

RURAL AFFAIRS AND ENVIRONMENT COMMITTEE
MARINE (SCOTLAND) BILL
SUBMISSION FROM THE COMMUNITY OF ARRAN SEABED TRUST
COAST

11 June 2009

Foreword

COAST is an island community organisation formed to address the degradation of the marine environment and the total collapse of Clyde fish stock. It is comprised of over 1800 members.

COAST welcomes the Marine Bill and is hopeful that it can reverse the over exploitation of a public resource, and poor governmental management of the marine environment over the past 50 years.

COAST have probably more experience than anyone, of campaigning from the community perspective for an end to the widespread wasteful practices which have characterised our interaction with Scotland's waters..

The most important point COAST would like to make is the complete lack of acknowledgement by the Scottish Government of the dire state of Scotland's seas.

This is from their response to the UK Marine Bill. It states:

'The environmental status of most seas around Scotland is currently good or excellent'.

On page 18 of this consultation it states

'The seas are generally healthy and biologically diverse'

That is nonsense, and shows dangerous complacency of the Scottish Government to the state of our seas. We can provide numerous robust scientific papers to the contrary and our members have had the misfortune to witness first hand the degraded nature of our waters. The Firth of Clyde, on our doorstep, and once one of the most fertile seas on earth, now has no commercial fishery for white fish left. This has had devastating effects on the livelihoods of those on our island who depended on this resource, but has gone unnoticed and unremarked by both industry leaders and the Government alike.

COAST are concerned that the provisions in relation to environmental recovery are poor, with no ambition to improve or recover the ecological status of Scotland's seas beyond the boundaries of marine protected areas. COAST believe that the Scottish Government has a commitment to promote the recovery of the marine environment as a whole, as enshrined in various international and national agreements, including the Convention on Biological Diversity, the Water Framework Directive, the Marine Strategy Framework Directive and the UK High Level Marine Objectives document. Some of these, particularly the EU obligations, are legally binding on the Scottish Government, and we are in little doubt that the European Commission will take action against the Scottish Government if it persists ignoring its wider conservation obligations.

To understand why there is overwhelming support for an effective Marine Bill, we have to look to the past, how did the marine environment get into such a poor state? Overfishing & poor resource management are the prime reasons, but the main reason COAST contend is destructive bottom prawn trawling & scallop dredging encouraged by governments. These forms of fishing must be subject to an EIA in future. To propose

that only new forms of fishing should be subject to scrutiny completely misses the point of why we are trying to address this problem. Only sustainable non-destructive forms of fishing should be encouraged.

It has to be remembered that the sea and what it produces is a **public resource** that Governments & the commercial fishing sector have excluded the public from the management of. They continue to do so with the setting up of the new Inshore Fishery Groups, with executive groups consisting entirely of commercial fishermen. This is illegal in COAST's view

Comments

Part 2 section 8 (2)

Stakeholder participation is absolutely essential to island communities like Arran. Our recent experience of not one island organisation or person being consulted during the 3 years of the Clyde SSMEI draft being prepared we feel broke the Aarhus convention. This we feel leaves this pilot project fatally flawed. The steering group for the SSMEI consisted of the usual bodies all trying to maintain the status quo. Arran geographically dominates the Clyde, yet no one was consulted in over 3 years despite repeated offers from COAST.

Whether it is the Sustainable Seas Task Force, AGMACS, SSMEI or ERDC, it could be said that they all ignored the views of non fishing communities. COAST realise that it would be impossible to consult or have representatives of all coastal communities involved in everything, but some like Arran & COAST feel that our views have been constantly ignored even though over the years we have gained a huge amount of experience in dealing with SEERAD, SNH, fishing organisations and multinational aquaculture businesses.

COAST's experiences over the last 15 years and especially at this present time dealing with the new Marine Scotland is that Marine Scotland does not balance the views between communities, recreational sea angling, static gear fishing and mobile fishing. The more destructive forms of mobile fishing always receive precedence in any decisions, despite the fact that they are exploiting a public resource. So the degraded seas and especially seabed will only get worse unless there is a balance and unless a professional distance is maintained between the Marine Scotland and those industries it is seeking to regulate. In our own backyard there has been too cosy a relationship between the Scottish Government and the Clyde Fishermen's Association, despite the fact that the latter organisation has no published membership lists and has been implicated by association with the commercial white fish collapse.

Transparency is paramount

Part3

Section 54: Fish farms; not development. Fish Farms represent the largest industrial units on the west coast. How can they be viewed as "not a development"?

Part 4 section 58

COAST believe it is absolutely essential that international commitments under OSPAR, WSSD and MSFD make it necessary to **place a duty** on Scottish Ministers to designate MPAs rather than discretion as at present, in order to contribute to an ecologically coherent network of well-managed MPAs. With full no take zones at there core.

Part 4 section 59

The Bill needs to focus more on the regeneration of the whole marine environment, commercial fish stocks just being a small part of the whole picture. At the moment the Bill seems to accept the present situation, looking only to sustainably exploit the remaining prawns! – More than twenty species of fish once common in Scottish waters have become so depleted in the last two decades that according to the eminent world scientist Boris Worm they are now ecologically extinct. This is important, not only because of the economic and commercial consequences but because of the maintenance of a sustainable food supply; as one of our members once wryly remarked: 'We're not going to get far if all we've got left to live off is a prawn cocktail' Scotland (UK) is a signatory nation to the Convention on Biological Diversity, which advocates the holistic approach. Time & time again this Marine Bill promotes the protection of important species & habitats. This misses the point that we should be attempting to protect whole ecosystems. Whether they include cuddly charismatic mega fauna, it must be emphasised that important economic activities are dependent on renewable biological resources which are all dependent on a healthy and diverse ecosystem. Temporary phenomena, such as a high price for prawns, ignore the fundamental reality that we cannot eat money.

Part 4. 63 Historic MPAs:

Whilst COAST welcome this provision it must be acknowledged that unless the site is a steel battleship most historic wrecks & sites have already been destroyed due to scallop dredging & bottom trawling.

83. The sections here mean there will be no enforcement, as we have already seen in Lamlash no take zone

Nets must be stowed in any MPA or NTZ, or the assumption is they are contravening a marine conservation order. We were told at a meeting with a senior Scottish civil servant earlier this year that it can never be proved the fishermen are contravening a NTZ or MPA unless caught by SFP vessel. Local evidence was no good..... Our video evidence was no good.....So if this Bill is to have teeth to protect the marine ecosystem, this clause on contravening a marine conservation order must be changed.

COAST feels that if Section 85 clause 2 (i) is included in the act that there is absolutely no point in setting up any MPAs in the first place. Can anyone justify why fishermen should have any exemption from the law? As most countries throughout the world have found out and to quote a Spanish marine reserves document "without surveillance and possible prosecution, there is no reserve just the so called "Paper Reserves" which do nothing".

Part 5: Conservation of Seals:

96 (1) This is unsatisfactory in the sense that anyone who wishes to kill a seal can now do so under so many headings, that without costly and impossible fishery protection surveillance it is a recipe for easy killing, especially around fish farms

Policy memorandum

11. Evidence for MPA's needs to be generic, not specific, or else no MPA will ever be granted in Scotland. There is a huge body of scientific evidence on types of ecosystems that can be used.

Item 13

Out of all marine uses, it is COAST's view that it is mobile fisheries and aquaculture that has in the past done the most damage to the marine environment. In our view it is crucial that fisheries and aquaculture plans or strategies (including those developed by the Inshore Fisheries Groups) take account of plans developed under the new marine planning system and vice-versa. It is COAST's experience at this present moment that there is no clear understanding in Marine Scotland how this is going to happen.

Item 17.

COAST is also worried that now Fisheries Research Service is a part of Marine Scotland. Scientific advice needs to retain its independence, if we are not to see more ludicrous 'scientific' pronouncements as outlined above that Scotland's seas have 'good status'. Most scientific advice will be all about economic growth of any remaining fisheries. Scientific advice needs to come from a wide variety of scientists and institutions with the whole ecosystem being of paramount importance, not just fisheries. If this is done we will eventually have much healthier & profitable fisheries.

Item 23. Stakeholders must include communities and marine NGOs

If the RAEC would like any further evidence or advice from the only UK community group to achieve a no take zone, we would be happy to contribute more of our experience. We suggest that our contribution would be particularly useful as we represent a range of marine users and are not tied to lobbying for the commercial interests of a sector.

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