



# **Creel Fisheries and Vessel Management Within Scottish Waters**



**Discussion Paper**

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## Overview:

Scotland's Future Fisheries Policy 2020-2030 outlines the policy aspirations of Scottish Government with regard to Scottish Fisheries management. The strategy is based on the principles of sustainable development and ensuring long term viability of our coastal communities.

<https://www.gov.scot/publications/scotlands-future-fisheries-management-strategy-2020-2030/>

This paper outlines some of the issues within the creel sector which have been reported through the Regional Inshore Fisheries Group network (RIFG). The document is intended to be a discussion document for both the RIFG network and the management body Marine Scotland.

## Introduction:

### Science and Data:

The last stock assessment data available at the present time is from 2015. Marine Scotland Science are, however, working on a revised stock assessment which should be available in the near future.

Marine Scotland Inshore Team have requested a policy statement from Marine Scotland Science which will be added as an appendix to this paper.

### Need for Control:

For many years, it has been recognised throughout the industry that there is need for control of the creel fisheries as vessels become increasingly efficient and creel numbers per vessel have increased. Previous projects have examined issues within particular sectors of the inshore industry including the Acrunet Project which reported on issues such as latent capacity.

The North & East Coast Regional Inshore Fisheries Group also undertook a survey in 2019 to better understand the issues with regard to creel fisheries in the area. The results can be found in *Annex 1*. This gives an indication of the issues rather than a conclusive statement on how the static sector should be managed.

There is continued evidence that ground saturation with creels is leading to conflict amongst fishermen, potential entanglement, and over-fishing, which in turn could lead to a detrimental effect on stocks.

Many vessels have more gear in the water than they can potentially work in a day. There is evidence of vessels laying fleets of creels to simply cover the ground and prevent other boats from fishing there. There are a number of part time fishers who leave gear in the water for a considerable time, which results in ground being unusable for others.

Discussions have been ongoing for many years to arrive at a workable solution to the effective management of the creel fishery in general, although on the West Coast, where the *Nephrop* creel fishery is of major importance, the issues are in need of urgent review and implementation of robust and effective management.

West Coast Regional Inshore Fisheries Group formed a specific Creel Work Group in 2016, dedicated to trying to resolve the creel fishery issues. However, it has been recognised that this issue is not unique to the West Coast, therefore the Creel Work Group has been extended to become the RIFG Creel Work Group to reach a common aim for a successful and viable management of the creel sector around the Scottish, and Scottish Island, coasts. It should be noted, however, that an area-based approach may be needed to take into account, geographical differences.

Past discussions have centred around setting a maximum number of creels per vessel in each type of creel fishery which has led to many different ideas of tackling this issue, but no positive management solutions. However, it has become obvious that the idea of simply restricting the number of creels per vessel does not in itself solve the problem. For some areas, 600 creels per vessel are regarded as sufficient, whereas in some other areas operating shellfish out to 12 nautical miles, up to 1800 creels per vessel is the preferred option depending on vessel size and species fished. If, for example, a figure of 1000 creels per vessel were to be a maximum everywhere, this could lead to overfishing in some areas and a considerable restriction in others. Either way, this is liable to lead to unrest amongst the fishers whose interests we are there to protect. Many creel fishers, themselves are eager to see structure, sustainability, viability, and management of their fisheries.

A good example of creel limits currently put into place and working on a local basis is that of Shetland, through Shetland Shellfish Management Organisation (SSMO):

#### SSMO CREEL LIMITS

No vessel may fish with more than 600 creels/pots/traps/cages, of which, no more than 240 may be used to fish for Velvet Crab.

All creels/pots/traps/cages must have SSMO numbered tags in place which can be obtained from the SSMO office and should be placed prominently on the creel. If any fisherman is deploying greater than 240 creels in number, each one deployed must have an escape panel fitted and, again, these can be obtained from the SSMO office.

## Short-, Medium- and Long-Term Objectives and Actions

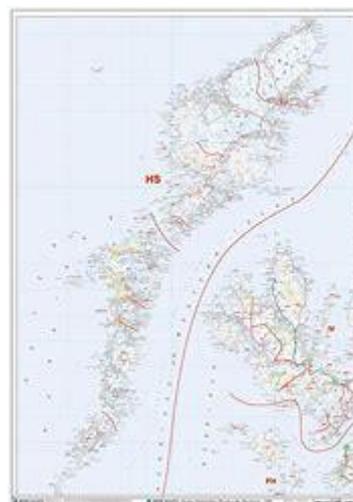
### Areas of Concentrated Creel Activity

There are many areas around our inshore waters where there are large concentrations of creels being deployed. These are areas that need to be identified and concentrated on with a robust and effective management plan. The areas of large concentration of gear can potentially lead to conflict and potential overfishing which leads to the grounds becoming unsustainable and unviable.

#### **Action:**

*Work with RIFG members to identify the high concentration areas to prioritise action. The areas of heavily concentrated activity need to be identified and charted as “boxes” and managed in such a way as to reduce the number of creels within the “box” in a way similar to that of OHRIFG Pilot. This goes part way to helping resolve the issue. There will need to be a displacement impact assessment if this approach is implemented.*

The Outer Hebrides RIFG have identified this problem on the east side of the archipelago and introduced an inshore Fisheries Pilot Project in November 2020 to examine and resolve the issues. In the short time of the project running, there have been signs that these management measures are being generally accepted and working to the benefit of the local creel fleet. (Annex 2)



Across all creel fisheries, the number of creels fished by vessels has increased dramatically over the years with the catch per unit effort steadily decreasing. To compensate for this, many vessels have increased the number of creels and parlour creels they fish in an attempt to maintain previous catch levels and economic viability. This is certainly unsustainable and unworkable. In addition, large numbers of creels are being deployed and only periodically being hauled, thus preventing

others from accessing the grounds in the area. The use of parlour creels with a mesh size smaller than 60mm is prohibited within all Scottish waters.

### **Soak Time.**

There have been many instances of fishing grounds being inaccessible due to creels being left for excessive periods of time. This can be due to vessels working multiple sets of gear in different areas, or part time fishers who have an additional form of employment and leave their creels in the water while they are away. Or even those who have simply tied up ground to the exclusion of others or abandoned gear that has been left and forgotten.

Experience has shown that creels work most efficiently when hauled once every twenty-four hours. If left for forty-eight hours, the catch rate is only marginally increased. If left in excess of seventy-two hours, the bait will be gone, and the catch diminished and be with damaged claws or bodies due to fighting. Also, creels left for long periods of time go “sour” and have to be brought ashore to allow them to freshen and self-clean in the air. “Sour” creels have been proven, not to fish as efficiently as creels that have had freshening time ashore.

### **Action:**

*Agreement needs to be made with the fishers to establish a maximum soak time for creels before they are hauled and moved. A caveat to this would be unavoidable instances such as weather, not allowing vessels to put to sea safely, or breakdown.*

### **Vessel Tracking**

Technology exists to allow vessels to be tracked, and such measures are being trialled with the scallop fleet and also within the OHRIFG creel Pilot. As a condition of the alliance between the Scottish Green Party and Scottish Nationalist Party, it has been discussed that it should be a requirement for all fishing vessels to have tracking systems fitted. There are many advantages to having tracking devices installed on vessels. Safety being one, so that if a vessel should find itself in difficulties, the exact position of its whereabouts can be immediately identified, thus saving valuable time in mounting a rescue operation. For the purpose of fisheries management, trackers can identify major areas of concentration in fishing activity and be able to monitor the activity of individual vessels. Tracking will give a clear picture to aid future development of management needs.

### **Action:**

*Begin discussion on the future vessel monitoring programs for all inshore vessels.*

### **Creel Monitoring**

In addition, creel fleets could be equipped with “Bluetooth coins” (a simple and inexpensive self-contained tracking device) to identify the position and ownership of creel fleets, with a unique identification linked to each individual vessel. This would be of benefit in being able to identify the amount of gear a vessel has in the water, or that it has been left for an excessive time in the water as well as being able to plot areas of heavy or light concentration of creels, thus building a clear picture of the

fishery as a whole. An added advantage being that if a vessel is lying in port and its gear is moved, towed, or lifted, then clear warning will be evident that there is a potential problem, and the skipper of the vessel can be alerted to the issue.

**Action:**

*Identify the availability and costs of creel marking technology as a standard across the creel fishery.*

**Length of Creel Fleets**

Since June 2020, static fishing gear is now required to be clearly marked with the identification of the vessel it belongs to. There have been calls from fishers to limit the length of fleets of creels to ensure that it is possible to see either end of each fleet. Doing so would go a long way to preventing fleets of creels being inadvertently towed through or for other vessel's fleets to be shot across someone else's gear, causing conflict within the fishery. Discussions with fishers show that around forty to fifty creels per fleet give a maximum length to be visible at both ends. This may vary depending on whether fishing for nephrops or brown crab/lobster and size of vessel.

**Action:**

*Gather further from RIFG members on restriction of numbers of creels in a fleet.*

**Distance Apart**

One overlooked area that has recently come to light is that of the distance between nephrop creels in a fleet. In the Outer Hebrides, a distance of 4 fathoms (approximately 7.2 metres) is spaced between creels, whereas in the Mallaig area, the distance between creels is almost double that. Having a larger distance between creels on a fleet would mean that there is less concentration of creels on the ground in a given area, which in turn would suggest less pressure on stocks.

**Action:**

*Decide with fishers on a sustainable minimum and maximum distance apart for creels to be set per fleet. This will depend on species fished to assist enforcement with electronic tracking.*



## Annex 1.

### **North & East Coast Region Inshore Fisheries Group** **Outcome report for the online questionnaire about static gear issues**

This report records the outcome of an online questionnaire conducted between 4<sup>th</sup> December 2018 to 5<sup>th</sup> January 2019 provided for commercial inshore fishers working static gear within 0-6nm from the north and east coasts of Scotland.

#### **Call to Action:**

An action (Action 1), was taken at the NECRIFG meeting of 24<sup>th</sup> August 2018 to investigate the need for mandatory measures banning berried hen lobsters being landed.

Chairman Iain Maddox sought feedback from the other RIFG Chairs and the NECRIFG Static Gear Work Group. It was noted that other related issues had been discussed in various meetings previously but no formal proposals had been received, or recommendations made, due to the lack of informed discussion and consensus.

It was decided that if we were needing the wider community view on landing berried hen lobsters or not, it was sensible to include other outstanding problems/issues too. Accordingly, the problems people were suggesting were an issue were articulated in a brief statement and a question added whether a management measure was required - either yes or no and comments were invited.

This questionnaire was tested at three open fisher's meetings held in Eyemouth, Peterhead and Whitehills. The feedback received was that the problems had been articulated correctly and the question being asked was relevant to the problem.

The questionnaire went live online using Google Forms on 4<sup>th</sup> December 2018 and was broadcast via email plus a poster sent to Fishery Officers throughout the region and a news item on Find-a-Fishing-Boat.com. On request, the close date was extended from 28<sup>th</sup> December to 5<sup>th</sup> January 2019. The questionnaire is now closed.

#### **The questionnaire:**

Listed below in italics is what the respondee saw online starting with an overview of the process followed by the problems put in focus then the questions and comments.

By using Windows/shift/S a screenshot of the Google Forms collated answers was captured. There had been three duplicated responses which were deleted to avoid skewing the outcome.

A total of 67 individual responses were recorded:-

*Questionnaire for static gear fishers operating off the North and East coast of Scotland to inform the North & East Coast Region, Inshore Fisheries Group (NECRIFG)*

*This is a questionnaire for commercial inshore fishers (working or retired), working static gear within 0-6nm from the north and east coasts of Scotland. Responses will be collated in to a comprehensive report for the NECRIFG Management Committee to discuss at our next meeting on 18th January 2019.*

*Having direct feedback from static gear fishers will help us to make informed decisions and recommend actions to Scottish Ministers and Marine Scotland. Where action is recommended, this may include voluntary arrangements, technical management measures or legislation as appropriate. Where action is not recommended, more investigation may be required and the process repeated to arrive at a consensus. There is no right of veto.*

*PARLOUR CREELS – Some fishers have lobbied that parlour creels trap undersize animals and escape panels should be mandatory.*

*SOAK TIMES - Some fishers have lobbied that soak times should be restricted suggesting animals are being wasted.*

*UNWORKED CREELS - Some fishers have lobbied that unworked/unbaited creels must be lifted so they cannot continue to fish unattended, which is wasteful. Others consider this a ploy by full time fishers to displace part time fishers.*

*CREEL NUMBERS - Some fishers have lobbied that their fishery is saturated with creels risking over fishing and creating spatial conflict between static gear fishers.*

*LOCAL FISHERY MANAGEMENT - Some fishers have lobbied for local controls of their fishery depending upon factors such as boat size, Kw, season and fishing method to help manage stocks and address conflict situations.*

*BERRIED HEN LOBSTERS - Some fishers have lobbied that berried hen lobsters must be v-notched to conserve stocks, whilst some fishermen suggest it is only necessary not to land red berried hen lobsters.*

*ILLEGAL ACTIVITY - Stories abound of widespread illegal activity such as unlicensed fishers landing directly to merchants or via licensed fishers or selling direct to hotels and restaurants. Or, that undersized catch is being sold or berried hens lobsters scrubbed or creels are being worked that are less than the legal mesh size. Or, vessels are longer or higher Kw than their licence. However, this view is not supported by the very few complaints received by Marine Scotland Compliance dedicated complaints hotline 0131 271 9700 or by email to [ukfmc@gov.scot](mailto:ukfmc@gov.scot) and without intelligence they cannot target offenders.*

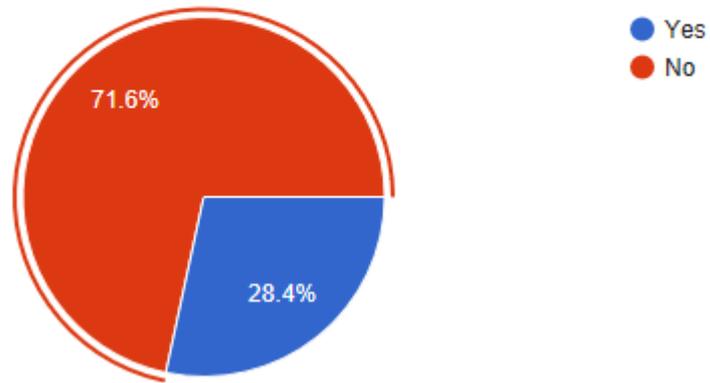
*This questionnaire closes FRIDAY 28th DECEMBER 2018. By responding, you are consenting under the General Data Protection Regulation for your answers and any additional comments, but not your name, to be collated in to report for NECRIFG, which will then be published on our website [http://ifgs.org.uk/rifg\\_nec/](http://ifgs.org.uk/rifg_nec/) by the end of January 2019.*

*Question 1: What is your full name, your vessel name & PNN? (Will be verified)*

**The outcome:**

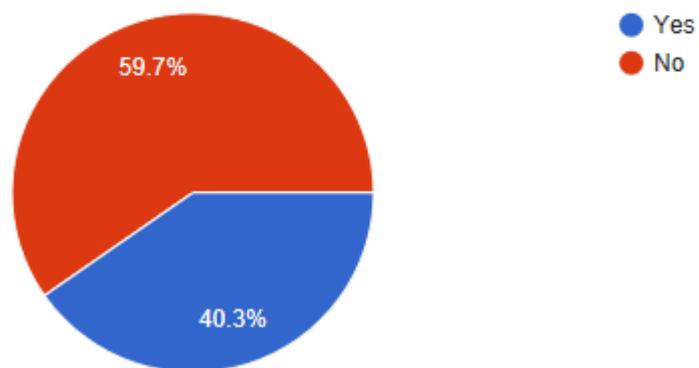
Should escape panels be fitted to parlour creels?

67 responses



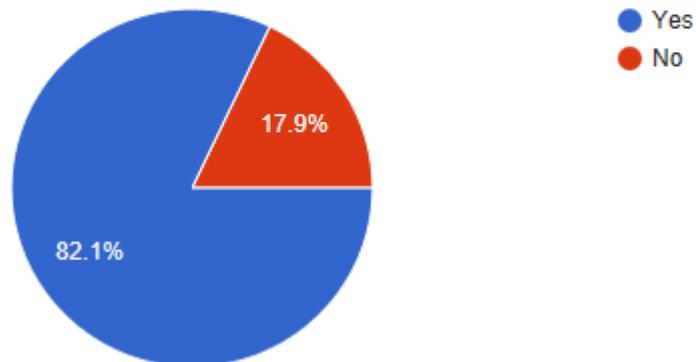
Should there be a limit put on soak times?

67 responses



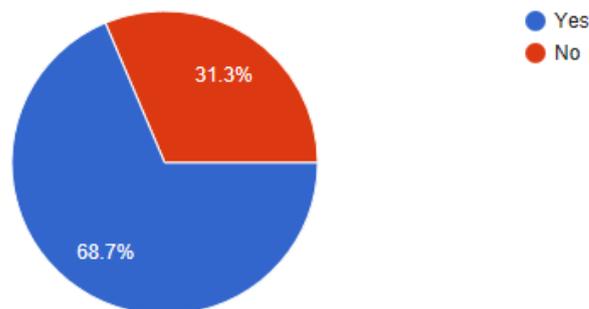
## Should it become a requirement to lift unworked creels?

67 responses



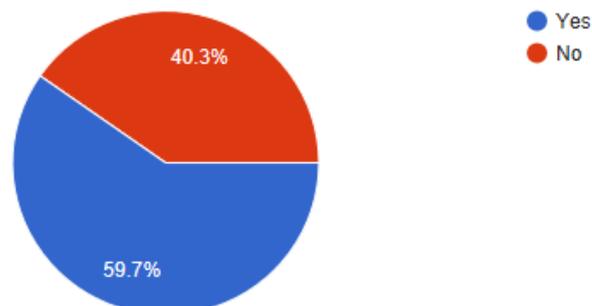
## Should there be management measures to control creel numbers in your fishery?

67 responses



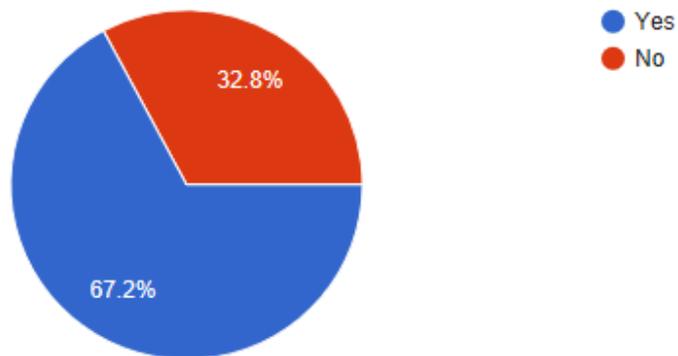
## To help manage stocks and address conflict situations, do you think local measures are appropriate for your fishery depending upon factors such as boat size, Kw, season and fishing method?

67 responses



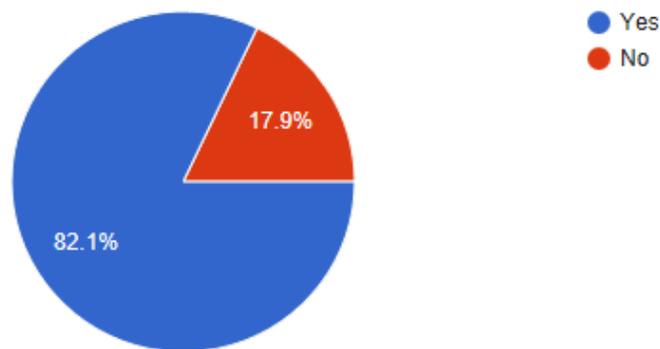
### Should it be mandatory that berried hen lobsters are v-notched?

67 responses



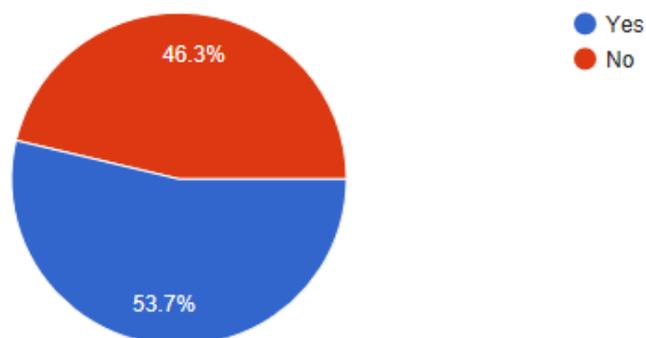
### Should it be mandatory that red berried hen lobsters are not landed?

67 responses



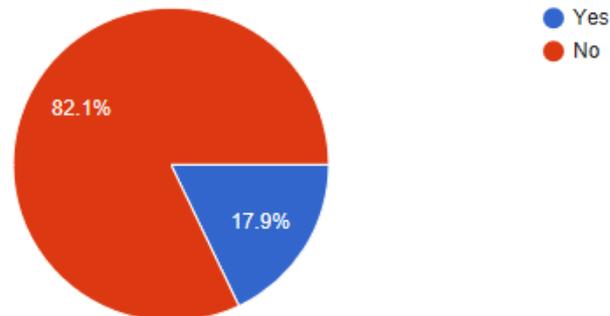
### Are you aware of any illegal fishing activity?

67 responses



Have you ever reported illegal fishing activity to the MS Compliance hotline [0131 271 9700](tel:01312719700) or by email to [ukfmc@gov.scot](mailto:ukfmc@gov.scot)?

67 responses



### Comments:

For sure there should be a cap on the amount of creels used by fishermen also more checks should be undertaken by Marine Scotland regarding the size of the shellfish being landed, I also think the fishermen should be better consulted prior to planning for offshore wind farm sites

ESCAPE PANELS LET SIZE VELVETS ESCAPE AND DAMAGE JUVENILE LOBSTERS

Part-timer landing under size lobsters last few years reported it to local fishery office also buyer new about the undersize being landed but opted to do-nothing, first-time fishery came down said he's allowed to have 5% undersize without being charged find that very strange as they caught him red handed in front of fellow fishermen needs to be more stricter as that won't stop them the way it is just now.

n/a

Escape hatches don't work for inshore fishermen because you can't catch velvet crab with them in, fishing shouldn't be regulated by engine size because it's nothing to do with creel fishing if anything it helps for safety because you can get back to harbour faster if the weather breaks. Berried lobster shouldn't be landed anywhere not different from one area to another. It would be very difficult to monitor creel numbers

With the min landing size going up in this area where there are not so many larger lobsters there is no doubt that many more undersized will be landed.

No comment

escape panels on parlours will destroy a velvet fishery

No escape panels in areas where there is a velvet fishery

One main factor is funeral undertakes, electrician, joiners, plumbers, offshore workers are using the industry as a second income, although they all have high paying jobs, all of them have their own businesses running. There is huge pressure on stocks and industry and how could there not be. These boats only fish their creels after they finish their main job, and if the weather is adverse, they may lay for a week or so soaking. Whilst the men who are at the job full time are struggling to catch as ground are all taken up by creels from these boats which are not hauled and move

around on a daily basis. We cannot make good money to invest in finding new sustainable fisheries as most of the stock is getting soaked up by part time gear.

Important is that undersized lobsters are not landed, maybe up min size

No point in releasing berried lobster if scallop and squid boats are decimating the brood stock. Part time fishermen should not be allowed to hog up ground leaving the gear for 3 weeks at a time while working offshore. Gross overfishing in the Arbroath area with large 12 m boats deploying thousands of creels and impacting on the small vessels in the fleet.

Gear limitation should be priority, and a sustainable way to fish for future generations.

The unworked creel question seems stupid because in my experience in the northeast, the only unworked creels are the ones towed and dumped by scallop dredgers. I have had over 70 towed so far this year alone. I never have or would leave creels on the sea bottom that I don't fish. I also note that the spatial management Question mentions other creel boats or numbers but makes no mention of mobile boats. Surely anyone with any knowledge or experience of fishing in 0-6 miles on the northeast coast would know that the spatial management problem is not with other static boats, but rather with the mobile boats. Rather than restrict the ability of static boats to make a profit by throttling their Earning capacity by limiting creel numbers or days etc, it would make more sense surely to restrict the number of boats coming into the job. It would make sense to have several viable boats that can make enough to pay a reasonable wage rather than more and more boats coming into the job and running at a loss. I think the creel boats wouldn't remain viable if they were restricted. Regarding the soak times, for the last few weeks and looking into next week, it is not possible for safety's sake to haul gear more than once or twice a week. Some years the boats can't get out in winter for 3 weeks solid. It would be unworkable to put a restriction on soak times. With creels costing 70-95 pounds apiece plus ropes, spinners etc, boats generally use no more creels than they can turn over. I would question who would ask for caps on soak times and their motives, I would certainly doubt if it were active static fishermen. More likely, someone who would then try to 'prove' the need for less creels and therefore more grounds for themselves. Why not ban the landing of berried lobsters, this has been implemented successfully on the other side of the Atlantic? I note your last email about the use of parlour creels to catch velvets. It is misleading. It is not against any law or rules to fish for velvet crabs with parlour creels. Escape panels for undersized lobsters or brown crabs would, however, render any creel useless for catching velvets. I don't see any extra mortality of undersized lobsters in my creels which are double eye D creels and parlour creels. almost all are thrown back alive. Illegal activity: we all see some illegal activity, i.e., unlicensed fishermen, boats pulling the claws off crabs now that the size has been increased slightly, I believe their impact to the fishery is minimal

red hens are given to lobster hatchery

Ban all berried hens, no need to notch

Having no landing (amount) or creel number restrictions encourages unsustainable fishing activity. It also tends to decrease catch per unit effort which places fishers at increased risk as they are at sea longer and in marginal weather. Landing berried Hens is quite simply daft from a conservation perspective as it puts downward pressure on recruitment to the future fishery. Mandatory controls are sadly essential as voluntary ones are vulnerable to bad players who then set an example to others by potentially out-competing them: "If they are doing it then I can't afford not to".

Effective enforcement is vital; without its crucial control and management measures can simply be ignored. On my fishing grounds we have illegal unlicensed fishers and licensed fishers flouting the rules. They obviously judge their risk of getting caught and the potential consequences as being worth it.

I believe there should be a limit or controls on parlour creels. In recent years the trend has become to work large numbers of parlours and long soak times, often over a week, which leads to a lot of fighting/destruction of shellfish in the creels, this is not the case with non-parlours as they have to be hauled more regularly as shellfish can escape from them more easily. If creel limits per vessel are ever considered or brought in, there needs to be a clear distinction between large parlour creels (often 48" long) and small non parlour creels (24") these have very different catching abilities and cannot be classed as the same "creel". Restrictions on large parlours would help curb creel numbers in some areas where there are vast amount of parlour creels covering huge areas of ground, if these were non parlours they would clearly need to be hauled more often, resulting in better catch quality and more efficient fishing, which in turn should reduce the number of creels. It would be an easy thing to bring in too as if the parlour eye was required to be removed and gear was inspected and found to still contain a parlour the gear could be confiscated. I realise there would be a lot of opposition for such a move from some Fishermen, but I believe this is a sensible step in the right direction for a long-term sustainable fishery. Cost would not be an issue either as parlour eyes could easily be removed from creels.

not phoned hot line but had heated talks with fishery officer

Berried Lobsters should be V notched and banned from being landed some guys catch them and put them back, and the guy coming behind them catch them and land them.

The biggest problem is unlicensed boats working more and more creels with little or no regard to landing controls. Have yet to see the fishery officers clamp down on them. They go straight to the licensed boats who are complying with landing controls.

Still no question regarding the problems caused by scallop dredgers damaging creels in the northeast

ONE PROBLEM THAT SHOULD BE ADDRESSED IS THE PRACTICE OF A FEW CREELMEN WHO REFUSE TO MARK THEIR GEAR CLEARLY WITH A DAHN AT ONE END AND A BHOY AT THE OTHER. THIS CAUSES A BIG PROBLEM FOR THE OTHER BOATS TO BE ABLE TO SHOOT THEIR GEAR CLEAR OF EACH OTHER QUICKLY WITHOUT STEAMING ABOUT TRYING TO WORK OUT WHICH BHOYS ARE AT EACH END OF WHICH LEADER. AN IMPOSSIBLE TASK.

Creel numbers per boat increasing steadily at Fraserburgh some soaking 4 days 500 per boat more than ample to get good living

There should be a restriction on creel number being used by each boat as the fishing can't sustain the number of creels that are fishing all year round, quotas on numbers. I feel that some full-time fishermen want everything to themselves, we have all purchased boats and licences at a high cost so it shouldn't be about us and them we should all be in the same boat.

Fitting escape panels ruins the velvet fishery also lets lobsters of legal-size escape. There is no need for soak times to be limited, this is the equivalent of saying to the pelagic fleet that you can't use the latest equipment & the towing time is limited. Unworked creels should be removed to allow other fisheries to work the grounds. It is up to the individual to choose how many pots that they work, it should not be

mandatory. Conflict situations arise with a few skippers who pay no attention to the restricted areas that creel fishermen work, it should be mandatory for all vessels to have their AIS switched on at all times. The scallop vessels switch of their AIS as soon as leaving Peterhead. I personally have lost a leader of 60 new pots & ropes in the last 2/3 weeks even with reporting my gear positions to the SFF. it Should not be mandatory to v notch berried lobsters. Red berried lobsters should be returned.

I have used escape panels for two years and they make no difference to crab fishing, how can there be a limit on soak time depending on weather it might not be possible to haul creels for 2 or 3 weeks , why restrict full time fishermen with creel limits when the problem only exists in the summer when part Time fishermen flood the sea , local measures are discriminatory all areas should have the same rules from marine Scotland , how are marine Scotland going to enforce someone on a boat to v notch a lobster is there going to be an observer on each boat , yes the big pelagic boat have landed hundreds of thousands of black fish

The fishing seems sustainable as it is, but part time fishermen (most who have other jobs) have too much say on what full time fishermen do!

The number of creels in the St Abbs to Scotland England border is just unbelievable and it is my view that unless something is done there won't be a viable lobster crab fishery within 5years

First method of control should be making sure number of boats working should be restricted by removing licences not being used and licences being used part time should be capped at that

Parlours should all be banned.

Un worked equipment while set takes up fishing ground and creates risk to other fishing vessels as when fishermen find out of fishing equipment set & not being fished opportunity arises to fish equipment over the top of the unfished equipment causing a hazard if the vessel returns to operate his unfished equipment. Berried lobsters should be V-notched (Mandatory) to preserve the fish stocks, fines or penalties should be implemented to vessels landing berried lobsters also shellfish merchants should incur heavy penalties if caught with berried shellfish. Some type of management system should be in place as this would be hard to manage or may be banning the landing of female lobster during Aug & Sept would be easier. Returning of berried lobsters needs to be mandatory and strictly managed. Vessels landing fish illegally should incur heavy penalties if fishing with no licence or fishing over their allowable quota also merchants should be monitored and need to be able to account for all the fish on their premises/in their chill & have proof of purchase from what vessel if not the merchants should incur heavy penalty's.

1.Not sure about parlours but when checked regularly there is no difference with retuning of undersized shellfish than there is with normal creels.as I haul daily when weather permits. 2.Dont think limiting soak times will do much as most inshore boats try to haul every day when weather permits. 3.This could help as there is getting more and more creel numbers. But there is also the alternative either if leaving creel doors open or using biodegradable cords on creel hooks to allow doors to release.my own preference is just to move onto non-productive ground with doors open and no bait.as taking creels in and out again every 3 to 4 weeks is too time consuming and would not be worth the effort. 4.Not too sure about this one as it is everyone's right to fish if they have a licence when the trouble arises is when you have skippers that know the grounds and know what they are doing and you get the novice that thinks he knows what he is doing and has no knowledge of ground depth or any hazards then is can become a safety issue. 5.To this one I think it is well

managed just one or two boats that need reminding mainly things like shooting creels across harbour entrances. 6. This one I feel very strongly to yes, I think it should be total return of berried hens regardless of if they are red. I have not retained berried hens for almost 20 years but have been v notching for last 5 or 6 years but it that time it is only a few times I have picked up a berried hen that has already been notched. I usually take my creels out of the sea by November as the lobster catches go down, but the percentage of berried hens goes up. Another factor in the last few years is seeing a higher percentage of undersized berried lobsters not many on a daily basis but a few over a season. so to me it's a fishery that needs looking after. I would also like to see all keep creels or holding pots marked with boats name and registration number as I am led to believe it is not required. as any offenders can be held to account as this is a natural resource and has to be looked after. 7. Same as last question we need to look after a natural resource and heritage. 8. Have heard of it over the years with under sized lobsters into black market but not witnessed it. I also have heard the same about black fish when the mackerel season is I place but hearing and proving is two different things. But I get back to the creel keep markers if named and registered it would make it easier to catch the offenders. I think that part time creels fishermen have too much say as they have strength in numbers, they are trying to stop us taking our creels inside in the summer! If we didn't move our creels in shore for the lobsters and velvets in the summer months, we would not make a living as there is no crab or should I say very little crab. A part timer shoots his creels then goes to his full-time job and you can't get on the ground due to his gear being in the way. Also, I think if there were tighter measures i.e., a big fine or something along those lines for people that take the undersize lobsters home we would have a sustainable fishing for a long time!

There is only a small fishing fleet where I work. I have a concern that escape hatches will allow velvet crab to escape.

Unlicensed boats landing shellfish and selling Creel limits and all restrictions should be everywhere in the sea not just to 6 miles

New parlours should have escape hatches fitted. Also, large creel vessels should not be allowed within say 1000 metres of the coast. They fish all year round while smaller vessels are seasonal April to October. This would allow inshore stocks some respite.

I feel there is a need to cap creel numbers as it is getting ridiculous. Some boats are now 'fishing' thousands of creels, and some areas of the coast are saturated with gear. In my humble opinion the East Coast creel fishery is being overfished. Also there needs to be a serious clampdown on unregistered boats fishing and landing shellfish. I think it is reasonable for an official hobby fishing licence to be brought in and subject to certain regulations re reporting landings etc. It is also reasonable to charge for this. I would apply restriction re creel number but allow a little more to be landed. All hobby gear to be marked as per fully licenced boats

Escape panels won't allow velvet crabs to be caught. Size of boat/kw should not be relevant to any quota or creel numbers. Part time fishermen should be restricted more so than full time fishermen.

During the years I have been involved in the creel fishery in this area, the number of creels on the ground has increased every year. There are now at least 10 times as many creels on the ground as there was 20 years ago. Sometimes creels are only hauled once every 5 days. Other boats are regularly at sea hauling for 12 hours. The result is that all the fishing grounds are now saturated with gear and no ground gets a rest from this hammering. Consequently, we see the average size of lobsters (in

particular) decrease every year. This cannot be allowed to continue, or the stock will eventually collapse. As a matter of urgency, there has to be some form of control in the shape of creel capping. Any other form of restriction (such as historical quotas) is liable to benefit those boats who have contributed most to this predicament.

Soak times could have a threshold on number of total creels worked to factor in the part time fisherman. For example, if you are fishing 100 or less soak time not applicable. However, difficult to manage, poor weather factors, stuck gear etc. More practical and effective to have total creel limits.

I believe that the fishery is self-regulating. Any additional measures would need to ensure that no part of the sector is discriminated against, and this would be very difficult to achieve.

Soak times if considered should have a threshold on total creels fished before kicking into factor in the part time fisherman. For example, less than 100 creels no soak time limits. Soak times would be hard to manage, easier and more effective to have limits on total creel numbers.

We need urgent action in the Arbroath area as the creel numbers within the 6 mile is shocking either that or ban all parlours to reduce the soak time.

I answered no to Q1 as inshore we have good bycatch of velvet crab which would be lost with escape hatches! I also said no in Q2/3 with the reason being if creel numbers are restricted as in Q4 these questions would be irrelevant as creels are only left too long etc as there is no restrictions. Reduce creel numbers, solve ALL problems it's not rocket science!! The speed creel numbers are increasing inshore soon it won't be physically possible to work the job!! And it's impossible to legally define a 'red' berry

Capping the number of creels per boat is a must.

People fishing without a license for lobsters crabs and velvets. Pleasure vessels / fishing charter vessels landing and selling cod and maceral to local fish processors without licenses or quotas to do so

The fishing of illegal creels that are below 60mm mesh size i.e., prawn parlour creels which are being fished from a number of creel boats out of Arbroath. fishery officers aware but not acting on this illegal fishing as well as unlicensed boats fishing creels out of Arbroath and selling their catches

I would say that any creel capping that comes in, should also apply outside the six miles limit. If it's not all you will do is increase the effort further offshore.

Trawling inside the 6 miles should be banned and crab boats over 15m should not be allowed to fish inside the 6 miles

I think that all berried hens should be illegal to land and that they should be returned to the sea. This would remove the requirement to v-notch.

no one believes there is anyone to enforce the laws of the seas complete change in Marine Scotland is needed as they are out of touch with inshore fishing

Creel numbers should be limited to the number of creels a boat can haul in an outing (every day)

If caught landing undersize lobster there should be no warnings I have already reported a fisherman on a number of occasions for landing undersize for the fishery officer to say they are allowed to land a % of undersize and no fine will be issued how does that stop them landing undersize lobster that surely is not right when we fish alongside this fisherman, we throw undersize over the side which goes in to his pots and he gets away we landing as there's not the man power to check his catch every week totally wrong.

landing of undersized lobster needs a bigger deterrent with more monitoring.

Being a very small fishing community in our area, to report illegal fishing would create local war

More help should be given to the under 10 metre for more mackerel quota per month. We are restricted on types of fishing due to trawlers towing from less than 1 NM to 6 NM from the shore I believe the growing seal population has had an effect on the fish inshore as well

Whilst many of these measures maybe desirable the only really important one and easy one to enforce is creel numbers per boat. There are basically too many creels in the sea in certain areas such as the East Coast of Scotland probably if everyone was honest from Berwick all the way to Wick. The only way to easily regulate this is to restrict every licensed fishing boat with a shellfish license to a certain number of creels per boat e.g., up to 7m -500 creels 7-10m -800 creels 10m + 1200 creels and you shouldn't be allowed to haul creels registered to one boat from another. This model is followed in many parts of the world except Scotland as usual we will probably wait till the fishery is destroyed before we do anything about it.

the fitting of escape panels on parlours will kill a velvet fishery

In Scotland there are two licences, under 10m and over 10m, within 0-6miles both should be treated as the same. If creel limitations are introduced within 6miles then both sizes of vessel should be allowed to fish the same amount of gear, The over 10m vessel has the opportunity to work further out whilst many u10m vessels are limited in where they work both by size and the MCA. While not having used either method to report illegal fishing I have taken it up in the past with my local fishery office, they attempted to convince the illegal vessel owner to obtain a licence which he did after a considerable time, no doubt the cost of the licence was covered by the lobsters being landed and sold! On making a complaint over the attitude of the senior Fishery Officer that persuasion was better (and probably easier for Marine Scotland) that prosecution and then going to the next level (his supervisor) it was clear that Marine Scotland weren't interested in sorting out the problem of illegal fishing then and I have seen nothing since then that has changed. The recent change to landing one lobster a day is a joke given there are boats working 30-50 creels as well as others probably working more and landing far more than allowed with no action being seen to be enforced.

**end**

## Annex 2.

### POT LIMITATION PILOT

The Outer Hebrides Regional Inshore Fisheries Group (OHRIFG) management plan included local objectives aimed at ensuring well managed, profitable, and sustainable inshore fisheries in the IFG area. The High-Level Biological Objectives prioritised improved management of creel fisheries and additional conservation measures were identified as a Local Objective.

Across all creel fisheries the numbers of creels fished by vessels has increased dramatically over the years with the Catch Per Unit Effort steadily decreasing. To compensate for this most vessels have increased the numbers of creels fished in an attempt to maintain previous catch levels. In addition, large numbers of creels are being set and only periodically hauled which prevents others from fishing in the area.

The Outer Hebrides RIFG believe that the pilot pot limitation scheme will:

- Reverse decreasing catch per unit effort rates.
- Reduce gear conflict between static and mobile gear vessels.
- Prevent gear being placed on the ground to stop others from fishing.
- Improve health and safety.
- Encourage the fishing industry to take a more responsible role in the management of the marine environment by taking an active role in the policing of creel restrictions
- Develop a catch App that can be developed to enhance submission of catch returns

The Pot Limitation Pilot became operational on 1 November 2020, for a 2-year period, having been delayed due to Covid-19 and a range of other problems.

Marine Scotland has issued a derogation to all vessels who have had a track record of fishing within the pilot in 2017 – 2019. The derogation has conditions attached on number of pots to be used depending on vessel size, maximum number of pots on each fleet, length of time gear should be left unattended.

Vessels which commenced fishing in 2020 will require to complete an application form to apply for a licence derogation to fish within the pilot area. Owners replacing vessels operating in the area will be issued with a derogation to fish within the pilot area.

New entrants to the industry will have to complete an application form to apply for a licence derogation to fish in the area and those will be considered by a Sub-Group consisting of officials from Marine Scotland and Industry.

New technology developed through the Scottish Inshore Fisheries Integrated Data System (SIFIDS) co-ordinated by St Andrew's University developed low-cost tracking devices which monitored the location of static gear fishing activity and also determined when gear was shot and hauled to an accuracy of 96%. 40 of those trackers are in the process of being fitted to a range of different sized vessels ensuring geographical coverage throughout the geographical pilot area. Some transmission problems have been identified in the Southern part of the pilot area and those vessels will be fitted with different systems in line with mobile phone connections in the area.

Information from trackers will be secure access to vessel skippers and St Andrews University.

There is a video on YouTube <https://youtu.be/CgHxNGvu8kl> explaining the system and how it works.

Marine Scotland intend using the pilot as a model that can be developed and adapted to create a system that can be used around Scotland in monitoring and tracking pot numbers used within specific areas.

Many other regions around Scotland are requesting the introduction of pot limitations schemes within their geographical areas, however, MS has indicated that they will not proceeding with any pot limitation scheme in any other area of Scotland until the results of the Outer Hebrides Pilot have been analysed.