to support that. Our policies and priorities will reflect our objectives of creating and sustaining jobs and income for the wider fisheries sector including processors and ancillary service providers. We are committed to increasing the economic benefits to our local fishing communities by strengthening the economic links between fishing vessels and local communities. Skippers will have a choice of establishing this economic link through a quota gifting scheme, or meeting a landing target. Such a scheme will allow skippers to make rational business choices about how they can most appropriately meet the economic link criteria to the benefit of Scotland.

Members should consider whether there is support for economic linkage between local landings and processing

Future Catching Policy

We continue to support the principle of a discard ban. It is unacceptable to return good fish back to the sea dead, but we must, in partnership with stakeholders, develop a management system that supports this and can work in practice. We will consider ring-fencing quota to help fishers to operate legally within such a system, as well as using it to reward and/or incentivise best practice in innovative fishing techniques or methods.

We intend to continue using the SDSG as our focus group and sounding board in the development of a future catching policy that can deliver this aspiration.

We must also consider and address the short term implications associated with lack of compliance with the discard ban. The fact that additional quota has been received by vessels (known as 'quota uplift') to cover what was previously discarded, whilst discarding continues presents a very real risk to the sustainability of key stocks as well as our own very high international reputation. This situation must be resolved.

The OHRIFG has been promoting the development of innovative selective methods of fishing which are virtually discard free.

Technical and Spatial Conservation Measures

We want to work with stakeholders to consider a more responsive approach to the setting of technical conservation measures and spatial management rules. We also want to establish a clear statutory framework that will seek to encourage and better manage behaviour and use of equipment.

ACCESS TO FISHING

Fishing Capacity

Although we will avoid relaxing fishing capacity constraints unless there is a substantial and permanent increase in fishing opportunities available to the Scottish fishing fleets, we are open to considering whether capacity limitations are relevant to the management of fishing activity in the pelagic sector. We will also consider the creation and sale of additional licences for the pelagic sector in line with additional opportunities. These licences will be supported by accompanying quota.

Also in the context of additional opportunities, for example distant water fisheries, the Scottish Government considers it appropriate to create additional and new licences supported by accompanying quota, distributed freely and based on submission of business plans allocated through lottery if oversubscribed. Additionally, within our own waters the same principle should apply to new entrants assuming that there is clear evidence that additional capacity will not have a negative effect on the stocks.

Considering our views on increased capacity we will commit to looking at creative ways in which we can provide additional licences and quota to assist new entrants into the system across all vessel types. Quota will not be given on an FQA basis but retained by the Scottish Government for use by new entrants.

Members should consider additional licences and quota becoming available for new entrants with no value attached. Those national assets would be retained by Government for issue to others once original holders had become established in industry

INSHORE

The Inshore Fisheries Strategy

The Scottish Government believes there is merit in introducing a significant low-impact trial that will separate mobile activity from static gear and recreational users and in doing so we will further consider the merits of specific zones where mobile gear bottom contact fishing will not be permitted.

It would appear that a blanket application of such a measure would not be appropriate, not least given the vastly differing locations of fishing opportunities within distinct geographic areas. We will need to consider the impacts of such a proposal on all affected communities and sectors.

In many cases there is excellent cooperation between different activities and this should not be overlooked. Instances of conflict are often between very small numbers of vessels, including both mobile and static and on a repeat basis. Solutions must be proportionate. Therefore, we will also explore an alternative approach where it is deemed that the actions of these vessels are impacting on Scottish Ministers ability to manage Scottish fisheries effectively by either suspending or permanently removing their licence.

Members should consider the best approach to such matters and Government should be able to punish rogue operators who damage gear and withdrawn their licence from operating within specific areas, rather than punish innocent vessels that work well with other marine users.

Inshore Legislation

There is a compelling case for new legislation to improve the management of Scottish inshore waters. We intend to build on preparatory work undertaken for an inshore fisheries bill, prior to the EU referendum, and incorporate this into wider fisheries legislation.

We will need to balance the desire for local management alongside the principle of free movement of vessels around the coast.

Reactive Inshore Fisheries Management

We propose to follow the example of other parts of the British Isles and introduce a distinct licence or permit system to better regulate fishing activity within the Scottish 12 nautical mile zone. As is the case with licences and permits for Crown Dependency licences, or English IFCA (Inshore Fisheries Conservation Authority) permits, these would sit alongside the current UK fishing licence and be required before undertaking any commercial fishing activity.

Scottish Ministers could add conditions to these licences to better regulate fishing activity. However, any new fisheries measures would still be subject to the necessary consultation process.

FUNDING

The decision to use public money to support private businesses is not one to be taken lightly and should be deployed only where there is a legitimate reason to intervene in the face of market failure.

We are keen to seek views on the level of subsidy being sought by the fishing industry both on and offshore, whether for businesses or in the pursuit of wider benefits delivered through aspects such as:

- infrastructure improvements and marketing support;
- enhanced sustainability and research;
- science and innovation;
- implementation of specific measures to support coastal communities and provision of opportunities to enable them to diversify;
- or development of complementary aspects such as marine tourism through fishing and maritime heritage projects.

We are keen to take views on where priorities should lie across these various elements and any others which may be seen as important. We are particularly interested in hearing ideas for how we can best support the improvement of safety at sea.

Processing promotional activity are already key parts of EMFF and should be seen in parallel with support for the catching sector.

There is also a question as to whether both public and private interests may be better served if support to businesses were delivered through loan arrangements, which more clearly ensure that public investment is tied to recipients who are financially sustainable, rather than direct subsidy in the form of grants.

High environmental standards can deliver an added premium for seafood products. Is it for Government to support environmental improvements and monitoring or should the industry fund these activities given the added premium they deliver?

A local meeting has already been held with Marine Scotland with regards to local priority issues for consideration within the UK Shared Prosperity Fund

Decision making on future grant applications should be developed to local level as it the case with CLLD and Fisheries Loan Scheme

LABOUR

Notwithstanding our position on devolution of migration powers, and recognising the currently reserved nature of immigration, we believe that the UK Government should introduce a new work permit system (or, at the very least, restore the previous visa extension scheme).

We want to see the catching sector sign up to the Scottish Living Wage. Fair Work sets out a very clear expectation of Scottish Ministers and, as such, workers of all nationalities should be paid fairly. We want to consider how we make Fair Work First work in the fisheries sector.

We will continue to work with the Lord Advocate and Crown Office and Procurator Fiscal Service to ensure that cases of trafficking and exploitation in the fishing fleet are investigated and prosecuted.

Access to skilled labour is proving difficult for some sectors of the catching sector operating on the West Coast due to restrictions on the employment of non - EU labour within 12 miles.

This is having negative impact on the onshore sector due to lack of landings due to trawlers unable to sail due to lack of crew. Increased competition from other marine sectors for reducing numbers of school leavers is compounding the problem. Industry would be supportive of some relaxation which would allow seasonal access for work permits which have already been granted in the agriculture sector.

INNOVATION, SCIENCE AND TECHNOLOGY

We recognise that if we are to have comprehensive and cohesive fisheries management in the future then we will need to invest more to enhance Marine Scotland's scientific base. As is the norm in many other fishing nations we believe that as the key beneficiaries of research and development, fishing businesses should contribute to the cost of delivery. We would welcome views on how this change can be implemented and how those that will be asked to provide additional funding can assist in shaping our research priorities.

Members are asked to consider how research and development could be structured to better assist different sectors of the industry. More use of actual fishing vessels undertaking commercial operations with scientific observers aboard in actual commercial fishing environment would provide a more realistic approach to actual operations.

Members are asked to consider the above text which is taken from the Discussion Paper and suggest an appropriate response to the Paper.

ITEM 6

The note of the Sub Group meeting of 7 June is attached for consideration and members are asked to consider the next steps in the process for implementation of the pilot project.

ITEM 7

Marine Scotland has just recently launched consultation on three potential designated areas within the inshore waters of the Outer Hebrides.

The potential annual average loss in value of landings for the commercial fisheries sector is Shiant East Bank £30K - £50K, Sea of Hebrides £2K - £4K and North East Lewis can't be disclosed as data refers to less than 5 vessels.

Shiant East Bank (conservation features of circalittoral sands and mixed sediment communities, northern sea fan and sponge communities, shelf banks and mounds)

Whilst estimated average annual loss of landings are relatively low, this is wholly dependent on accurate VMS data being available to identify accurately where prawn trawlers are operating between 2 hour pings. Local skippers have been asked to request details of their VMS tracks for the Shiant East Bank.

However, none have provided any information to date. The exact coordinates of the boundaries will have to be identified so that skippers can overlap onto their own plots so that they can ascertain whether the economic loss stated is accurate.

North East Lewis (conservation features of Risso's dolphin and sandeels);

This area is extensively fished by nephrop trawlers, seasonal white fish trawlers, scallopers and static gear vessels targeting brown and velvet crab and lobster. There is no longer any directed sandeel fishery in the Cellar Head to Butt of Lewis area

Sea of the Hebrides (conservation features Basking shark, minke whale).

This area is extensively fished by a large number of both local and visiting vessels targeting , nephrops, shellfish, white fish and pelagic species on a seasonal basis. Vessels in this large area operate a wide range of fishing methods and economic loss to vessels could be higher depending on future management of the site.

Drift netting for herring and netting for crawfish has been pursued within the proposed site and this could increase in future years depending on access to quota and high prices for crawfish.

A range of public meetings have been arranged throughout the summer and members views are sought on the proposed marine designations.

ITEM 8

A meeting was held recently with Marine Scotland to discuss whether it would be practical to pursue the spurdog avoidance scheme for 2019. It became apparent that vessels were required to have provided 6 months of data before the 2 tonne monthly quota would be released for vessels providing data. Neither those involved locally in the project or participating skippers had been notified of this length of data returns. Skippers had previously stopped sending in data as they had had no allocation of quota despite having been involved in sending data for 2 years.

Participating skippers agreed to continue providing data for 2019 in the expectation that they will be allocated quota once they have provided 6 months data with previous years being taken into account within the 6 month period.

Three local vessels have agreed to provide data as has a vessel based in the Clyde. The local vessels have been providing data for the last month and during that period some small quantities of spurdog were caught and data of are and numbers have been provided.

A further telephone conference meeting was held with MARINE Scotland officials last week and they are pursuing the relevant officials in CEFAS to ensure that similar levels of quota will be released for Scottish participating vessels to that having already been released for English vessels. The release of quota has to be agreed with the EU annually.

ITEM 9

The fish trap project has been submitted for FLAG funding with the delay due to identifying a local agent that could source fish traps from Sweden. An agent in Grimsby was finally identified and students from the University of Aberdeen will undertake the evaluation of the project.

Around 8 local static gear vessels will use up to 8 traps at different geographical locations to the West of the Hebrides from the Butt of Lewis to Barra.

Marine Scotland Science is currently participating in a similar project using fish traps in more offshore and deeper waters to the West of the Hebrides, which is being undertaken by a large white fish trawler.

An update on the project will be provided to the IFG later in the year.

ITEM 10

The following items were discussed at the last IFMAC Meeting held in Edinburgh on 31 May 2019:

Inshore Fleet Modernisation Programme

Value of Fishing to Coastal Communities

Marine & Offshore Renewable Energy in Inshore Fisheries

Future of Fisheries Management in Scotland

Marine Conservation and Marine Protected Areas

All the presentations are included with the meeting papers.

Members views are sought on any of the matters raised at the meeting.

ITEM 11

Pete Middleton, CNES, will provide an updated report on projects which have been approved by the local FLAG.