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28 July 2016

Dear Charles

I am writing to advise you of the Scottish Ministers' decision on the application for a Regulating Order in the Firth of Clyde, by the Sustainable Inshore Fisheries Trust (SIFT), submitted in October 2015.

The application to manage Nephrops and scallop fisheries in the Firth of Clyde, by way of a Regulating Order, is a significant undertaking and in reaching our decision Scottish Ministers have considered the application by SIFT and supporting documents as well as all the views that have been expressed by interested parties. After careful consideration Scottish Ministers have decided that we cannot support the application. A number of factors have influenced that decision including those set out below.

Nephrops is a TAC species in respect of which the European Union allocates quota to member states by ICES area based on relative stability share. There are practical difficulties in seeking to manage quota within the scope of a Regulating Order at a sub area VI (Clyde) level, which is only one part of a Functional Unit that is used in scientific evaluations, as well as issues such as fleet flexibility, undermining the well established Fixed Quota Allocation (FQA) system, and displacement to consider.

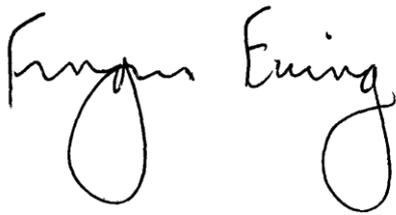
Scottish Ministers are concerned that granting a Regulating Order in the Firth of Clyde would add an additional layer of management and costs to the fishing industry and may also undermine established structures including the Inshore Fisheries Group (IFG) and Marine Planning Partnerships. The new revised IFG structure aims to encourage development of management proposals and be the main route for engagement between commercial fishermen and Marine Planning Partnerships.

Scottish Ministers have recently made subordinate legislation which imposes management measures in Marine Protected Areas in the Clyde. These measures include spatial restrictions on certain types of fishing. Scottish Ministers believe it would be prudent to allow these measures to bed-in and review the impact before introducing further measures in the Clyde.

A range of opinions on the application have been provided from a variety of parties with an interest in the Firth of Clyde. I am concerned that the low level of support expressed from those who would be directly managed by the Regulating Order could hinder or prevent its successful operation.

Scottish Ministers believe the benefits stated in the application from managing the scallop fishery are optimistic and the planned surveys for this species may benefit from further development. Overall, Scottish Ministers are not persuaded, on the basis of the evidence provided, that it would be appropriate to support the application.

I understand that you will find this decision very disappointing but I would like to take the opportunity to express my appreciation of the time, effort and resources that has gone into the application.

A handwritten signature in black ink that reads "Fergus Ewing". The signature is written in a cursive style with a large loop at the end of the word "Ewing".

FERGUS EWING