

EXECUTIVE NOTE

THE SEA FISH (PROHIBITED METHODS OF FISHING) (FIRTH OF CLYDE) ORDER 2006 SSI/2006/ 51

1. This Order was made in exercise of the powers conferred by sections 5(1)(c), 15(3) and 22(2) of the Sea Fish (Conservation) Act 1967.

Policy Objectives

2. The purpose of the instrument is to protect cod stocks in the Firth of Clyde at a crucial time in their life cycle by prohibiting fishing effort during the spawning season.
3. The Order provides that no fishing be permitted in a fixed area of the Firth of Clyde from 14 February to 30 April, with derogations for certain types of fishing activity. The closed area is split into two zones. In the larger and more easterly zone, known in the Order as Area 1, scallop dredging, creel fishing and trawls for nephrops are permitted throughout the closure period. In the smaller zone, which is a strip of water at the mouth of the Clyde, known as Area 2, there is no such derogation for nephrops trawls, although scallop dredging and creeling is permitted.
4. The Order will apply to all Scottish or other British fishing boats that fish in the area.

Consultation

5. The Scottish Executive consulted the fishing industry in January 2006. Identical provisions for such a closure have been set in place annually by the Scottish Executive since 2002 and the fishing industry have been consulted each year. There are a range of views on what the exact composition of the closure should be, but the majority of those affected by the closure arrangements have indicated that they are prepared to support a temporary closure because of the longer-term benefits it should have for the cod stock.

Financial Effects

6. The Order has no bearing on quota, which remains unchanged, and the closure should not prevent skippers from catching their full quota over the duration of the year. At most, the proposed closure may lead to a reduction in fish landings for its duration, and therefore incomes on a temporary basis. The fishermen should not be financially disadvantaged overall. In addition, this closure should lead to a bigger stock in future years to the benefit of all fishermen. Due to the complex and varied nature of the mixed fishery it has not proved possible to calculate exact figures for any possible catch changes.

7. The proposals would not give rise to further costs to the Scottish Executive. Enforcement of the proposed measures would be achieved within the existing provision for the Scottish Fisheries Protection Agency.

Scottish Executive Environment & Rural Affairs Department
February 2006