

FMAC: Minutes
26 June 2024
Virtual Meeting

AGENDA

1. Welcome and updates since last meeting
2. Update on quota consultation/additional quota
3. Recent policy announcements/update on negotiations
4. Overview of sub-groups
 - a. Inshore
 - b. Scallops
 - c. Climate Change
 - d. Future Catching Policy
5. National Marine Plan update
6. MPA update – item removed from today’s agenda. Will be addressed at next meeting.
7. Compliance update
8. FMPs
9. North Sea Cod avoidance plan (NCAP) review
10. FMAC review
11. FFM delivery plan
12. Actions and finish

ATTENDEES

Marine Directorate (MD)

Jane Macpherson – CHAIR, Head of Fisheries Management Strategy
Ashleigh Meikle – Fisheries Interactions in the Marine Environment and Future Catching Policy
Jim Watson – Head of Fisheries Domestic Management
Ellen Huis - Inshore Modernisation
Kerrie Campbell – International Fisheries – Demersal Stocks
Lauren Reid – International Fisheries – Pelagic stocks
Harriet Wilson – International Fisheries
Warren Devine – Future Catching Policy
Malcolm Macleod – Access to Sea Fisheries
Hugh Mitchell – MD Compliance, Enforcement Standards and Operational Assurance
Coby Needle - Chief Fisheries Advisor for Scotland
Rachael Scrimgeour – Senior Policy Officer
Louise O’Hara Murray – Marine Planning Manager
Ben Williamson – policy officer
Alex Kinninmonth – policy officer
Oana Racu – policy officer
Gordon Taylor – policy officer
Mark Caldwell – policy officer
Dominique Taylor – International Fisheries
Eilidh MacDonald – Head of Marine Climate & Clean Seas

External

Rufus Danby - SWFPA
Elaine Whyte – CIFA/ Clyde Fishermen Association
Kenny Coull - SWFPA
Hannah Fennell – Orkney Fisheries Association
Ian Gatt – Scottish Pelagic Fishermen’s Association
Paul Macdonald – Scottish Fishermen’s Organisation
Elspeth Macdonald – SFF
Mike Park – SWFPA
Robert Stevenson – Lunar QMG
Phil Taylor – OpenSeas
David Donnan – NatureScot
Anne Birnie - North East of Scotland Fishermen's organisation
Daniel Lawson – SFA
Sheila Keith - SFA
John Anderson – Scottish Fishermen’s Organisation
Duncan MacInnes – Western Isles Fishermen’s Association
Elena Balestri – SFF
Bill McKenzie - Don Fishing
Mark Dougal – PJJ Peterhead
Lewis Tattersall – Seafish
Caitlin Paul – RSPB
Andrew Brown - Macduff

Apologies

Kara Brydson – FIS

Welcome and updates since last meeting (10 mins)

- The Chair (Jane MacPherson) welcomed everyone at the meeting. There has been a while since the last FMAC meeting, and not ideal timing with summer holidays.
- However, there has been quite a bit been happening, so we thought it would be useful to meet. **Action 1. We will follow up with a further meeting in the Autumn to discuss commitments and obligations as this is an outstanding action from the previous meeting.**
- The Chair reminded everyone about the virtual etiquette. Also that we are in the pre-election period and certain conduct and rules are expected to be followed.
- There was a slight adjustment needed to the agenda – not possible to discuss MPAs as no one from the team is available. **Action 2. We will make sure the MPAs will be a substantial agenda item at the next meeting.**

1. General Updates

The Chair provided an update of recent work:

- REM – SSI now in law – scallop provisions have taken effect. Will be working with the pelagic industry over the next year to help them prepare, before pelagic provisions take effect on 7 March 2026.
- Understand there are some questions and concerns just as the new processes bed in and we are working through these. We are aware of the need for guidance, and we will make sure we are always available for your questions and are open for discussions at any point in this process.
- A recent meeting between FDF unit in Peterhead and the pelagic industry hopefully explained more about the technical side. There will be ongoing engagement.
- There were no questions or follow ups from meeting attendees.

2. Additional Quota (Malcolm MacLeod (MM))

- The outcome to the consultation was published on 7 June 2024.
- Following consideration of responses to the consultation the Scottish Government will allocate Additional Quota in the following way:
- Through the Historic Track Record (HTR) of active fishing vessels.
- From 2025, the track record period will change to a rolling reference period.
- Through special allocations to non-sector vessels with an immediate uplift in the quota retained for the following stocks: North Sea saithe, North East Atlantic mackerel, North Sea cod and West of Scotland cod.
- From 2025, West of Scotland cod will be allocated to sectoral vessels following an application process.
- Retaining the option to allocate quota on an equal basis between eligible vessels resulting from swaps of fishing quotas with other coastal states.
- While not intending to introduce the following in the short term, the Scottish Government will additionally:
- Investigate the potential development of Community Quota Initiatives, with this allocation methodology potentially being adopted in future years.

- Explore whether non-compliance with fishing regulations could be used as a basis for withholding access to AQ as part of a body of work to review the penalties system.

Questions:

- No questions on Allocation of Quota
- EM (SFF) – asked about the timeline for publication of the Vessel Tracking consultation outcome. EH responded that the consultation analysis has been contracted externally and is now finalised. We are awaiting final report which before we put advice to Ministers.
- JM added that we are also engaging with the other DAs on this to make sure we are joined up. We will keep you updated as these discussions develop.

Sandeels - Lauren Reid (LR) offered an update on the decision to close all Scottish waters for fishing for sandeels from March this year.

- IG (SPFA) – made the point about ongoing EU/UK level discussions about UK non-compliance with the TCA.
- LR – this is a live process. We cannot comment however the Scottish Order remains in place
- PT (Open Seas) – welcomes this decision. Open Seas and other NGOs are writing to the EU to stand down. Happy to help out in any other way.
- AB (Macduff) – this is a serious and difficult thing. Our view of the ecosystem approach might be different from the EU's. This current issue might be the start of other discussions and how relations with the EU will be going forward. The TCA for example is a more powerful tool for the EU than it is for us.

3. International Negotiations:

- LR mentioned the recent agreements between the UK, Norway and the Faroe Islands regarding mackerel. These deals will see an immediate reduction in fishing pressure by 10% of the global TAC which is a positive step and one of our main goals. They also see quota coming to UK/ Scotland in exchange for access to our waters.
- Going forward we will continue to engage in discussions with Coastal States on sharing arrangement for mackerel and the other pelagic stocks.
- IG (SPFA) – what we achieved this year is welcomed. There is more work to be done, however now we can focus on issues such as Iceland.

Clyde herring:

- The UK set the TAC, with SG making a recommendation. To inform our recommendation, a 3-week consultation takes place each year and this year's is closing on Monday 8 July. LR encouraged everyone with an interest to respond to this consultation, and ahead of the strict deadline. Also given the range of views we usually receive, LR also encouraged all those with an interest to attend the stakeholder meeting that will be taking place 27 June.

ICES advice (Kerrie Campbell (KC)):

- The advice for North Sea Stocks was expected to be published online on Fri 28 June, however there are ongoing issues with ICES website. MD planned to hold the Chief Fisheries Advisor for Scotland's annual science briefing on the

first tranche of advice on 3 July [*post meeting note – this is rescheduled for 6 August*].

- Encouraged everyone to get in touch if you wish to discuss anything related to this and thanks everyone who is going to meet SG officials over the coming weeks/months to discuss the advice.
- Provided an update on some commitments made in last year's Agreed Record: EU Bilateral – Pollack and Spurdog UK / EU / Norway Trilateral – Cod working group and genetic request to ICES.
- Coby Needle mentions the parallel Danish project (GenDC) which is gathering and collating cod genetic material to facilitate substock discrimination, and hopefully help ICES move away from pinning the Northern Shelf cod advice to the southern substock.
- PT (Open Seas) – interesting about the genetics study but asking about the benchmarking on the basis of lack of data for the West Coast of Scotland.
- Coby – GenDC is a relatively long-term project (2-3 years) and is still in its initial stages.
- AB (Macduff) – seeking an update on the EU Specialised Committee on NQS. They (the industry) get very little info. But they see a paced change on stocks. Would be grateful for updates from SG from these meetings.
- **Action 3. JM to take this idea forward to have these updates as a standing item at FMAC meetings.**
- IG (SPFA) – asking about sprat and the statement to recognise the sharing for sprat.
- **Action 4. KC to take that away the question about sprat and the statement to recognise the sharing for sprat and come back with an answer for IG.**

4. Overview of subgroups (30 mins)

FMAC Inshore Subgroup (Jim Watson)

- The group has been active, meeting three times this year. All the papers, presentations, notes of meeting are on the website.
- In January a suite of measures to improve our inshore fisheries in Scotland – a roadmap – was announced. This set out the challenges facing inshore fisheries management, the context we are managing and concerns about the health of inshore shellfish stocks, and desire to move towards more regional agile approach to management.
- Three elements to the roadmap were set-out
 - 1 – To take forward a broad package of inshore management proposals – framework;
 - 2 - To progress complementary transformational projects – inshore vessel tracking; improving the data / evidence base, and reviewing the rIFG network
 - 3 – To introduce shorter-term interim measures for crab and lobster – noted that in May restrictions landing berried females and on larger supercrabbers working within 6nm were introduced. These were on the whole warmly welcomed.
- The work of the group has included shaping interim measures for crab and lobster stock improvement; meeting Marine Directorate Science advisors to discuss the current evidence base and improvements planned for it from this

year; presentations by external groups setting out their views to improve inshore fisheries management, and keen to encourage that; and sharing the activities of the RIFG network.

- Meetings have been well attended, with a good mix of fishing representative organisations, academia, eNGO groups and charities. The face-to-face meeting in March was particularly productive.
- The next meeting of the group will be held on the 4th July 2024.
- AB (Macduff) – thinks the process has been very positive, congrats on that. As we move towards the wider consultation, the interim measures shouldn't be expected to continue and shouldn't be considered in the wider plan.
- JW – yes, these are short term interventions, that are being kept under review and we recognise these concerns.

FMAC Scallops Subgroup (Jim Watson)

- JW - the next meeting of the subgroup taking place on 3 July, and will focus on the forthcoming stock assessment advice.

FMAC Fisheries Climate Change Subgroup (Oana Racu)

- The group met twice last year, and we are looking to organise another meeting very soon.
- At the last meeting we shared research ideas and current knowledge; discussed the need for getting the balance right between mitigation and adaptation; discussed the need for a collective narrative and improved fisheries literacy; tried to agree collective outputs and a way forward.
- Our focus so far in regard to climate change has been on identifying and filling key evidence gaps.
- We have focused a lot on mitigation and made progress with a number of key pieces of research. also mention FIS, Seafish, academia.
- We think we are in a good space in regard to the emissions baseline, the biggest contributor to carbon emissions from marine fisheries being fuel use at sea.
- There is also a lot of work happening outside of SG on emissions from fishing and we need to let that work run through and where we can, we will bring the findings to the attention of the FMAC CC subgroup, and we ask others to share any new knowledge with us as this becomes available.
- We are keen to progress our thinking in the **adaptation sphere** as well and we have recently completed a research project in collaboration with Climate X Change which reviewed *fisheries policies adaptation and resilience to climate change and ocean acidification*. We want to discuss the findings of this report and what it means for policy with the FMAC climate change subgroup.
- In terms of **next steps**, we want to work with the subgroup to further develop the Fisheries Climate Change Programme and identify specific actions.
- We are pulling together a draft 'options paper' in which we hope to articulate what's viable and supported by existing evidence in order to address climate change in a fisheries context. We want to refine this paper with the subgroup at the next meeting, with the aim to send to the Ministers for their steer later this autumn.

Questions:

- EM(SFF) – asking about work on climate adaptation for fisheries.
- OR mentioned the recently published work carried out in collaboration with CXC and that we want to consider and discuss the findings and recommendations with the subgroup at the next meeting.
- It was also flagged that more certainty is needed from SG for upcoming meetings which should be planned with plenty notice so folk can attend.
- AB (Macduff) has asked that the minutes be published for CC subgroup
- **Action 5. JM – yes we will take this as an action.**

FMAC Future Catching Policy Subgroup (Ashleigh Meikle (AM))

- The bilateral workshops are underway. Currently we have held workshops on the large demersal and mixed demersal fleet segments with fisheries stakeholders. We are looking at dates to hold the same with eNGO stakeholders.
- The sensitive species workshop is taking place on 9 July. We hope to continue with the good levels of engagement we have had so far.

5. National Marine Plan update (Rachael Scrimgeour & Louise O'Hara Murray)

- RS provided a presentation which will be circulated with the minutes of the meeting
- There were questions raised by Shetland Fishermen Association on the draft Shetland Regional Marine Plan and whether this is deliberately being delayed.
- Louise O'Hara Murray –we understand the frustration with the development of regional plans and we hope that the NMP2 will make the process for supporting development of regional plans a lot smoother.
- PT (open Seas) – on the higher level objectives (HLOs) – finding them too vague. How can they be implementable?
- RS – we have mapped the HLOs and they have to be high-level enough to apply to a varied number of sectors. It is however our intention to reduce the number down following feedback and aligning with the approach to National Planning Framework 4.
- RS – going forward we want this plan to be easy to use
- PT (open seas) – asks for clearer objectives, and wants to see clearer environmental objectives.
- RS – we also need to be mindful of what planning can actually encourage.
- Louise – please send us any specific language/wording you wish to see included in the HLOs. To remind everyone that this is a planning document to support through the planning commitments that have already been made.
- EM (SFF) – it is complex beast. On the fisheries discussions, these are not suitable online. They would welcome these in person as the issues need careful thought and discussion.
- RS – As agreed, we are keen to hold an in-person meeting and we will share a meeting proposal in advance. It is difficult to strike the right balance on how much info we can provide at one time.
- SK (SFA) – what has been done to assess cumulative impacts on certain sectors from competition for space?

- RS – we are mindful of this issue and are looking at how we can reframe our policies and how we can encourage more consideration to cumulative impacts. Please send us your suggested wording.
- **Action 6. All to send suggested wording on HLOs to Rachael or Louise for including in the NMP2**

6. Compliance update (Hugh Mitchell)

- We have noticed a trend in pelagic vessel development with the use of moonpools which we believe are a means to remove excess seawater under the vessel and waterline whilst at sea.
- In a recent discussion with the MCA we discussed this development in relation to the Control Regulation (1224/2009) requirement for Pelagic vessels operating in the NEAFC Convention Area being prohibited from discharging fish under their water line from buffer tanks or refrigerated seawater (RSW) tanks (article 54b).
- The MCA advised us that the fish discharge systems on a number of these vessels includes the capacity to pump from the RSW tanks to overboard through the moonpool in the bottom of the vessel.
- Can we ask what mitigations are in place and how they are recorded to ensure that fish cannot be discharged from the RSW tanks through the moonpool and under the waterline in reference to article 54b.

Net measurements

- Further to sharing with you our approach to net tolerances changing in 2023 – we continue to see a high rate of net measurement failures across all areas. On coast, 25% of all measurements have failed.
- A failure could be due an illegal attachment, an undersized mesh or an issue with a panel.
- At sea in 2024 19% of net inspections have failed with half of these resulting in a caution. This means that they have either been excessively undersized or an illegal attachment has been found.
- **Action 7. All to send their questions related to the compliance update and we can forward to relevant colleagues.**

7. Fisheries Management Plans FMPs (Jane MacPherson)

- 4 main areas of work – Conservation advice / SEA / Drafting / Nephrops.
- Currently reviewing timescales and plans with Defra and the other devolved administrations.
- Can still do more engagement – will be taking comments received to date on board.
- Would welcome feedback on timing of consultations – one or two batches?
- PT (Open Seas) – we have struggled to engage with this process. Art 7 Fish Act – are looking at passing them next year? How far is timeline going?
- Due to meeting running over time, JM suggested a separate discussion with PT on this.

8. North Sea Cod avoidance plan (NCAP) review – NCAP (Kerrie) (10 mins)

- General update on the Trilateral Written Record's commitment to review management measures considering the newly defined northern shelf stock, SG has been keen to progress this work.
- Initial meetings of the working group have taken place, and Terms of Reference are in the process of being finalised, strong emphasis on stakeholder engagement in the TOR.
- Further details will be coming out soon on how stakeholders can support the review process, we will be collating evidence and views on:
- Existing management measures, including their efficacy and impacts on fishing patterns.
- Any adjustments or additional measures that may further support the sustainability of the Northern Shelf cod stock.

9. FMAC review (Jane)

- Post election period will be issuing a questionnaire on FMAC. Will ask questions about the current model, including the split between the main FMAC group and subgroups. Will also consider current memberships, barriers to engagement, and suggestions for improvement.
- Will be anonymous and run by our Marine Analytical Unit. Results will be prepared and shared with the group and presented to the Cab Sec for her consideration.
- Online – with mostly closed questions but also space for open comments.
- Encourage everyone to complete and be honest in their feedback.

10. FFM delivery plan (Jane / Oana)

- Scotland's Fisheries Management Strategy (FFM Strategy) was published in December 2020. A delivery plan was published in 2022 to support the strategy and record progress. Since then, we have progressed at pace with a number of our policies in the Strategy and I should add that the industry have been heavily involved in this work and we are immensely grateful for your continuous input.
- We are now in the process of updating the delivery plan to reflect the progress and our journey so far. The updated plan will also specify any upcoming consultations and the timeline for those
- We do not have a timeline for publication for the delivery plan update yet but will be over the summer, more likely after recess.

11. Summary of Actions

Action 1. We will follow up with a further meeting in the Autumn to discuss commitments and obligations as this is an outstanding action from the previous meeting.

Action 2. We will make sure the MPAs will be a substantial agenda item at the next meeting.

Action 3. JM to take this idea forward to have these updates as a standing item at FMAC meetings.

Action 4. KC to take that away the question about sprat and the statement to recognise the sharing for sprat and come back with an answer for IG.

Action 5. MD to publish the minutes of the FMAC climate change sub-group meetings

Action 6. All to send suggested wording on HLOs to Rachael or Louise for including in the NMP2.

Action 7. All to send their questions related to the compliance update and we can forward to relevant colleagues.

