

NECRIFG Full Committee – Note of Meeting

11th December 2022, video conference via MS Teams

Attendees

Chloe Aird	Scottish Government
Gordon Taylor	Scottish Government
Helen Downie	Scottish Government
Jim Watson	Scottish Government
John Mouat	Scottish Government
Stuart Bell	Scottish Government
Amie Williams	NatureScot
Billy Wood	
Charles Milne	
Andrew Whitson	
Chris Pattison	
David Gilchrist	
Jack Dale	
Malcolm Morrison	
Raymond Hall	
Robert Souter	
Suzanne Henderson	NatureScot
Charlie Hill	
Dave Dougal	
Bob Teviotdale	

Apologies

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1. Welcome and Introductions

JM introduced the meeting in her capacity as Chair and gave introductions for those who have not attended before.

Actions of Previous Meeting

Action	Outcome
None.	NA

2. HPMA & Inshore MPA Management Options - Helen Downie

You will be aware of Bute House Agreement made in August last year. This was off the back of the Green party coalition. A number of commitments made within it which effects fisheries and conservation. Two key ones for us are to put in management measures for Marine Protected Areas / Priority Marine Features by March 2024. We have also committed to a network of HPMA covering 10% of seas by 2026. These will have greater restrictions on activity.

Outline of policy process

We receive advice from our statutory nature conservation advisers (NatureScot for inshore, JNCC for offshore), who give us a steer of what needs protecting and what activities may be harmful for

each site. From there we draft fisheries management measures that we think will give the correct level of protections and achieve objectives. Will engage with stakeholders throughout the process to assess impacts and consider refinements from there. Then move into completing required assessments – such as socio economic, which seeks to see what impacts they have on those using the environment. We recently published new methodology which was created from engagement with stakeholders. Also undertake Strategic Environmental Assessment, Business Regulatory Impact Assessment and Islands Community Impact Assessment to understand broader impacts.

Once this has all been completed they will have a formal proposal which will go to consultation via citizen science. Usually open for 12 weeks. On the back of this we will review responses and consider further amendments/recommendations for ministers. Then we will finally lay a Scottish Statutory Instrument to implement those measures.

Email – [Marine Biodiversity@gov.scot](mailto:Marine_Biodiversity@gov.scot) to be added to Bulletin Mailing list for MPA and HPMA's.

Comments and questions from the group:

- RH urged fishers to keep on top stakeholder engagement because 2026 isn't that far away and HPMA's posed a more significant threat than offshore wind.
- CH asked for a map of where the HPMA's are going. HD responded that locations are to be decided and consultation at end of year will be on site selection guidance and policy framework.
- There is no requirement on size of HPMA at present, BHA commits to 10% of Scotland's marine area between inshore and offshore.
- JM said the basis for HPMA will be different from MPA and that they will protect the ecosystem in a wider context rather than an individual species. This will all be within the consultation.
- EW said we should be very aware eNGOs are currently collecting data and we should respond in kind by looking at previous impact assessments of MPAs that have already been done, using that information to help inform the next round of discussions.
- The Chair asked if there be any weighting given to proposed areas. HD responded that no weightings are planned. It will be on individual merit, which will come from the site selection.
- The Chair asked if evidence will be using the best available or will there be additional gathering? SH responded that due to the timescales, we will use existing data. Concerns were raised over this approach by the group.
- JW agreed with the importance of widespread input from stakeholders.
- The Chair asked that any further information regarding the HPMA process be sent to the RIFGs.

3. Marine Scotland Update – Jim Watson

JW gave a general update from Marine Scotland, acknowledging that the last two years have been tough for all and things remain challenging:

- The fishing industry is still feeling effects of the pandemic, post-brexite challenges, the impact of fuel prices and labour shortages, toughening of immigration controls and general cost of living and doing business.
- These resource challenges are being felt in Government too and we need to prioritise accordingly.
- The Cabinet Secretary is fully aware of the concerns being expressed by industry and does understand that the BHA has eroded trust in perception of Government from the fishing industry.
- Our FFM Delivery Plan has now been published and all should ensure they read. This sets out what we have done since its launch, what we're currently doing and the longer approach.
- FFM priorities included a focus on people with support for young fishers through Marine Fund Scotland and work of the Scottish Fishing Safety Group.
- There have been additional quota opportunities for Cod and Mackerel enabled for inshore fishers.
- We also have an ongoing action to strengthen accountability and confidence, and our ongoing work on appropriate REM and tracking and monitoring will help deliver that.
- Fisheries negotiations are going on right now and there are proposals to enable TAC for dogfish.
- New policy will be developed following the REM and FCP consultation conclusion. The consultation on new management measures (including the inshore cap), is still impending.

Comments and questions from the group:

- BW – Felt that MS has let down the fishing fleet. Mistakes of the past have not been learned from.
- EW noted this fishing industry is promoting the excellence of Scotland's seafood but the severity of the challenges and potential restrictions facing the fleet mean we are faced with losing the capacity to produce that excellent seafood. The Chair agreed stating that it is not just the threat posed by HPMA's but other sectors – seaweed, mussel farms, renewables.

Actions

4. Renewables Update & Spatial Squeeze

Main points raised by the group:

- MM said that with the development of offshore renewable sites, very little has come from 10 years of discussions. Wider spatial issues are still just being realised – export cables for example will create more problems. The marine environment has been used to realise renewable energy targets to the detriment of the fishing industry. We have a Minister for just transition – why are they not more engaged in this discussion?
- The Chair shared a map of the spatial squeeze in real terms.

- RH called for developers to be more diligent in increasing the gigawatt power in existing installations rather than just ever creating more new sites.
- There was general discussion about the way licencing of these sites is worded with ambiguousness surrounding 'fishing may continue after construction'. This leads to worries in the fishing sector around the goalposts being moved at the last minute once construction is complete.
- AW raised specific issues in the area of St Andrews that included renewables companies telling fishers that if they run foul of static gear, legal action will be taken against them. He believed that renewables developers would sooner threaten fishers than engage with them.
- EW brought the attention of the group to the existing National Marine Plan section 6, which mentions the desire to retain traditional fishing grounds where possible. She noted that this plan was about to undergo a review.

Actions

5. Clyde Creel Management Project Update

EW gave a brief update on the Clyde Voluntary Creel Measures – which imposes mutually agreed limits on the number of creels that may be deployed within the Firth of Clyde:

- The project was inspired by the Outer Hebrides Pilot.
- Limits not just creels in use but also soak time.
- In addition to this a tagging scheme has been outlined.
- Positives were that the project had attracted more stakeholders to the RIFG; whilst acknowledging perceived negatives of achieving compliance with what is a non-statutory measure.
- There was general discussion about how the West Coast RIFG sought to achieve compliance with the measures. SB said that RIFG is non statutory and there was no compliance function implied with the project. The intent was to achieve agreement between fishers on levels that would be acceptable for them, allow their businesses to be profitable, invest in the health of the stocks and to end uncontrolled increase in static gear deployment.

Actions

6. Issues raised for Discussion including MCA requirements, landing of undersized lobster and ground holding

There was general discussion about unlicensed/unregistered fishing operations and issues surrounding their landing of undersize lobsters:

- There was some opinion that Compliance activity is too light and penalties are ineffective but also the counterpoint that Compliance activity is targeted and stakeholders are often not aware of enforcement action taken and penalties administered behind the scenes.
- SB advised the group that the only way to direct attention to unlicensed / unregistered activity was through their local Fishery Office.

- As a result of priorities dictated by the BHA there were no current plans to progress legislation to deal with unlicensed / unregistered fishers.
- The recent FCP consultation did extend to static gear and it is hoped that stakeholder responses to this consultation will inform future policy development in this area.
- JW said that any suspected illegal activity should be reported and also welcomed specific proposals to address these and other related issues such as ground holding.

Actions

7. AOB & Date of Next Meeting

- JM suggested reconvening group on 20th January 2023.