

CONSULTATION QUESTIONS

Question 1: Capacity Penalties

Do you agree that capacity penalties on licence aggregations bring unnecessary costs to industry and should therefore be removed?

Comments: *No comment*

Question 2: Licence categories

A) In light of the forthcoming landing obligation, do you agree that there is a need to change the current licensing structure?

B) Do you agree with a proposal to have only one 10m & Under Licence and one Over 10m Licence?

C) Do you agree that the lowest common denominator (see section 3.2.3) should apply when transferring or aggregating a licence within Scotland?

Comments: *No comment*

Question 3: Mismatches

A) Do you agree to the removal of the mis-match provisions on transactions involving the use of dis-aggregated entitlements?

B) Do you agree to the proposed change in the way mis-match provisions will be recorded on the licence?

Comments: *No comment*

Question 4: The validity period for unattached licence entitlements (shelf life)

Do you believe the entitlement validity period should be extended to a 10 year period?

Comments: *No comment*

Question 5: Scallop and Shellfish Entitlements

Do you agree with the Scottish Government's proposal for the removal of scallop entitlements that have not been used within the last seven years i.e. entitlements that have not been placed on board a vessel that is rigged and operational within the fishery?

Comments: *We strongly support Scottish Government's proposal for the removal of scallop entitlements that have not been used recently.*

Closer matching of fleet capacity to actual effort would allow for more effective management of the fishery, reducing the potential for stock over-exploitation and associated seabed impacts. There is evidently considerable latent capacity within the scallop sector (~30% entitlement use in last seven years), which would present a risk to stock sustainability and wider environmental interests if greater uptake of latent entitlements became economical. Given the variability in scallop recruitment success, such an uptake could lead to a 'boom and bust' fishery, which would be both economically and environmentally unsustainable.

It is currently proposed that entitlements not used in the last seven years will be removed. We would support a shorter reference period for this measure, with any subsequent issue of entitlements to be based on knowledge of the fleet size and capacity that the stock and supporting environment can accommodate within the bounds of sustainability.

Question 6: New Entrants

Do you agree with the concept of licensing incentives to support and promote a new entrants scheme to the Scottish fishing industry?

Comments: *No comment*

Question 7: Days at Sea/Effort Eligibility

A) Do you agree with the removal of CRZ eligibility completely?

Or

B) Do you agree that CRZ eligibility should be kept, with an updated reference period that will roll forward annually?

Comments: *No comment*

Other Comments:

We welcome the new licence conditions being considered for the razor clam fishery.

While electrofishing causes less perturbation to seabed habitats than dredge gear, due to the biology of razor clams there is a risk of stock over-exploitation from any method of razor clam fishing. Consequently, we support active regulation of this fishery for management of both stock exploitation and effects upon seabed habitats. These matters are relevant throughout suitable Scottish inshore waters, including some Natura sites (Special Areas of Conservation (SACs)) and other marine protected areas (e.g. pMPAs) for which the clams are part of a qualifying habitat feature. We are currently involved in the preparation of advice for management of fisheries within SACs (under The Conservation (Natural Habitats, &c.) Regulations 1994) and new pMPAs (under the Marine (Scotland) Act 2010), advice on razor clams will be included within these fisheries management papers.

We consider that Inshore Fishery Groups (IFGs) should have a role in developing appropriate management measures for the fishery. Management of fishing effort and temporal (i.e. seasonal) measures are likely to be relevant, as are spatial measures for the protection of sensitive habitats that may overlap with razor clam grounds (e.g. maerl and seagrass).

We welcome the new licence conditions being considered for the razor clam fishery.