



Shellfish
Association of Great Britain



Marine Planning
Marine Scotland
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14th November 2013

Dear Colleague,

National Marine Plan Consultation

I am writing on behalf of the Shellfish Association of Great Britain (SAGB) and the Association of Scottish Shellfish Growers (ASSG). We are the UK industry membership trade associations for shellfish aquaculture and fisheries. We represent the shellfish industry in Britain which currently accounts for almost half of the value of landings of all fishery products in the UK.

We will begin our response with general comments before moving on to address some more specific issues.

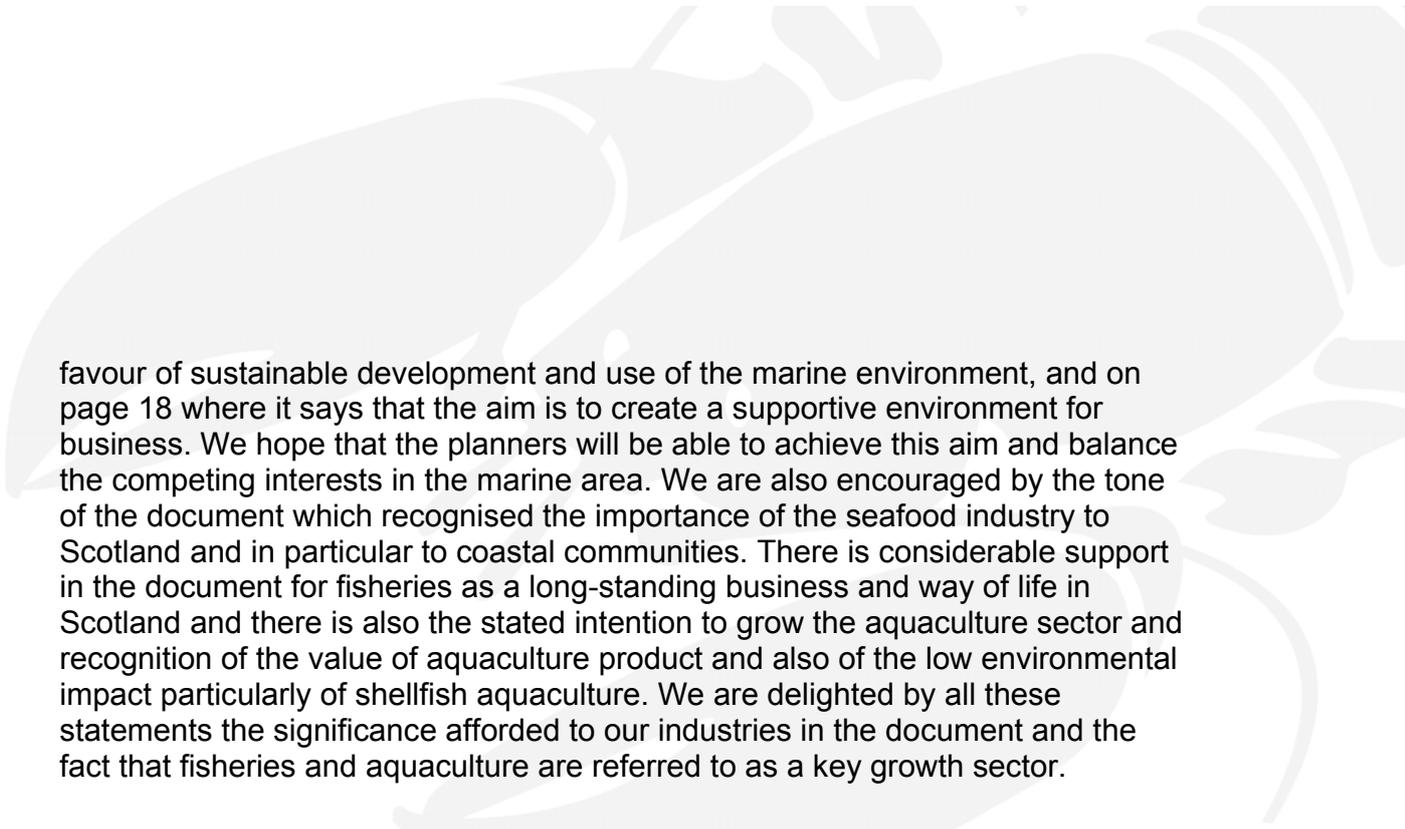
General Comment

We are fully aware of the benefits which are likely to accrue to the industry from a robust and balanced marine planning system, and we particularly welcome statements such as the general policy 1 which says there is a presumption in

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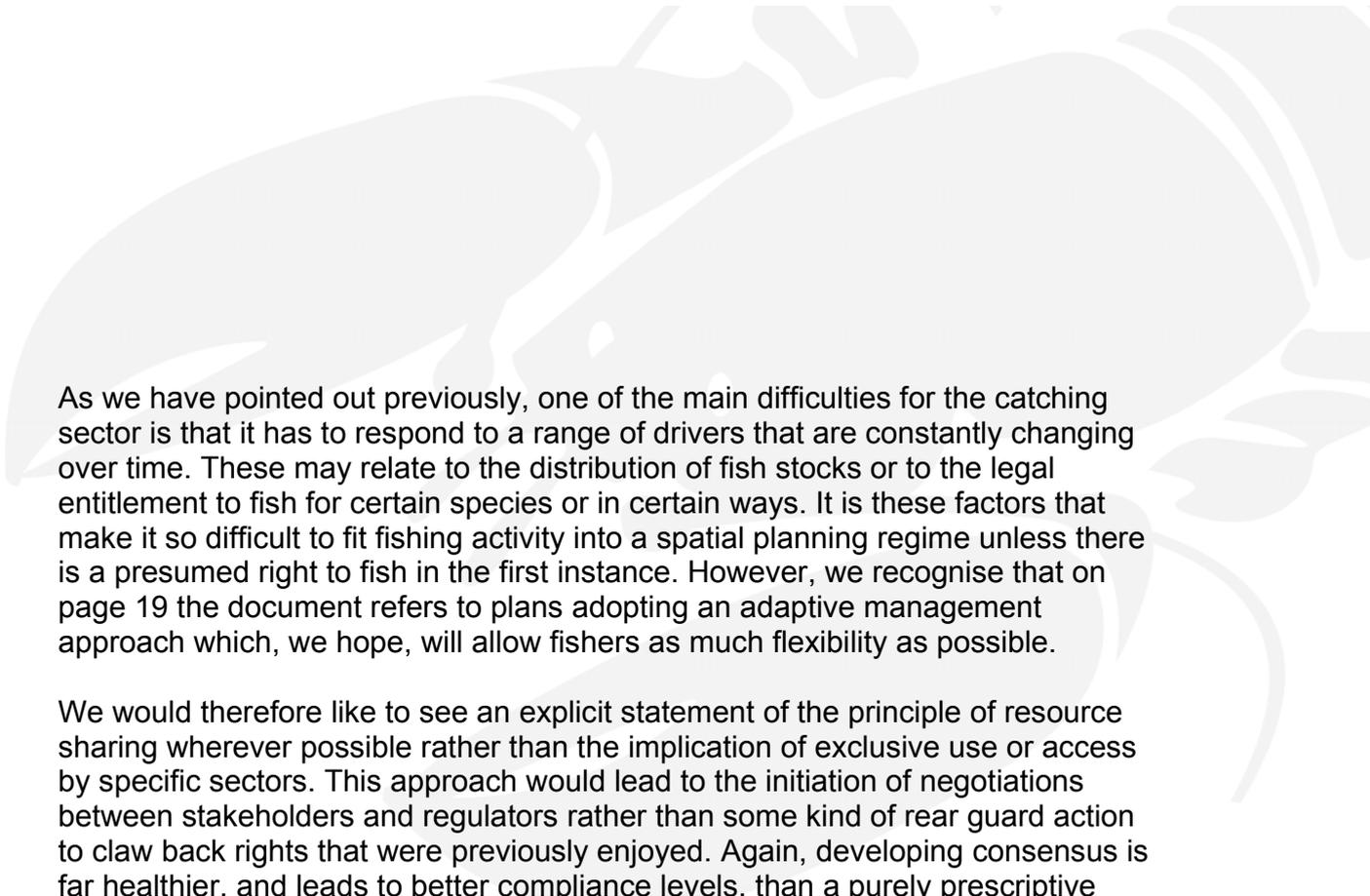
favour of sustainable development and use of the marine environment, and on page 18 where it says that the aim is to create a supportive environment for business. We hope that the planners will be able to achieve this aim and balance the competing interests in the marine area. We are also encouraged by the tone of the document which recognised the importance of the seafood industry to Scotland and in particular to coastal communities. There is considerable support in the document for fisheries as a long-standing business and way of life in Scotland and there is also the stated intention to grow the aquaculture sector and recognition of the value of aquaculture product and also of the low environmental impact particularly of shellfish aquaculture. We are delighted by all these statements the significance afforded to our industries in the document and the fact that fisheries and aquaculture are referred to as a key growth sector.

We support the principle of planning as a means of resolving potentially conflicting uses of the marine environment. There are undoubtedly potential benefits ensuing through this process for the fishing industry, but the catching sector in particular is still extremely concerned about the negative impact of any spatial constraints which may be imposed. Fishermen have hitherto enjoyed relatively unencumbered access to the marine environment, and could see business / earning opportunities reduced as a result of any restrictions

When the planning process moves to the more detailed regional plans it would be far more productive to seek solutions which the industry can help to shape and then engage with than to be prescriptive and expect to achieve engagement and support for both the process and the subsequent legislation. General Policy 9 refers to early and effective engagement and we hope that the planning process can be as inclusive as possible.

As cross-border bodies we can easily anticipate the potential for friction – if not conflict – between regulators, conservationists and fishermen from a number of different jurisdictions as they each try to serve their respective best interests. It is vital that an equitable, balanced process is put in place..

We are disappointed to see that the document does not contain any reference to there being a presumption in favour of fishing as is currently is the case. Fishermen have long recognised that there are legitimate reasons for fishing to be limited in particular areas. This has always been the case with regard to spatial conflict between the fishing and oil and gas industries. However, these conflicts have been resolved by and large by co-operation and negotiation, and it is hoped this can be the case for the future.



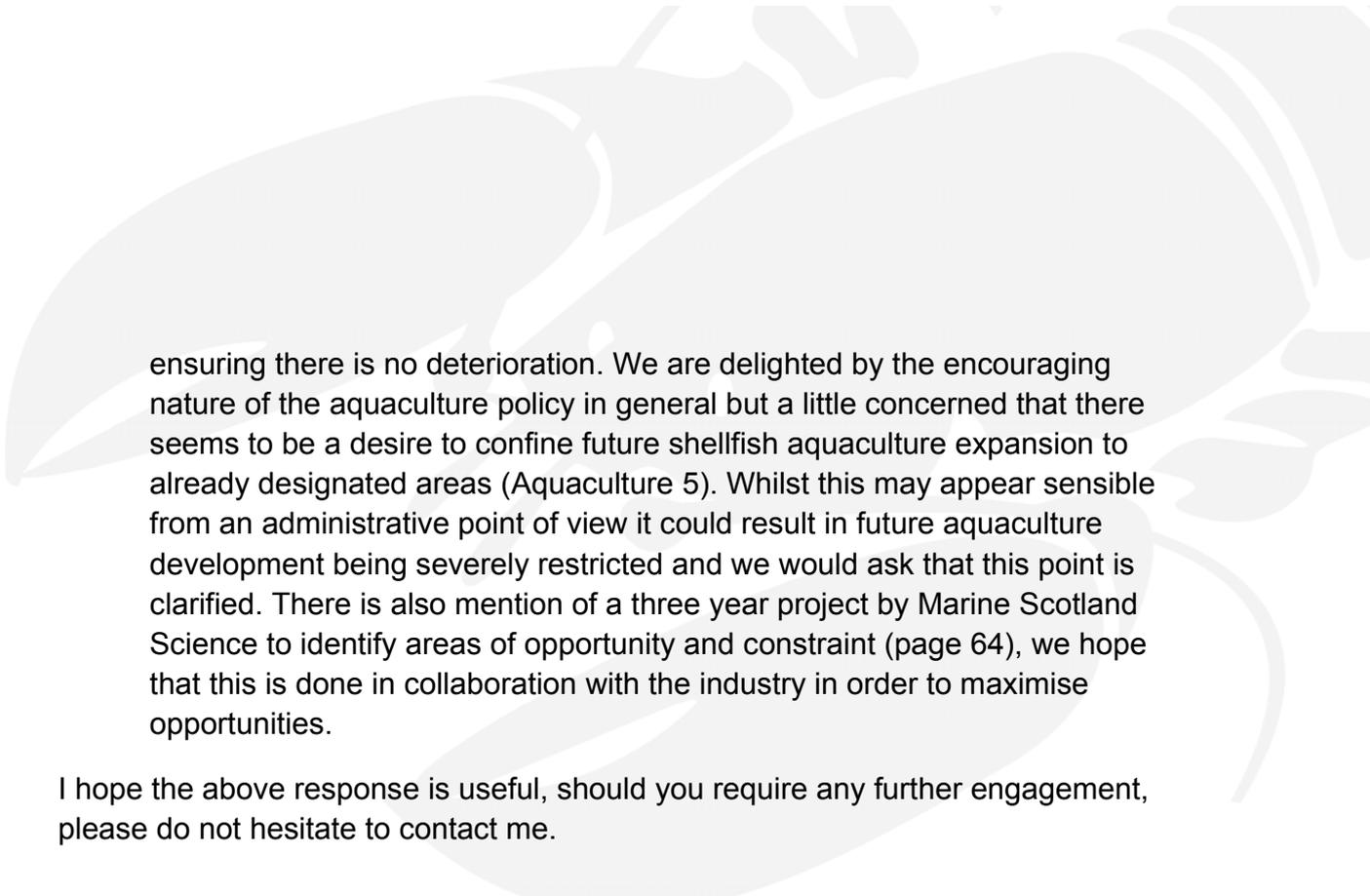
As we have pointed out previously, one of the main difficulties for the catching sector is that it has to respond to a range of drivers that are constantly changing over time. These may relate to the distribution of fish stocks or to the legal entitlement to fish for certain species or in certain ways. It is these factors that make it so difficult to fit fishing activity into a spatial planning regime unless there is a presumed right to fish in the first instance. However, we recognise that on page 19 the document refers to plans adopting an adaptive management approach which, we hope, will allow fishers as much flexibility as possible.

We would therefore like to see an explicit statement of the principle of resource sharing wherever possible rather than the implication of exclusive use or access by specific sectors. This approach would lead to the initiation of negotiations between stakeholders and regulators rather than some kind of rear guard action to claw back rights that were previously enjoyed. Again, developing consensus is far healthier, and leads to better compliance levels, than a purely prescriptive approach.

Along with this approach there seems also to be a case to argue for protected rights of access for fishermen on certain, critically important, fishing grounds. Planners must understand and accept that fishermen cannot simply 'go off and fish somewhere else' when they are excluded from an area. Resources are not distributed homogeneously and guaranteed access to some grounds will be crucially important to fishermen for the foreseeable future.

Specific Points

- On page 16, and indeed throughout the document one of the aims stated is to maintain and recover biodiversity. Whilst we support the case for maintaining biodiversity we feel that to aim to recover it is potentially very problematic. There are many reasons for biodiversity loss some of which undoubtedly are as a result of human impacts but some are not. To aim to return biodiversity to some arbitrary position in the past when we are not in full control of the circumstances seems doomed to failure. The effect of trying to do it however coupled with General Policy 10 to "apply precaution within a risk based approach" may well have serious detrimental effects on business.
- With regard to aquaculture we are pleased that there is recognition in the document that water quality is vital and that General Policy 18 is aimed at



ensuring there is no deterioration. We are delighted by the encouraging nature of the aquaculture policy in general but a little concerned that there seems to be a desire to confine future shellfish aquaculture expansion to already designated areas (Aquaculture 5). Whilst this may appear sensible from an administrative point of view it could result in future aquaculture development being severely restricted and we would ask that this point is clarified. There is also mention of a three year project by Marine Scotland Science to identify areas of opportunity and constraint (page 64), we hope that this is done in collaboration with the industry in order to maximise opportunities.

I hope the above response is useful, should you require any further engagement, please do not hesitate to contact me.

Yours sincerely,



Sarah Horsfall
Assistant Director - SAGB