

From: [Information redacted]
Sent: 06 January 2021 11:20
To: [Information redacted]
Cc: [Information redacted]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Happy New Year and I hope you're well.

Would you be content me adding the words in bold to our current press query response below, to reflect the Scottish authorisation to pulse in UK waters was removed on 31 December?

*"As the transition period has now ended, pulse trawling by EU and English **and Scottish**-registered vessels will no longer be permitted in UK waters.
This will help to safeguard our marine environment and keep our seas sustainable for future generations."*

[Information redacted]
[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |
[Information redacted]
If your call is urgent or out of standard office hours please contact the
M&F duty phone number - **08000 121619**

From: [Information redacted]
Sent: 30 December 2020 17:59
To: [Information redacted – 2 email addresses]
Cc:[Information redacted – 11 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

[Information redacted],

Yes. We remove the authorisation to pulse fish in English waters (and I understand it is only in English waters there are pulse fishing zones in the UK, so this may be a distinction without a difference), and reserve that vessel's right to pulse fish in EU waters.

Hope that is clear, happy to discuss if not.

[Information redacted]

Sent with BlackBerry Work
(www.blackberry.com)

From: [Information redacted]
Date: Wednesday, 30 Dec 2020, 5:41 pm
To: [Information redacted – 2 email addresses]
Cc: [Information redacted – 11 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Thanks [Information redacted].

Just so I'm clear (and my apologies for re-checking here), you and [Information redacted] are confirming that you will be withdrawing the pulse authorisation for the Scottish vessel for fishing in UK waters from 31 December, but are reserving the right to explore that vessel fishing by that method in EU waters until 30 June 2021?

[Information redacted]

[Information redacted] Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:56
To: [Information redacted – 2 names]
Cc: [Information redacted]
Subject: RE: Electro-Pulse Beam Authorisation

Thank you [Information redacted], we note the approach you have taken. This is our intended approach.

Regards,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:52
To: [Information redacted – 2 email addresses]
Cc: [Information redacted]
Subject: RE: Electro-Pulse Beam Authorisation

[Information redacted],

I think we are ok on this point. England took a strong position on this issue, but that wasn't an agreed UK position. That's why in Scotland we were content to follow the EU's lead on this matter and phase out the pulse-trawl on a slower timeline.

And provided the EU is content to allow its vessels to pulse-trawl in EU waters then their shouldn't be a problem with allowing Scottish vessels to do the same.

[Information redacted]

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:24
To: [Information redacted]

Cc: [Information redacted – 12 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Aside from the arrangements for technical discussions still tbc, I was flagging the path we had taken in England and plan to stick to. The commitment by the UK to withdraw pulse trawling authorisations could look hypocritical if in parallel the UK is seeking to maximise that approach in EU waters for a time limited period.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:01
To: [Information redacted]
Cc: [Information redacted – 12 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Thanks [Information redacted],

The issue here is that by allowing a Scottish vessel to fish in the UK zone that opens up the potential to EU vessels being able to fish in the English zone. I don't see an issue with exploring whether the vessel can fish in the EU zone given that EU vessels will be doing this?

Regards,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 15:42
To: [Information redacted]
Cc: [Information redacted – 12 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

I've suggested a tweak below to reflect that we ought to be thinking in terms of UK waters, as that is what non-UK vessels will be banned from pulse fishing within from 31 December.

The offer you suggest making in highlight below isn't one we have made or plan to make for English vessels (MMO can clarify if I got that first bit right). Additionally, the detail of the mechanism for UK having technical discussions with the EU is, I believe, yet to be confirmed so I'm not sure how this offer would sit within that at present.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |

Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P 3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 15:29
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Thinking about potential wording for removing the derogation. Does the following wording reflect the current situation

In line with arrangements for vessels from the rest of the UK and the European Union, Scottish vessels will be prohibited to fishing with electric pulse trawls in the ~~English zone~~ UK EEZ from 1 January 2021.

Under EU law (Article 7 and Part D of Annex V of Regulation (EU) 2019/1241), the use of electric pulse fishing methods will be prohibited in Union waters from 30 June 2021. **If you wish, we could explore the potential for the vessel to use electric pulse fishing methods in EU waters of ICES zones IVc and IVb until 30 June 2021.**

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 14:28
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

I understand on the SIA call just now that Marine Scotland agreed to remove the pulse trawling authorisation for the Scottish vessel from 31 December 2020. Could you confirm this is the case?

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P 3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 12:18
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

In terms of value, I can't the answer the question in £ but figures from ICES estimated that 76 Dutch pulse licence holders in 2017 harvested 11, 832 tonnes of sole, whereas in 2009 the same fishers

caught 8,016 tonnes using conventional beam trawls. The fishing effort (swept area) of these pulse licence holders, required to catch their share of the quota decreased from 2009 to 2017 by 35%. So you can appreciate the benefit of pulse trawling disappearing from UK waters, where much of this activity has been taking place.

I understand there is an SIA meeting at 1pm where this might crop up. I'm not on that call but others here will be. Do you think it possible you'll be able to update on your thinking and perhaps also remove the authorisation for your vessel from 31 December?

[Information redacted] I Head of Inshore Reform I Domestic Fisheries & Reform I
Department for Environment, Food & Rural Affairs I Nobel House I 17 Smith Square I London SW1P
3JR I

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 12:04
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Yes, the authority will be removed from English vessels to pulse fish anywhere from 23.00 on 31 December.

In principle, the CFP rules should apply to UK vessels in EU waters in the same way as they apply to EU vessels, otherwise the EU would be in breach of Art. 4 themselves.

[Information redacted] I Head of Inshore Reform I Domestic Fisheries & Reform I
Department for Environment, Food & Rural Affairs I Nobel House I 17 Smith Square I London SW1P
3JR I

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 10:46
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Thanks [Information redacted], to confirm the authority is going to be removed from the other 4 vessels from 31 Dec 2020? Will any still be permitted to use the fishing method outside of UK waters in the EU zone?

From: [Information redacted]
Sent: 30 December 2020 10:27
To: [Information redacted]
Cc: [Information redacted]

[Information redacted]
I tried calling earlier but I think you were on another call.

The second bullet would still apply because for the purposes of the UK/EU FTA if one constituent part of the UK licences a vessel to pulse trawl then that is taken to be a UK authorisation/licence, and we have to offer the same to foreign vessels so that we are not discriminating against them.

We are checking but this 'offer of the same' may not apply to all EU vessels but would apply to those already engaged in that activity, so c80 Dutch vessels on top of the 5 UK vessels currently with authorisations. But that may be a minimum number.

I don't have figures on the value of pulse to your vessel, nor the fishery more widely (though can look into the latter). But the bigger concern is the prospect of the UK breaching the FTA (and early in its application).

Happy to talk through if that helps.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 10:08
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Any additional information on the number of vessels that would potentially fish by the method in UK waters and any details on the value of the fishery would be helpful.

Thank you,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 09:30
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]

Subject: RE: Electro-Pulse Beam Authorisation

Morning [Information redacted],

Thank you for this, my understanding is that the only place in UK waters where this takes place is in English? As we don't licence fishing activity by vessels from other coastal states in English waters does your response to the second bullet still apply?

Regards,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 08:35

To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Hope you are well.

I've part answered below for speed of response. Defra/MMO colleagues copied here may be able to clarify/fill in any gaps.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 07:37
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: Electro-Pulse Beam Authorisation
Importance: High

Hi [Information redacted],

During discussions on licensing arrangements to apply to EU vessels yesterday, electro-pulse beaming came up and we were given your name as a point of contact and I would be grateful for a response as soon as possible today please to allow us to move ahead with next steps.

The specific issue raised are the terms of the EU Agreement and concern that the extant authorisation for a Scottish vessel could allow for the EU vessels to potentially claim right to continue using the fishing method until it is prohibited through the Tech Con in 30 June 2021.

Would you be able to provide information on:

- The process for removing the authorisations from English vessels including any consultation with industry. The MMO sent out letters to those with a pulse trawl authorisation at the end of October stating that Defra and MMO will proceed to remove electric pulse trawl authorisations from English registered vessels on 31 December 2020, when the transition period ends. Our intentions around pulse trawling also came up during the passage of the Fisheries Act in Parliament.
- The potential impact of allowing the Scottish vessel to continue fishing by this method from 1 January 2021 If Scotland were to continue to allow pulse trawling by your vessels you would also have to allow it (to the same extent) for EU vessels, or the UK would be in breach of Article 4(2) of the UK-EU Free Trade Agreement.

- The issues with the authorisation being removed at a point later than 1 January but before 30 June. *As above.*
- Do you have any details on the value of the electro-pulse fishery or the value of the fishery to this vessel in particular? *Not to hand but will check if we have it.*

This will help us in determining next steps

Regards,

[Information redacted]

[Information redacted] Team Leader
 Access to Sea Fisheries
marinescotland Fisheries Division
 Area 1B South, Victoria Quay, Edinburgh, EH6 6QQ

[Information redacted]
 [Information redacted]
 [Information redacted]
 [Information redacted]



In 2020 we are showcasing Scotland's coasts, rivers, canals, lochs and inland waters and the work we are doing to protect our marine environment and wildlife. Join the conversation #YCW2020



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For more information please visit <http://www.symanteccloud.com>

From: [Information redacted]
Sent: 30 December 2020 18:03
To: [Information redacted – 2 names]
Cc: [Information redacted – 12 names]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Thanks, and again to you and your colleagues for the quick consideration and confirmation today.

Regards,

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 17:59
To: [Information redacted – 2 email addresses]
Cc: [Information redacted – 11 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

[Information redacted],

Yes. We remove the authorisation to pulse fish in English waters (and I understand it is only in English waters there are pulse fishing zones in the UK, so this may be a distinction without a difference), and reserve that vessel's right to pulse fish in EU waters.

Hope that is clear, happy to discuss if not.

[Information redacted]

Sent with BlackBerry Work
(www.blackberry.com)

From: [Information redacted]
Date: Wednesday, 30 Dec 2020, 5:41 pm
To: [Information redacted – 2 email addresses]
Cc: [Information redacted – 11 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Thanks [Information redacted].

Just so I'm clear (and my apologies for re-checking here), you and [Information redacted] are confirming that you will be withdrawing the pulse authorisation for the Scottish vessel for fishing in UK waters from 31 December, but are reserving the right to explore that vessel fishing by that method in EU waters until 30 June 2021?

[Information redacted]

[Information redacted] Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:56
To: [Information redacted – 2 names]
Cc: [Information redacted]
Subject: RE: Electro-Pulse Beam Authorisation

Thank you [Information redacted], we note the approach you have taken. This is our intended approach.

Regards,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:52
To: [Information redacted – 2 email addresses]
Cc: [Information redacted]
Subject: RE: Electro-Pulse Beam Authorisation

[Information redacted],

I think we are ok on this point. England took a strong position on this issue, but that wasn't an agreed UK position. That's why in Scotland we were content to follow the EU's lead on this matter and phase out the pulse-trawl on a slower timeline.

And provided the EU is content to allow its vessels to pulse-trawl in EU waters then their shouldn't be a problem with allowing Scottish vessels to do the same.

[Information redacted]

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:24
To: [Information redacted]
Cc: [Information redacted – 12 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Aside from the arrangements for technical discussions still tbc, I was flagging the path we had taken in England and plan to stick to. The commitment by the UK to withdraw pulse trawling authorisations could look hypocritical if in parallel the UK is seeking to maximise that approach in EU waters for a time limited period.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 16:01
To: [Information redacted]
Cc: [Information redacted – 12 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

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The issue here is that by allowing a Scottish vessel to fish in the UK zone that opens up the potential to EU vessels being able to fish in the English zone. I don't see an issue with exploring whether the vessel can fish in the EU zone given that EU vessels will be doing this?

Regards,

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From: [Information redacted]
Sent: 30 December 2020 15:42
To: [Information redacted]
Cc: [Information redacted – 12 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

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[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
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[Information redacted]

From: [Information redacted]
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To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
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Hi [Information redacted],

Thinking about potential wording for removing the derogation. Does the following wording reflect the current situation

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[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 14:28
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

I understand on the SIA call just now that Marine Scotland agreed to remove the pulse trawling authorisation for the Scottish vessel from 31 December 2020. Could you confirm this is the case?

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 12:18
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Subject: RE: Electro-Pulse Beam Authorisation

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I understand there is an SIA meeting at 1pm where this might crop up. I'm not on that call but others here will be. Do you think it possible you'll be able to update on your thinking and perhaps also remove the authorisation for your vessel from 31 December?

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
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[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 12:04
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

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In principle, the CFP rules should apply to UK vessels in EU waters in the same way as they apply to EU vessels, otherwise the EU would be in breach of Art. 4 themselves.

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
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[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 10:46
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
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Sent: 30 December 2020 10:27
To: [Information redacted]
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[Information redacted]

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Happy to talk through if that helps.

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Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
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[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 10:08
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Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

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Thank you,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 09:30
To: [Information redacted]
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Morning [Information redacted],

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Sent: 30 December 2020 08:35
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Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Hope you are well.

I've part answered below for speed of response. Defra/MMO colleagues copied here may be able to clarify/fill in any gaps.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 07:37
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: Electro-Pulse Beam Authorisation
Importance: High

Hi [Information redacted],

During discussions on licensing arrangements to apply to EU vessels yesterday, electro-pulse beaming came up and we were given your name as a point of contact and I would be grateful for a response as soon as possible today please to allow us to move ahead with next steps.

The specific issue raised are the terms of the EU Agreement and concern that the extant authorisation for a Scottish vessel could allow for the EU vessels to potentially claim right to continue using the fishing method until it is prohibited through the Tech Con in 30 June 2021.

Would you be able to provide information on:

- The process for removing the authorisations from English vessels including any consultation with industry. The MMO sent out letters to those with a pulse trawl authorisation at the end of October stating that Defra and MMO will proceed to remove electric pulse trawl authorisations from English registered vessels on 31 December 2020, when the transition period ends. Our intentions around pulse trawling also came up during the passage of the Fisheries Act in Parliament.
- The potential impact of allowing the Scottish vessel to continue fishing by this method from 1 January 2021. If Scotland were to continue to allow pulse trawling by your vessels you would also have to allow it (to the same extent) for EU vessels, or the UK would be in breach of Article 4(2) of the UK-EU Free Trade Agreement.
- The issues with the authorisation being removed at a point later than 1 January but before 30 June. As above.

- Do you have any details on the value of the electro-pulse fishery or the value of the fishery to this vessel in particular? Not to hand but will check if we have it.

This will help us in determining next steps

Regards,

[Information redacted]

[Information redacted] Team Leader
Access to Sea Fisheries
marine scotland Fisheries Division
Area 1B South, Victoria Quay, Edinburgh, EH6 6QQ

[Information redacted]
[Information redacted]
[Information redacted]
[Information redacted]



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**** *****

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From: [Information Redacted]
Sent: 30 December 2020 14:29
To: [Information Redacted]
Cc: [Information Redacted – 10 names]
Subject: RE: Electro-Pulse Beam Authorisation

Not agreed at this point we are exploring the option. Will confirm when I can.

[Information Redacted]

From: [Information redacted]
Sent: 30 December 2020 14:28
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

I understand on the SIA call just now that Marine Scotland agreed to remove the pulse trawling authorisation for the Scottish vessel from 31 December 2020. Could you confirm this is the case?

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 12:18
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

In terms of value, I can't the answer the question in £ but figures from ICES estimated that 76 Dutch pulse licence holders in 2017 harvested 11, 832 tonnes of sole, whereas in 2009 the same fishers caught 8,016 tonnes using conventional beam trawls. The fishing effort (swept area) of these pulse licence holders, required to catch their share of the quota decreased from 2009 to 2017 by 35%. So you can appreciate the benefit of pulse trawling disappearing from UK waters, where much of this activity has been taking place.

I understand there is an SIA meeting at 1pm where this might crop up. I'm not on that call but others here will be. Do you think it possible you'll be able to update on your thinking and perhaps also remove the authorisation for your vessel from 31 December?

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 12:04
To: [Information redacted]

Cc: [Information redacted – 10 email addresses]

Subject: RE: Electro-Pulse Beam Authorisation

Yes, the authority will be removed from English vessels to pulse fish anywhere from 23.00 on 31 December.

In principle, the CFP rules should apply to UK vessels in EU waters in the same way as they apply to EU vessels, otherwise the EU would be in breach of Art. 4 themselves.

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]

Sent: 30 December 2020 10:46

To: [Information redacted]

Cc: [Information redacted – 10 email addresses]

Subject: RE: Electro-Pulse Beam Authorisation

Thanks [Information redacted], to confirm the authority is going to be removed from the other 4 vessels from 31 Dec 2020? Will any still be permitted to use the fishing method outside of UK waters in the EU zone?

From: [Information redacted]

Sent: 30 December 2020 10:27

To: [Information redacted]

Cc: [Information redacted]

[Information redacted]

I tried calling earlier but I think you were on another call.

The second bullet would still apply because for the purposes of the UK/EU FTA if one constituent part of the UK licences a vessel to pulse trawl then that is taken to be a UK authorisation/licence, and we have to offer the same to foreign vessels so that we are not discriminating against them.

We are checking but this 'offer of the same' may not apply to all EU vessels but would apply to those already engaged in that activity, so c80 Dutch vessels on top of the 5 UK vessels currently with authorisations. But that may be a minimum number.

I don't have figures on the value of pulse to your vessel, nor the fishery more widely (though can look into the latter). But the bigger concern is the prospect of the UK breaching the FTA (and early in its application).

Happy to talk through if that helps.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 10:08
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Any additional information on the number of vessels that would potentially fish by the method in UK waters and any details on the value of the fishery would be helpful.

Thank you,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 09:30
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Morning [Information redacted],

Thank you for this, my understanding is that the only place in UK waters where this takes place is in English? As we don't licence fishing activity by vessels from other coastal states in English waters does your response to the second bullet still apply?

Regards,

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 08:35
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: RE: Electro-Pulse Beam Authorisation

Hi [Information redacted],

Hope you are well.

I've part answered below for speed of response. Defra/MMO colleagues copied here may be able to clarify/fill in any gaps.

[Information redacted]

[Information redacted] | Head of Inshore Reform | Domestic Fisheries & Reform |
Department for Environment, Food & Rural Affairs | Nobel House | 17 Smith Square | London SW1P
3JR |

[Information redacted]

From: [Information redacted]
Sent: 30 December 2020 07:37
To: [Information redacted]
Cc: [Information redacted – 10 email addresses]
Subject: Electro-Pulse Beam Authorisation
Importance: High

Hi [Information redacted],

During discussions on licensing arrangements to apply to EU vessels yesterday, electro-pulse beaming came up and we were given your name as a point of contact and I would be grateful for a response as soon as possible today please to allow us to move ahead with next steps.

The specific issue raised are the terms of the EU Agreement and concern that the extant authorisation for a Scottish vessel could allow for the EU vessels to potentially claim right to continue using the fishing method until it is prohibited through the Tech Con in 30 June 2021.

Would you be able to provide information on:

- The process for removing the authorisations from English vessels including any consultation with industry. The MMO sent out letters to those with a pulse trawl authorisation at the end of October stating that Defra and MMO will proceed to remove electric pulse trawl authorisations from English registered vessels on 31 December 2020, when the transition period ends. Our intentions around pulse trawling also came up during the passage of the Fisheries Act in Parliament.
- The potential impact of allowing the Scottish vessel to continue fishing by this method from 1 January 2021 If Scotland were to continue to allow pulse trawling by your vessels you would also have to allow it (to the same extent) for EU vessels, or the UK would be in breach of Article 4(2) of the UK-EU Free Trade Agreement.
- The issues with the authorisation being removed at a point later than 1 January but before 30 June. As above.
- Do you have any details on the value of the electro-pulse fishery or the value of the fishery to this vessel in particular? Not to hand but will check if we have it.

This will help us in determining next steps

Regards,

[Information redacted]

[Information redacted] Team Leader
Access to Sea Fisheries

marinescotland Fisheries Division
Area 1B South, Victoria Quay, Edinburgh, EH6 6QQ

[Information redacted]
[Information redacted]
[Information redacted]
[Information redacted]



In 2020 we are showcasing Scotland's coasts, rivers, canals, lochs and inland waters and the work we are doing to protect our marine environment and wildlife. Join the conversation #YCW2020



From: [Information redacted]
Sent: 30 December 2020 18:12
To: [Information redacted – 2 email addresses]
Cc: Access to Sea Fisheries; [Information redacted]; FO Buckie
Subject: [Information redacted]
Importance: High

Please see attached correspondence which removes the authorisation to fish by beam trawl using electrical pulse current in ICES Zones IVc and IVb from 31 December 2020.

Also attached is previous correspondence related to this authorisation from 2012.

Regards,

[Information redacted]

T: [Information redacted]
E: [Information redacted]

[Information redacted]
[Information redacted]
[Information redacted]

30 December 2020,

Removal of Authorisation to Fish by the Beam Trawl Method using Electrical Pulse Current in ICES Zones IVc and IVb

Vessel Name: [Information redacted], **PLN:** [Information redacted] , **RSS** [Information redacted]

The purpose of this letter is to notify you that Marine Scotland will be revoking the authorisation to fish by beam trawl using electrical pulse current in ICES **Zones IVc and IVb** as issued by Marine Scotland on 20 November 2012 (a copy of that correspondence is attached in the covering email). **The authorisation to fish by this method will be revoked on 31 December 2020 at 23:00.**

In line with arrangements for vessels from the rest of the UK and the European Union, Scottish vessels will be prohibited to fishing with electric pulse trawls in the UKEEZ from 1 January 2021.

Under EU law (Article 7 and Part D of Annex V of Regulation (EU) 2019/1241), the use of electric pulse fishing methods will be prohibited in Union waters from 30 June 2021. If you wish, we could explore the potential for the vessel to use electric pulse fishing methods in EU waters of ICES zones IVc and IVb until 30 June 2021. Please let me know by return.

Yours sincerely,

[Information redacted]
Access to Sea Fisheries

From: [Information redacted]
Sent: 21 November 2012 09:52
To: [Information redacted]
Cc: [Information redacted]
Subject: RE: Beam Trawl - Electrical pulse - [Information redacted]

Dear [Information redacted]

As requested, please find attached your authorisation to fish by the beam trawl method using electrical pulse current in [ICES zones IVc and IVb](#).

Regards

[Information redacted]
Sea Fisheries Licensing Policy Manager
Marine Scotland – Fisheries Policy
Scottish Government | 1 B (South) | Mailpoint 2
Victoria Quay | Edinburgh | EH6 6QQ
Tel: [Information redacted]
Fax: +44 (0) 131 244 6474
email: [Information redacted]

From: [Information redacted]
Sent: 20 November 2012 11:13
To: [Information redacted]
Subject: Re: Beam Trawl - Electrical pulse - [Information redacted]

Dear Ms Smith

[Information redacted] **RSS No:** [Information redacted] [Information redacted]

On behalf of the owners of the above vessel, I wish to apply for Beam Trawl Method using Electric Pulse Current permit in accordance with Annex III Part A paragraph 3 of Council Regulation 43/2009. Would you please be kind enough to issue the relevant paperwork at your earliest convenience.

Yours sincerely
[Information redacted]
Managing Director

----- Original Message -----

From: [Information redacted]
To: [Information redacted]
Sent: Tuesday, November 20, 2012 10:07 AM
Subject: Beam Trawl - Electrical pulse - [Information redacted]

Dear [Information redacted]

Following our conversation yesterday, can you please email me a formal request for the derogation for the [Information redacted] .

Once I have received this I will then issue the derogation letter.

Many thanks

[Information redacted]

Sea Fisheries Licensing Policy Manager

Marine Scotland – Fisheries Policy

Scottish Government | 1 B (South)| Mailpoint 2

Victoria Quay | Edinburgh | EH6 6QQ

Tel: [Information redacted]

Fax: +44 (0) 131 244 6474

email: [Information redacted]

T: [Information redacted] F: 0131-244 6474
E: [Information redacted]

[Information redacted]
[Information redacted]
By email

20 November 2012

For the Attention of [Information redacted]

Authorisation to fish by the beam trawl method using electrical pulse current in ICES zones IVc and IVb

Vessel Name: [Information redacted] **PLN:** [Information redacted] , **RSS** [Information redacted]

1. This is an authorisation issued in accordance with Annex III, Part A paragraph 3 of Council Regulation 43/2009.

By way of derogation from Article 31(1) of Regulation (EC) No 850/98 the vessel names above may fish by the beam trawl method using electrical pulse current in ICES zones IVc and IVb south of a rhumb line joined by the following points, which shall be measured according to the WGS84 coordinate system:

- a point on the east coast of the United Kingdom at latitude 55° N,
- then east to latitude 55° N, longitude 5° E,
- then north to latitude 56° N,
- and finally east to a point on the west coast of Denmark at latitude 56° N.

The following conditions shall apply:

- (a) The maximum electrical power in kW for each beam trawl shall be no more than the length in metre of the beam multiplied by 1.25;
- (b) The effective voltage between the electrodes shall be no more than 15 V;
- (c) The vessel shall be equipped with an automatic computer management system which records the maximum power used per beam and the effective voltage between electrodes for at least the last 100 tows. It shall be not possible for a non authorised person to modify this automatic computer management system;
- (d) It shall be prohibited to use one or more tickler chains in front of the footrope.

2. This authorisation **should remain upon the vessel to which it relates at all times**, and must be produced to a British Sea Fishery Officer or Marine Enforcement Officer on demand.
3. Marine Scotland may revoke this derogation at any time .

If you require any further information please do not hesitate to contact me.

Yours sincerely

[Information redacted]

[Information redacted]
Licensing Manager
Marine Scotland

From: [Information Redacted]
Sent: 18 January 2021 22:12
To: [Information Redacted]
Cc: [Information Redacted]
Subject: RE: [Information Redacted]

Hi [Information Redacted],

Thank you for your response, we shall explore the potential for the use of the method in EU waters and will get back in touch.

Regards,

[Information Redacted]

From: [Information Redacted]
Sent: 04 January 2021 11:45
To: [Information Redacted]
Cc: [Information Redacted]
Subject: [Information Redacted]

Good Morning [Information Redacted]

Removal of Authorisation to fish by Beam Trawl Method using Electrical Pulse Current in ICES Zones IVc and IVb

With reference to the letter regarding the removal of authorisation from [Information Redacted], we wish to request the vessel be allowed to continue to fish using the electric pulse method until 30th June 2021 – could you confirm if we need to complete any paperwork for this?

We look forward to receiving your response in due course.

Kind Regards
[Information Redacted]
[Information Redacted]
[Information Redacted]

Tel: [Information Redacted]
Fax: [Information Redacted]

[Information Redacted]

Registered Office: [Information Redacted]
Registered [Information Redacted]

From: [Information redacted]
Sent: 01 September 2020 16:55
To: [Information redacted]
Cc: [Information redacted – 6 names]
Subject: RE: URGENT - quick question on pulse fishing

[Information redacted],
That's super helpful. Thanks!
I was aware of your razorfish trial. It would be good to have a chat about that sometime.
Thanks again,
[Information redacted].

From: [Information redacted]
Sent: 01 September 2020 16:06
To: [Information redacted]
Cc: [Information redacted – 6 names]
Subject: RE: URGENT - quick question on pulse fishing

Hi [Information redacted],

Is the following sufficient:

“Marine Scotland has one live authorisation permitting a single electro-pulse beam trawler to operate in a specified area of the North Sea. That authorisation will be reviewed by the Scottish Ministers in advance of July 2021, when the electro-pulse ban comes into force for beam trawlers under the current EU Technical Conservation Regulation 2019/1241. “

I'd like to be quite specific as we also have a trial of electrofishing for razorfish which will be continuing.

Regards,

[Information redacted]

From: [Information redacted]
Sent: 01 September 2020 12:31
To: [Information redacted]
Cc: [Information redacted – 4 email addresses]
Subject: URGENT - quick question on pulse fishing
Importance: High

Hi [Information redacted],
For the Bill this afternoon, could you confirm whether the line below is still relevant on pulse fishing and if it's not, what should it be?

It is for the Scottish Government to decide whether its 1 vessel allowed to pulse fish may continue to do so.

Grateful for a response asap.

Many thanks,
[Information redacted].

[Information redacted] | Domestic Fisheries and Reform | Defra | Nobel House | 17 Smith Square | London SW1P 3RJ | [Information redacted]

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