



The Allocation of Scottish Additional Quota from 2024 January 2024

Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organizations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by **LINK's Marine Group**.

1. Response

Question 1

Should AQ be awarded on the basis of landings by individual vessels?

- Yes
- No
- Don't know

Please give reasons for your answer.

A historic track-record approach based solely on previous landings does not align with the Scottish Governments' ambitions for a just transition, but could be used alongside other options that incentivise the use of selective gear and use fishing techniques that have a reduced impact on the environment, in line with the statutory requirements outlined in the Fisheries Act (2020) section 25(3). There is an opportunity for quota allocation to be assigned using criteria which favours the vessels that can prove they are fishing in the most sustainable manner, which would promote transparency and incentivise good environmental practice (bycatch mitigation, data sharing, REM tracking, MARPOL compliance etc.).

Question 2

Should the reference period for assessing an active vessel's HTR be fixed (2015-19), another period, or should it move to a rolling five-year period?

- Fixed (2015-19)
- Another period
- Rolling five-year period
- Don't know



Please give reasons for your answer.

LINK agrees that a rolling five-year period would be a solution that would allow new entrants to generate full HTR whilst ensuring that allocation is given to those that are active in the fishing business. However, awarding AQ based solely on HTR without considering all environmental, social and economic factors would not be aligned with the Scottish Government's ambitions or the Fisheries Act (2020) section 25(3).

We would however as noted above note the need for flexibility around supporting diversification and that allocation is not based purely on HTR. Vessel owners with no previous track record should, if they can make a sustainable case for AQ, be able to make this bid.

Question 3

Should the provision to enable vessel owners to retain an HTR between the original and subsequent replacement vessel be continued?

- Yes
- No
- Don't know

Please give reasons for your answer.

Retention of HTR following vessel replacement would provide continuity and stability to the fishing industry. However, the strong caveats about use of HTR as set out in our answer to Q2 in the context of applying AQ (and indeed all quota) in line with s.25 of the Fisheries Act remain our paramount concern.

Question 4

Should Special Allocations of AQ be awarded to the non-sector?

- Yes
- No
- Don't know

Please give reasons for your answer.

Scottish environment LINK supports a move towards lower impact fishing that enhances the socioeconomic spread of resources. If allocating more quota to the non sector vessels supports such a move then we would be supportive of this. As with any fishing operation we would like to see evidence of this being the case. Initiatives that will support this will include more effective monitoring of activities and demonstrable improvements in selectivity including mitigation to minimise the risk of potential entanglement of marine animals and seabirds with both static and mobile gear, and a reduction in fishing activities that disrupt the seabed.

Question 5

Should these Special Allocations be focused on the 10 metre and under non-sector vessels?

- Yes
- No
- Don't know



Please give reasons for your answer.

As highlighted in our 2019 response to the Future of Fisheries Management in Scotland National Discussion Paper, fish are a public resource and should be allocated with the public interest in mind. The criteria under section 25 of the Fisheries Act should be used to address some of the concerns of fishers, particularly in the small-scale coastal fleet, with historical grievances related to current FQA shares and in a way that also addresses the environmental impact of the activities of these vessels.

There seem to be advantages for certain vessels fishing certain stocks, but the way this approach is applied (equally across all non-sector vessels) is not necessarily the most efficient or equitable way of distributing AQ. Can this approach be made more bespoke to the opportunities or needs of vessels and environmental limits.

Question 6

What stocks should we award to the non-sector?

/

Please give reasons for your answer.

This is a complex question which likely requires an overview of a number of factors including where current lack of quota is impeding sustainable business management. Additional stock allocation should consider geographic location of stocks, access factors such as proximity to harbours/steaming time to location, whether there is market or not for the product and what current and future gear requirements are to determine which stocks should be allocated and should be based on robust scientific advice and expertise from those within the fishing sector. It should also take into consideration the overall sustainable profile of the non sector where allocation is likely. How well is the fishery managing fishing to market, how sustainable is the gear and behaviours of the fishery, what difference would small allocations of AQ make to certain operations. Overall we would recommend that this be viewed in the context of moving the Scottish fleet towards improved sustainability - environmentally and socio-economically.

Question 7

Should any of the previous Special Allocations (see Table 2) be increased/decreased?

- Yes
- No
- Don't know

Please give reasons for your answer.

This should be dependent on stock location and availability and it is recommended this is regularly reviewed based on best scientific advice and decisions made within the context of what is needed to move Scottish fisheries towards improved overall sustainability.

Question 8

Should the Special Allocation be a fixed tonnage (no year-to-year change in the tonnage available to these groups) or a fixed percentage (delivers an output commensurate to Scotland's share)?

- Fixed tonnage
- Fixed percentage
- Other
- Don't know

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Please give reasons for your answer.

Question 9

Should the Scottish Government have the capacity to vary the tonnages available to the non-sector from year to year, so as to increase tonnages for stocks where there is clear demand and vice-versa?

- Yes
- No
- Don't know

Please give reasons for your answer.

Question 10

Should AQ fishing opportunities be distributed on an equal basis between all active commercial fishing vessels?

- Yes
- No
- Don't know

Please give reasons for your answer.

No, Scottish Government should endeavour to move away from business as usual to incentivise good practice. Quota should be allocated based on sustainable fishing practices, rewarding those undertaking least damaging, low impact practices. Quotas should also be allocated based on geographic availability of the stock and where most demonstrably needed to deliver a sustainable fishing operation. Without this flexibility there exists limited opportunities for diversification.

Question 11

Should pelagic AQ fishing opportunities be distributed equally between the recognised pelagic fleet?

- Yes
- No
- Don't know

Please give reasons for your answer.

No, Scottish Government should endeavour to move away from business as usual to incentivise good practice. Quota should be allocated based on sustainable fishing practices, rewarding those undertaking least damaging low impact practices. Quotas should also be allocated based on geographic availability of the stock and where most demonstrably needed to deliver a sustainable fishing operation. This will also open up opportunities for diversification in other parts of the fleet but should come with some conditionality of demonstrating best practice.

Question 12

Should landings into Scotland be used as a basis for allocating AQ?

- Yes
- No



Don't know

Please give reasons for your answer.

Scottish environment LINK is supportive of sustainable, locally sourced seafood that provides local benefits and supports the local economy through the supply chain. Where the allocation of additional AQ can meet this ambition then we would support landings into local ports in the interests of maximising local benefits, and as an opportunity to use as part of supporting a just transition to more sustainable, climate and nature smart fishing.

Question 13

Should AQ for those species covered by economic link licence conditions be excluded from this allocation criterion? This is on the basis that eligible vessels landing these stocks are already required to provide a benefit to Scotland through these economic link provisions.

- Yes
 No
 Don't know

Please give reasons for your answer.

As noted above there may be the potential to use some AQ of these species to assist in diversification and support just transition and this should not be ruled out by excluding these species. While we appreciate the complex nature of fisheries catch, trade and consumption where domestic demand exists there should be improved efforts to meet those demands sustainably from Scottish fisheries.

Question 14

Are there any stocks which should be excluded from this provision and if so, why do you think this should be the case (for example, if there is only a limited domestic market)?

- Yes
 No
 Don't know

Please give reasons for your answer.

Question 15

Over what time period should vessels' landings into Scotland be a reference for this allocation method?

Please give reasons for your answer.

On a rolling five year period.

Question 16

Should there be a minimum qualifying percentage of landings for individual stocks into Scotland? That is: what percentage of landings of an individual stock into Scotland would be required to be eligible for a share of AQ?

- Yes



- No
- Don't know

Please give reasons for your answer.

Question 17

Should allocation of AQ be linked to the welfare of the crew in all fishing operations, or the manner in which fishing operations are carried out?

- Linked to all fishing operations
- Linked to the manner in which operations are carried out
- Neither
- Don't know

Please give reasons for your answer.

LINK believes crew safety and work place conditions is a key consideration if Scotland is to be proud of its fisheries and set itself out as sustainability leaders. That sustainability must include all aspects of the business. Operating conditions and fishing practices of all vessels should be aspiring to best practice and ideally this is supported by REM (with cameras) to evidence.

Question 18

Should this eligibility criterion be for pelagic vessels only initially?

- Yes
- No
- Don't know

Please give reasons for your answer.

LINK believes that Scottish fisheries should be able to demonstrate the sustainability of their operations and that must include all aspects of the business. Sustainable operating conditions and fishing practices of all vessels should be aspiring to best practice and in keeping with our responses to recent consultations, we believe this should be accompanied by REM (with cameras) across the fleet to demonstrate and support claims of sustainability.

Question 19

Should this be considered for demersal and Nephrops vessels in the future?

- Yes
- No
- Don't know

Please give reasons for your answer.

see answer to Q18

Question 20

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Which standards or accreditations could be used as a basis for the allocation of AQ?

Please give reasons for your answer.

See answer to Q18

Question 21

Should the option be available for vessels to potentially have access to AQ fishing opportunities where action by the Scottish Government has removed well-established fishing opportunities with no ready alternative (on an exceptional basis)?

- Yes
- No
- Don't know

Please give reasons for your answer.

Scottish environment LINK recognises that spatial squeeze is an ever-increasing issue in the marine environment. However, the Scottish Government should be providing ready alternatives to removal of fishing opportunities to ensure a just transition.

It's important to provide support/alternative sustainable opportunities for vessels whose activity is displaced because of conservation or other developments. However, displacement and potential increase of effort of displaced activity enabled by additional quota could have other unforeseen environmental impacts elsewhere. Scottish Government should review the fishing opportunities in relation to environmental capacity (see FCP consultation response). Should also consider ways of improving fishing and/or market opportunities where vessels are impacted by other developments or conservation measures that incentivises sustainable practice within environmental limits and enables lower impact fishers to benefit from increased opportunities resulting from environmental improvements (e.g. MPAs).

Question 22

Should a portion of AQ be retained and Sectoral Groups invited to bid for quota on behalf of some or all of the Scottish vessels they administer?

- Yes
- No
- Don't know

Please give reasons for your answer.

Scottish environment LINK supports this proposal in line with the requirements outlined in the consultation papers. The use of selective fishing gear and fishing techniques that have reduced impact on the environment should be encouraged. Our 2020 [Ocean Recovery Plan](#) recommends "A new vessel licensing system that allocates fishing opportunities according to transparent and objective environmental, social and economic criteria to incentivise the most sustainable fishing practices".

Question 23

What fish species in particular should be set aside and what quantities?

Please give reasons for your answer.

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Question 24

Please provide any general, or specific, comments/views you may have on utilising AQ to allow for increased selectivity in fishing operations in line with the Future Catching Policy and FMAC.

Please give comments

The key overarching need is for the quota allocation system to reward and incentivise low impact fishing. There must be recognition in the entire quota system, not just AQ, that commercially valuable fish and shellfish are a key part of healthy food webs and functioning ecosystems. Fisheries management decisions should therefore ensure that the ecological role of those commercial fish and shellfish species can be improved and enhanced, in line with requirements to achieve Good Environmental Status for biodiversity, food webs and seafloor integrity.

In the past when considering additional quota LINK members recommended that AQ should be conditional on the accompaniment of REM with cameras which could be used to evidence sustainable practices and operations. This is of course a live area with policy commitments already in place for both the pelagic and scallop fleets but the general principle of being able to demonstrate reasons for receiving and ongoing use of AQ is a good one.

Question 25

If you have any comments on the benefits/costs arising from such a potential scheme, please provide them.

Please give comments

Any monetary benefits arising from this scheme should be put towards activities that mitigate against the joint crisis of climate and biodiversity. One such suggestion would be using the proceeds to fund adequate compliance and enforcement of non-compliance of fisheries management measures within the marine protected areas network.

Question 26

Please provide any general, or specific, comments/views you may have on the potential for using a portion of Additional Quota to manage 'Community Quotas'.

Please give comments

Increased local governance of marine resources is a welcome approach as this if done effectively should support greater benefits for local communities and businesses. Oversight and allocation of quota on this basis must be within environmental limits. Key considerations would include questions around how would a local management body be made accountable and responsible for this? How would this tie in with Regional Marine Planning? Existing sustainable fishing opportunities should be safeguarded.

Question 27

If you have any comments on the benefits/costs arising from such potential schemes, please prove them.

Please give comments

Question 28

Please provide any general, or specific comments, in relation to allowing for diversification of fishing opportunities through inviting applications for AQ.



Please give comments

Question 29

If you have any comments on the benefits/costs arising from such potential schemes, please provide them.

Please give comments

Question 30

Please provide your views on whether this option should, or should not, be developed by the Scottish Government.

Please give reasons for your answer.

Question 31

Specifically, what type of fishery-related breaches should result in a vessel becoming ineligible for an allocation of Additional Quota and over what period?

Please give reasons for your answer.

Question 32

Please provide details on any alternative suggestions for the distribution of AQ not explored in this consultation document.

Please give details

We think a flexible combination of some of the options presented here, possibly using a points-based system that ensures that applying vessels or groups of vessels demonstrated that they were meeting environmental, social and economic best practice requirements, and could be compared accordingly, could be explored. They should be applied in a way that:

- incentivises environmentally and socially sustainable best fisheries practice and supports conservation goals
- contributes to a 'Just Transition' for the Scottish fishing fleet and enhances local benefits for communities;
- supports integration of marine conservation and fisheries policy implementation
- and is flexible, allowing the Marine Directorate to react and adapt quickly to a changing marine environment.

See also answer to Q.34

Question 33

If you have any comments on the benefits/costs arising from such potential schemes, please provide them.

Please give details

Question 34

Please provide any further comments on the proposals set out in this consultation in the box below.



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We would like to emphasise that all quota in Scotland should of course be allocated in a way to meet the requirements of s.25 of the Fisheries Act to "to incentivise (a) the use of selective fishing gear, and (b) the use of fishing techniques that have a reduced impact on the environment (for example that use less energy or cause less damage to habitats)."

With regard to this additional quota consultation, our overarching views/priorities on the proposals for allocation of additional quota is that they should be applied in a way that:

- incentivises environmentally and socially sustainable best fisheries practice and supports conservation goals, including the achievement of Good Environmental Status (which we are failing badly and where fisheries is a key activity that can influence the state of many of the indicators), whereby vessels or groups of vessels demonstrate the systems that they have in place to fish target species in the most selective way including measures to mitigate and avoid impact on bycatch species and sensitive habitats;
- contributes to a 'Just Transition' for the Scottish fishing fleet and enhances local benefits for communities, whereby recipients of AQ have demonstrated how they are committed to and are achieving socially just working conditions and career pathways and are feeding into and supporting local sustainable supply chains and local processing and marketing opportunities;
- supports integration of marine conservation and fisheries policy implementation, whereby recipients are able to demonstrate good practice and compliance in relation to relevant nature conservation areas, orders and measures and;
- is flexible, allowing the Marine Directorate to react and adapt quickly to a changing marine environment, including movement of stock.

This response was compiled on behalf of the Marine Group and is supported by:

Marine Conservation Society, RSPB Scotland, Scottish Wildlife Trust, Whale and Dolphin Conservation

For further information contact:

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Scottish Environment LINK the voice for Scotland's environment



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