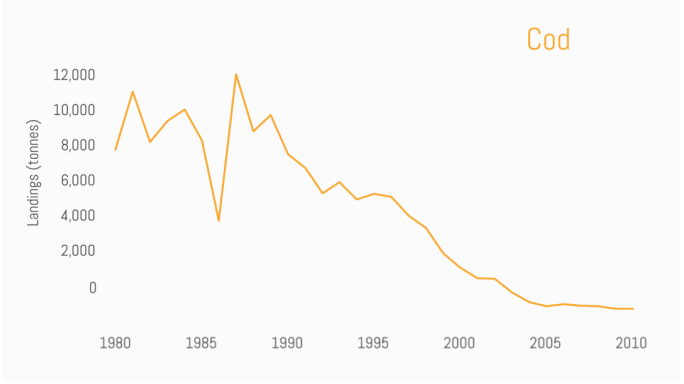
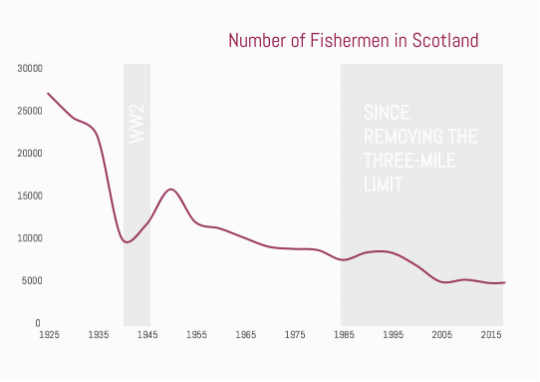
OUR SEAS .scot

The Our Seas coalition is a coalition of 130+ organisations that represents community, commercial fishing, environmental and recreational interests who support the reinstatement of a modern equivalent to the three mile limit.

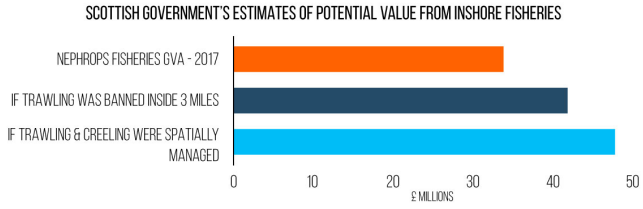
Inshore seas have suffered significant declines - the loss of fish stocks and the decline in seabed habitats being the most stark.

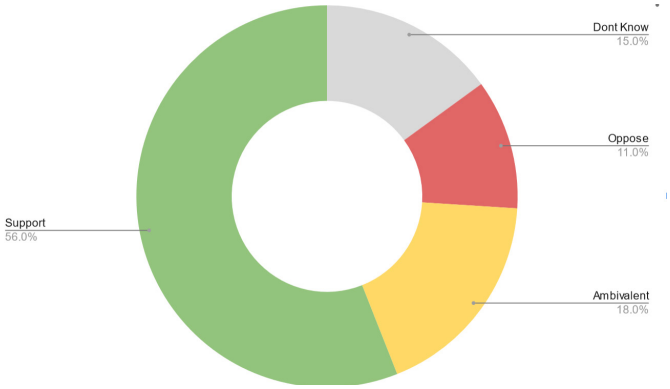




The three-mile limit was removed in 1984 against the will of communities - "we have come to adopt the view that, contrary to local opinion, the removal of the 3 mile limit would in the long term benefit fishermen and the community" - they were wrong.

An inshore limit would yield greater economic benefits than the status quo - research commissioned by Marine Scotland in 2019 found that a three mile limit would increase Gross Value Added from the Nephrops fishery by £8m.





"To what extent, if at all, would you support or oppose banning bottom trawling and scallop redging within Scotland's near inshore zone (0-3 nautical miles from the shore)?"

December 2022- January 2023

We asked Survation to poll more than 2,000 people in Scotland whether they support a new three mile limit - 56% said they did, only 11% opposed.

8,274 people have signed the OurSeas.Scot petition, covering all of Scotland.

We ask the Rural Affairs and Islands committee to support calls to re-establish an inshore limit, with a just transition for those negatively impacted.

Three Mile Limit Briefing from the OurSeas.Scot Coalition

The Our Seas coalition is a coalition of 130+ organisations that represents community, commercial fishing, environmental and recreational interests who support the reinstatement of a modern equivalent to the three mile limit. The work of the coalition is mostly delivered by its members, but a coordinator is employed with funding from The Oak Foundation and some smaller membership contributions.

Introduction

The removal of the three mile limit is widely understood (in scientific literature and more informally within fishing and coastal communities) to have led to a significant loss of marine biodiversity and decline in fish stock status due to the damage caused by scallop dredging and bottom trawling in these vital inshore areas.

The status quo is not working, Things need to change

Scottish inshore seas and the fisheries which rely on them have, for the most part, been in decline throughout recent years. Scotland has been failing a range of commitments and legal duties to prevent further loss and enable a recovery. Notably,

> Scotland did not achieve Good Environmental Status by 2020, and notably it failed to prevent loss of biogenic habitats (such as seagrass, maerl beds or serpulid reefs) in the decade 2010 - 2020.
>
> Scotland failed its Sustainable Development Goal, to end overfishing by 2020
>
> Employment in the fishing industry has declined year on year

Action is needed to address this ongoing loss and meet legal duties faced by Scottish Ministers.

Whilst the Bute House Agreement outlines a number of marine actions and Marine Scotland have already set out a proposed 12 point action plan for fisheries, the implementation of each will neither achieve a healthier sea nor recover inshore fisheries.

We believe that the best approach to securing this is via the establishment of a modern equivalent of the 3-mile limit.

What is the 3 mile limit

The 'three-mile limit' is a fisheries regulation which was in place for around 100 years between 1886 and 1984[1]. It was introduced in response to fishermen's concerns about the emergence of steam-powered bottom trawling in the 1850s, and its negative impacts on the marine environment. Bottom trawling uses a weighted net, sinks it to the seafloor, holds it open somehow (initially with a big beam held between either end of the net) and tows across the seafloor collecting fish in its path.

Why was it established?

Earliest records of steam powered bottom trawl use in Scotland are around 1860 on the east coast, but it was immediately unpopular due to the damage it caused to the fish stocks. Traditional fishermen, such as those using line, nets not on the bottom and creels complained about the impact of bottom trawling, and the 1863 Royal Commission reported "an almost universal cry that our fisheries were falling off year by year"[2]. Politicians were slow to act and the trawl fleet grew and expanded into steam power by the 1880s when politicians conceded that bottom trawling had caused serious damage to inshore fisheries and in 1889 made it illegal to trawl within three nautical miles of the shore (and some Firths and bays).

Although there were frequent reports of trawlers breaking the 3 mile limit (especially at night) it remained in place for 90 years.

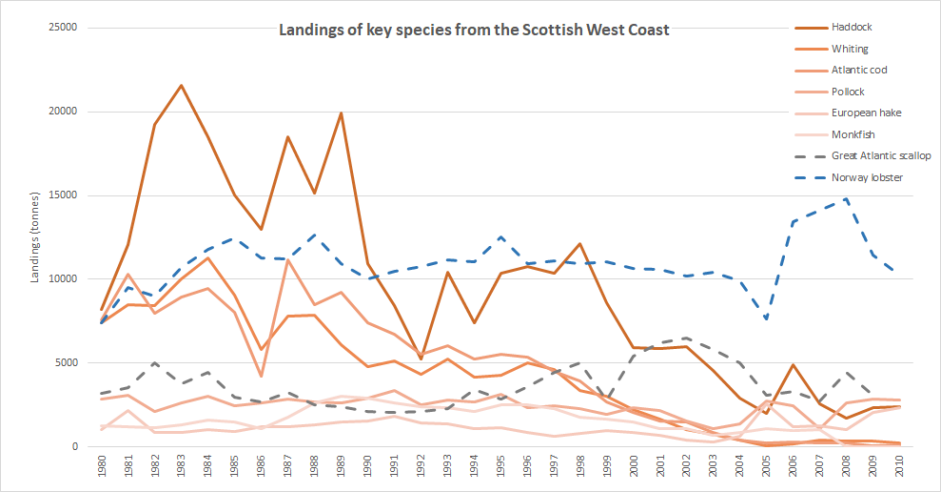
Why was it repealed?

By the early 1900s the beam used in trawl nets had been replaced by 'trawl doors' which hold the net open and allow the net to be towed on 'rougher' seabeds and by the 1920s sail power was gone and steam trawlers were being replaced by diesel engines allowing bigger trawl nets. In the 1960s, the additional power made available also allowed for the development of scallop dredgers (practiced at only at a relatively cottage-scale until this point) and in the 1960s Government gave grants which paid 35 - 40% of the cost of a new boat. The fleet now grew too big and needed even more ground to fish to pay off the big loans starting a race to the bottom.

The overcapacity caused a decline in fish catches offshore, and boats then started looking inshore at the coastal waters which had not been impacted in the same way[3].

In the 1970s a review was commissioned by the Scotland office to look into the issue. It was clearly biased and was conspicuously against supporting local communities, stating "we are in principle opposed to any policy which, whether intentionally or accidentally, gives local boats a favoured position in local waters" "They claimed that trawling is a destructive method of fishing because it cleans up the grounds, kills off immature fish and ruins the feed (by the action of the trawl boards on the sea bed). We doubt whether there is any real substance in this claim." and concluded that "we have come to adopt the view that, contrary to local opinion, the removal of the 3 mile limit would in the long term benefit local fishermen and the community".

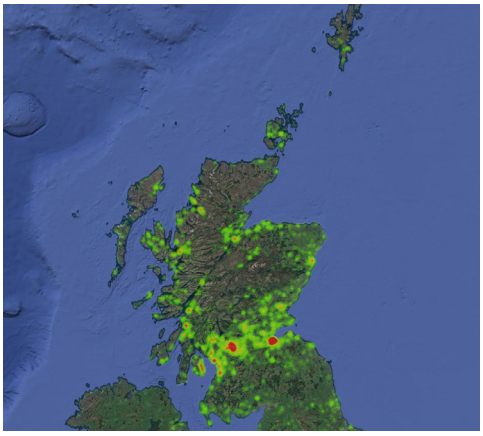
Notably, even in Shetland "Local opinion [was] strongly in favour of the retention of the 3 mile limit."

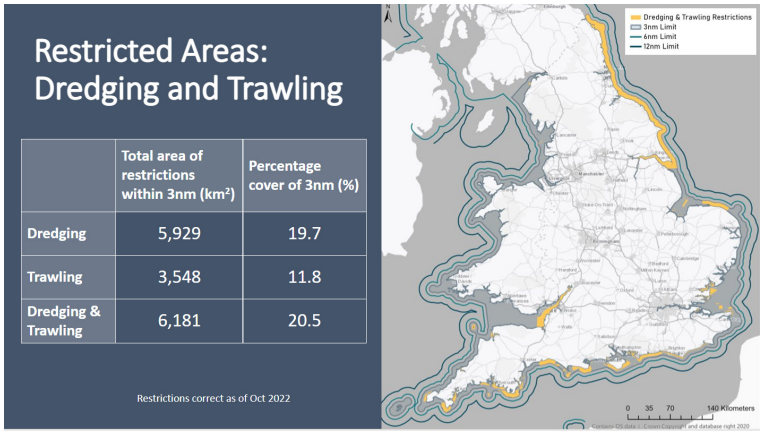


In the 1980s the Scottish Fishermen's Federation argued that "the present restrictions on the use of mobile gear within three miles are outdated and should be removed". Others argued that enforcement was so bad and "the three-mile limit is so widely disregarded that nobody will notice whether it is abolished". The Scotland Officer therefore sought to repeal the 1886 (and its derived) legislation. Whilst Westminster passed the legislation, the Parliamentary debates asked that it be replaced with management that provided protection to sea and traditional fisheries, including "nursery reserves"[4]. Sadly this did not happen in any meaningful way.

After the limit was lifted, landings of most fish species to ports on the west coast dropped off sharply. This was followed by a similar drop in employment.

1 Some argue it is based on the distance a cannonball could be fired, sadly not the case - https://www.jstor.org/stable/2195021?seq=1
2 https://api.parliament.uk/historic-hansard/commons/1863/jun/02/commission-moved-for
3 https://www.gov.scot/publications/scottish-marine-freshwater-science-volume-3-number-3-clyde-ecosystem/pages/6/
4 https://api.parliament.uk/historic-hansard/lords/1983/nov/29/inshore-fishing-scotland-bill-hl





left, the distribution of ourseas.scot petition signatories in Scotland in support of the resintatement of an inshore limit, right, the distribution of closed areas within three nautical miles in English waters

Why now?

We are in a nature and climate emergency; it is vital that we take action quickly. NatureScot's Jan 2023 report shows marine indicators are declining faster than any other.

We have the opportunity to deliver this now. The Scottish Government has already committed to consult on proposals to "apply a cap to fishing activity within the 3 mile limit, setting a ceiling from which activities that disrupt the seabed can be reduced."

The reinstatement of a coastal limit protecting inshore vessels and fish stocks is not a radical concept. The evidence supporting its reinstatement already exists, the time to act is now.

What is the economic impact?

Whilst there will clearly be costs incurred in transitioning, Marine Scotland's commissioned economic assessments have all shown that the economic benefits of establishing a 3-mile limit outweigh the costs.

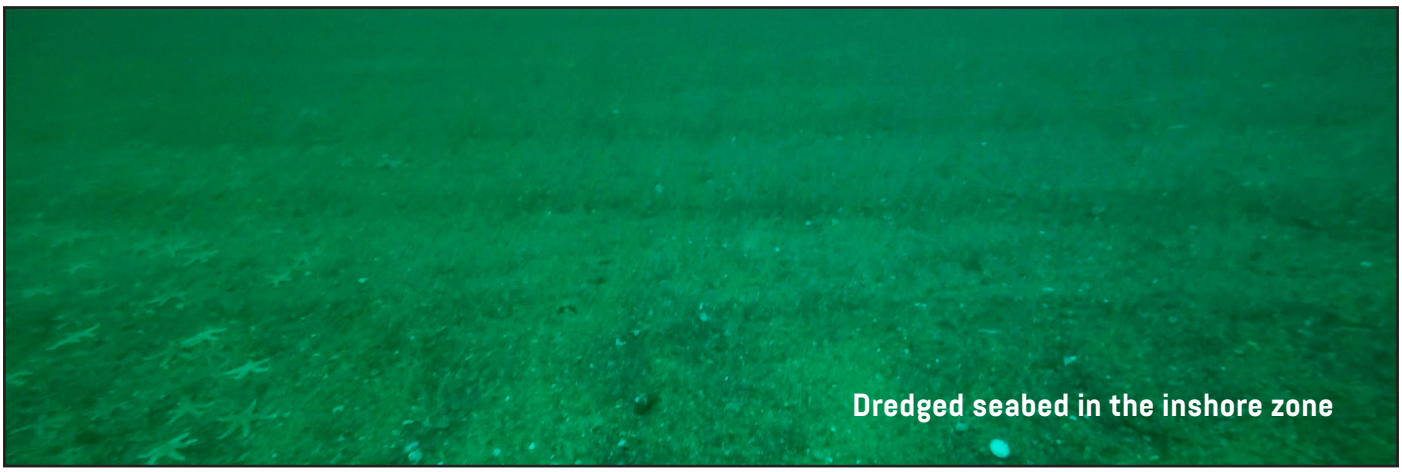
Government commissioned research in 2014 found that restricting trawling inshore would deliver between 99 and 2,700 jobs[5] over 20 years by allowing lower impact and recreational fisheries to develop and recover. Further research published in 2020 found that "redistributing access to fishing grounds [between trawlers and creelers] to maximise employment could increase employment by around 10%... [or] £14 million of gross value added (GVA)"[6]. Research from the Scottish Creel Fishermen's Federation itself found that creeling an area would provide 2.8 jobs for every 1 job lost tailing prawns on a bottom-trawler[7].

What is the environmental impact?

Scallop dredging and bottom trawling are the first and second most harmful types of fishing occurring in EU waters. A scallop dredge will destroy roughly 70% of living seabed habitats in a single tow. Bottom trawling is capable of catching huge amounts of waste (bycatch), in inshore areas much of this is immature fish and almost all of it is returned dead.

The expansion of scallop dredging and bottom trawling in inshore waters after the 1980s is blamed for the loss of economically viable fisheries in these area (particularly on the west coast).

Whereas a creeler uses around 2.2 litres of diesel to catch 1kg of Nephrops, a trawler uses around 9 litres.The impact on the seafloor is estimated to be over 18 thousand times higher to catch one kilogram of Nephrops for Nephrops trawl vessels than for creel vessels[8].



5 https://www.nls.uk/scotgov/2015/9781785440427.pdf#page=289
6 https://www.gov.scot/publications/exploration-optimisation-modelling-scottish-nephrops-fleet-policy-brief/pages/5/
7 http://www.scottishcreelfishermensfederation.co.uk/report/CreelFoGraphic_v2_sm.jpg
8 https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2015/01/management-scottish-inshore-fisheries-assessing-options-change/documents/00467217-pdf/00467217-pdf/govscot%3Adocument/00467217.pdf

What do the public think?

In a Survation public attitudes survey of 2,034 respondents, 56% supported the reinstatement of a 3-mile limit on scallop dredging and bottom trawling. Only 11% opposed.

Our coalition petition calling for the re-instatement of the limit has been signed by 8,274 people, including representation from every Scottish constituency.

Why has Marine Scotland not implemented it already?

Marine Scotland appears to accept that a 3 mile limit would provide significant benefits but, in their response to this petition state that "Just because theoretically there is a more optimum scenario, that doesn't mean that is what the policy should be". We consider this to be irrational.

They argue "The Scottish Government has been consistent in resisting calls for arbitrary blanket restrictions, and instead pursuing a more tailored approach to the separation of mobile and static fishing gear, within our existing strategies and commitments noted above." This is somewhat misleading given the Scottish Government actively promoted other blanket bans, including the deep sea access ban[9].

Marine Scotland also states that they "wish to build on the work undertaken under our Inshore Pilots Initiative - learning from these pilots is already helping inform delivery of our national strategy" yet the pilot selected by Government in 2018 to explore spatial management of trawl and dredge fisheries (i.e. "Zonal fishing management in the waters off Arbroath and Montrose") has yet to begin.

What do other countries do?

Bottom trawling and scallop dredging are banned from the coastal areas around many countries. In Norway, scallop dredging is not licensed anywhere within a 12 mile limit.

In parts of England three mile limits already exist, notably in Sussex and Northumberland, but accompanied by zones throughout many English waters.

Wales has a one mile limit, and a restriction preventing boats larger than 10m from operating in waters between 1 and 3 miles from shore.

In fact Scotland already has a very small inshore limit in place on the Montrose coastline, where bottom-trawling and dredging is banned within one or three kilometres along a 50km stretch of coast

How do we transition?

A fundamental aspect of 'just transition' is that workers have a stake and a say about what measures can help them during times of change in their industry. This requires a shared understanding about the unsustainable trajectory of the inshore trawling and dredging sectors and the historically degraded condition of the seabed.

We think there are some opportunities that would help skippers affected by any spatial reforms:

1. Guidance for ensuring sustainable fishing patterns outside of the inshore limit area.
2. Incentivisation of other fishing opportunities to enable trawl fisheries to diversify into lower impact alternatives within the inshore zone (Section 25 of the UK Fisheries Act already establishes a duty requiring Scottish Ministers incentivise low impact fishing)
3. Re-allocating some fishing opportunities to inshore boats via Community Quota schemes to enable diversification. Control of fishing quota for many species such as mackerel and herring has become highly concentrated within businesses that operate larger fishing operations.

Provisions for this reallocation are already laid out in Article 17 of the Common Fisheries Policy and now reinforced by section 25 of the UK Fisheries Act.

How would it be managed?

Some argue that an inshore limit could not work because creel or other forms of fishing may expand unsustainably in the absence of bottom trawling or scallop dredging. The solution to this is to ensure that the limit does not exist in isolation and that it is accompanied by proper management, including fisheries management plans for crabs, lobsters and Nephrops, and proper vessel tracking, bringing the Scottish fleet in line with the rest of the UK.

Conclusion

All the available scientific evidence indicates that restricting bottom trawling and dredging from within three mile of the shore will deliver the best environmental and social outcomes. **We therefore ask the Rural Affairs and Islands committee to support calls to re-establish a limit, with a just transition for those negatively impacted.**

Should Scottish Ministers continue to oppose this change **we ask that the Committee support a new inquiry to repeat the Royal Commission in 1880s and the Cameron Report of the 1970s to again review the need for a new, modern, inshore limit**.

9 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R2336