

Dear Convener,

Thank you for inviting me to participate in what I think was a useful session yesterday on The Sea Fish (Prohibition on Fishing) (Firth of Clyde) Order 2026, ahead of your session with the Cabinet Secretary a week on Wednesday.

Due to the nature of the session, with so many relevant stakeholders needing to be heard, it was difficult to drill down into the details of the Order in the way we believe to be necessary in order to get an economically and scientifically effective outcome from this process.

In our view, the evidence heard from those present shows that there is minimal support from science or industry or other stakeholders for Ministers' current approach. This Order and its predecessors since 2002 have failed to return cod stocks to the level where any commercial finfish fleet can operate on the Clyde, and, more widely, have brought no economic or environmental benefits for the Clyde.

We therefore hope that the Cabinet Secretary will withdraw this Order and return to you with a revised Order which can meaningfully contribute to meeting the economic and environmental objectives for the whole of the Firth of Clyde, by including the following:

1. Ending the closure of the Cod Box during the seasonal closure period to the creel fishery and other low impact fleet. This re-opening to the creel fishery should not be dependent on unduly burdensome research conditions for the creel fleet.
2. The continued prohibition of the use of trawls within the Cod Box during the seasonal closure period. There should be no trawl fishing permitted within the cod box even by trawls participating in research or trials under the Targeted Scientific Programme (TSP).
3. The TSP should focus on the key issue identified by the science, (including the PhD co-sponsored by Marine Directorate) to minimise or ideally eliminate cod bycatch by the prawn trawl fleet. This could and should involve well-monitored trials, in collaboration with the trawl fleet, using variants of the technical measures used elsewhere to address this issue. The results of these trials should be entirely transparent to all Clyde fishery stakeholders and should be published within two years.
4. Section 4 of the Order, and more specifically 4(c), covering that TSP, is too open given how similar derogations have been used with regard to other fisheries, most notably around razor clams. A replacement Order should be explicit about the nature of the science to be conducted, and that the area currently closed should remain closed to the trawl fleet even for research purposes. The research objectives set out above can be perfectly successfully conducted, in collaboration with the prawn trawl fleet, outside Areas B & C set out in the order.

In an ideal world, such an Order would be part of a collaboratively-designed spatial management regime for the whole Clyde, to address the full set of economic and environmental pressures on this ecosystem, as required in law. We accept this is unlikely in the near term, but the measures above would be a useful first step in this direction. Furthermore, that ecosystem management approach would be facilitated by prioritising the remaining Clyde MPA and PMF management measures early in the next session.

If the Scottish Government is unwilling to move to an instrument of this sort, one which seeks to support both existing fishing activity and an eventual return of the finfish fleet which thrived in the Clyde before 1984, we would encourage the Committee to pass a motion annulling the current Order and to explain your thinking for doing so, whether or not it aligns with our position above.

Yours
Alex

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