

**North Western Waters RAC  
Report of Working Group 3  
GLASGOW 22 May 2006.**

1. Meeting Chairman, Daniel Le Fevre, welcomed delegates and opened the proceedings by asking for the approval of the Agenda then confirming Jim Portus as Rapporteur. He invited Juan Carlos Corras to make a brief presentation on behalf on La Coruna Fish Market and the Port Authorities.
2. The Report dated 1<sup>st</sup> March from the meeting of WG3 in The Hague was approved.
3. The French delegation offered their apologies. It had been minuted that there should be a one-day Scallop conference to be held in Caen on 5<sup>th</sup> may 2006. This event had been postponed because of too many other things happening. It was agreed that such an event is still required and many members of the WG3 would like to attend. It was suggested that a better venue might be Paris for proximity to the airport and other travel links. The delegate from the Isle of Man expressed a desire to attend. A date for the event would be agreed between interested parties.
4. **Agenda 2a: Future Management of Sole 7e:** Jim Portus spoke on the Proposed Council Regulation for the sole stock in Area 7e.
5. He had submitted to the WG3 a series of 5 papers, some of which had arrived too recently for translation in advance into French. There were 2 from CEFAS scientists. One examined some possible long-term management options that DEFRA had proposed. The other noted the findings of the 2005 survey voyages conducted by CEFAS aboard 2 SW UK Beam Trawlers. DEFRA had submitted to the UK Minister a Regulatory Impact Assessment that highlighted the potentially damaging consequences of adoption by the Council of the Commission's revised (December 2005) Proposal and examined more closely the 2 different Fishing Mortality target scenarios that CEFAS had analysed. F0.31 had been adopted by the NWWRAC in November 2005. Jim Portus tabled for information the SWFPO Ltd response to the DEFRA/ CEFAS documents. For consideration by WG3 was a DRAFT OPINION that, if adopted would be submitted to the Executive Committee for their meeting on 27<sup>th</sup> June. The DRAFT OPINION supported the DEFRA Option III that noted a Fishing Mortality target of F0.31 could be achieved over two 3-year stages, starting at 2006 and leading by 2012 to Maximum Sustainable Yield (MSY). WG3 was asked to adopt the DRAFT OPINION. DEFRA had proposed a modest decommissioning scheme targeted at SW UK Beam Trawlers that was contingent upon the approval and adoption by the Council of a long-term recovery plan for 7e sole.
6. Richard Brouzes said they had not had sufficient time to consider and judge the DRAFT OPINION in French. They are concerned not to have imposed fleet reductions at this time. However, they would give it due consideration in the days following the meeting and would report to the RAC as soon as possible with their views. The DRAFT OPINION might then, if approved, be submitted to the Executive Committee.
7. Barrie Deas of the NFFO expressed the view that the DRAFT OPINION represented a more realistic and phased approach when compared to the Commission Proposal. He wondered how the alternatives dovetailed to the broader debate of MSY. The NSRAC has not yet debated MSY. He felt that

the implied target for 7e sole might pre-empt MSY principles that had not yet been considered.

8. Jim Portus acknowledged these concerns. He observed that the Commission's proposals had such potential for economic and social damage an acceptable alternative had to be sought. The interim measures of 2005 and 2006 had successfully delayed a Council Regulation and the interval had been used for further study of the stock and the fleets. The UK government had been working on the alternatives with those involved in the fishery and there was now general agreement that a stepped approach to a reasonable target would cause the least damage. DEFRA had also agreed to fund a limited and targeted decommissioning scheme that would enable the UK to achieve its share of the required effort reductions. The French have yet to consider their options and whether to give their support to this alternative approach.
9. French delegates indicated that there were studies ongoing that involved tagging of soles in Areas 7d and 7e. They also agreed to consider fully the DRAFT OPINION and to respond promptly.
10. **Agenda 2b: Scallop Management:** Jacques Bigot said that the French industry is keen to involve all Member States in the formulation of measures to improve the management of scallop fisheries throughout the EU. A questionnaire had been circulated. Few replies had been received and none from Scotland. The postponed conference should be re-scheduled.
11. John Hermse said that a Scottish response would have been given to the Conference on May 5<sup>th</sup>.
12. Power Point Presentations were made by IFREMER (Eric Foucher) and CRPBN (Beatrice Harmel). These were very well presented and received. (A copy of each Presentation will be circulated to RAC members and delegates with this Report.) The chairman said that there was no intention to impose on other fishermen the French restrictions. He wondered whether there might be enough common ground for a common approach to regulating the various scallop fisheries throughout Community waters, but especially in areas 7d and 7e. Perhaps starting with a common ring size?
13. Tom Bryan-Brown enquired about the jurisdiction of the RAC in terms of the coastal zone.
14. Joe Maddock expressed the view that the inshore French zone appeared very well managed with a high production rate compared to the Irish fisheries. The Irish sector has undergone a massive reduction in order to bring the fleet level down to match allowed effort under the Western Waters Agreement.
15. John Hermse welcomed the presentations and the debate. The UK fisheries are divided inshore and offshore. Scallop dredges have many technical restrictions. There is also an overall effort cap under the WWA. A big problem is that of testing properly for toxins during algal blooms that cause closures of fisheries to prevent human suffering. 30% of grounds had been closed. UK fishermen are wary of harmonisation of regulations. A conference would be welcomed to establish common ground and so too would more extensive research.
16. Michael Walsh expressed surprise at the size of French Scallop production. He confirmed the difficulties in the Irish sector. He hoped that a conference would be held soon.
17. Jacques Bigot stated that the current problems in the industry meant that it is imperative to make from the fish the maximum of money. There are concerns

that when the French restrictions are in place fishermen from other areas take advantage. The issues to be discussed in a conference must include the market as well as the technicalities.

18. The chairman closed these discussions and asked delegates to come forward with a date and venue for the proposed conference as well as papers for discussion.
19. On a final point the chairman mentioned the problem of certain fish buyers who soak the scallops before sale. John Hermse responded that this matter might not be in the competence of the RAC as it relates to process and marketing rather than production.
20. **Agenda 2c: Cod Recovery:** Jacques Bigot had hoped for a discussion concerning the Cod in area 7d that is part of the N Sea Cod Recovery Zone. However a paper had not been prepared for today, but it is hoped that a future meeting can look at the questions arising from the limited days-at-sea and the TAC Regulation. Of particular concern is the 8% margin of tolerance on logbooks that is so difficult to comply with. Fishermen are increasingly discarding perfectly good fish in order not to face prosecution. There are other consequences too, such as redeployment to other areas and fisheries that can cause difficulties remote from the Cod. It was suggested that it might be a more sensible regime to have days-at-sea limits but no limits on quota so that all caught fish could be landed. These ideas are a tentative reflection of concerns and difficulties that should be expanded at the next WG3.
21. The chairman suggested that catches of Cod in area 7d are generally within the 5% bycatch. There should be an overall exemption from CRZ rules in this area and not just for the beam trawlers.
22. A French fishing delegate (Gerard?) explained how difficult it is for him and his colleagues to be able within the rules to retain marketable amounts of fish that make up his daily catch. He wondered if there was scope for all fishermen to be granted a small bycatch so as to eliminate discarding over-quota fish.
23. Barrie Deas spoke of the perversities of the CRZ and acknowledged the frustrations of fishermen. He felt that the RAC might contribute usefully to the discussions of the 2006/2007 review of the CRZ. He cautioned that replacing the quota regime with only effort limits might have far reaching ramifications including for Relative Stability.
24. Compliance with quotas, discarding, technical measures and the grave concerns about the price of bunker fuel; all these things were raised in discussions. Barrie Deas urged the RAC to engage in the CRZ review and to bring these difficulties into focus.
25. Richard Brouzes offered to draft a paper about the issues within area 7d that are linked closely to the N Sea Cod (CRZ) management arrangements. Jacques Pichon suggested that the problems of the sector go well beyond area 7d.
26. **Agenda 2d: Pelagic Issues:** Jacques Bigot introduced the subject by expressing concerns about the assessment process. The n-2 method is too slow for a fast-growing species like Herring that can appear in greater numbers than expected.
27. Xavier talked about supplying the market on demand. Sometimes the density of fish is such that the supply could greatly exceed the demand.
28. Jim Portus mentioned the experience in the 7d,e Sprat fishery in 1989 when the TAC was doubled to allow for an unexpected outburst. The same he thought had happened with 7e,f herring.

29. Iain MacSween, chairman of the Pelagic RAC, expressed very strongly the view that the NWWRAC should not even be discussing Pelagic issues and that these are the remit of the Pelagic RAC. He would welcome a paper for discussion at the Pelagic RAC on the issues raised today. He said raising the quota to satisfy a demand might lead to an uncontrolled situation. Boats must keep to the quota and should not expect to have extra simply because they can catch easily the fish. Quota compliance is essential.
30. It was agreed that in future Pelagic issues will be raised only in the Pelagic RAC. The chairman, however, suggested that Bass, being a demersal fish, should be discussed in this RAC even though it is mainly caught in the Channel using Pelagic fishing methods.
31. Jacques Pichon agreed to lead a focus group to look at the issues arising from Bass exploitation and to table a paper for consideration at the next WG3. Joe Maddock indicated that he would supply the WG3 with a copy of a Bass paper from the Irish Institute of Marine.
32. **Agenda 2c: ICES:** Jacques Bigot had tabled a letter saying that fishermen want and ought to be more involved in the assessment process for fish stocks. Confidence in the science is often low and that could be improved if there was more co-operation. He suggested a meeting with ICES might coincide with the meeting of the RAC on 27<sup>th</sup> June.
33. Barrie Deas supported this opinion and suggested that ICES might usefully send a scientist to each meeting of the WGs. They would be invited to participate as observers. Joe Maddock suggested there are many horizontal issues that sub-groups of the RAC should discuss and develop without constraint. Participants would have to find their own time to do this important work.
34. **AOB: Fisheries Inspections at sea:** The chairman raised his concerns that there appeared to be no consistency amongst inspectors of various Member States. He suggested there should be a Code of Ethics.
35. Barrie Deas agreed. The complexities and imperfections in the regulations often made them impossible to comply with and fishermen found themselves facing hostility during inspections. A Code of Practice has been requested that should be held by both sides so that each understands what is required. There should be a complaints procedure. It would help if proposed regulations were tested properly in advance of implementation to ensure possibility of compliance. There were many contributors to this lively debate and the concerns raised will be considered by the RAC Exec meeting in June.
36. **7e sole Opinion:** Jim Portus asked the chairman to confirm the Draft opinion would be sent forward to the RAC Exec. The French agreed they would be studying the papers and the Draft Opinion in the next few days and that, if supportive, they would approve its submission to the Exec.
37. The chairman thanked very much SEERAD for hosting the meeting of the WG3 in Glasgow. He thanked the interpreters and hoped to see members in June in Galway for the RAC Exec and in October for the General assembly.

Jim Portus,  
Rapporteur,  
25 May 2006