

**Written submission from Usan Salmon Fisheries Ltd/  
Salmon Net Fishing Association Scotland**

**Purpose**

1. The purpose of this paper is to provide written evidence to the committee in connection with the proposed Aquaculture and Fisheries (Scotland) Bill. This paper follows our submission of background material and the visit of committee members to our premises on 10 November 2012.

**Background**

2. Our family business (established in the 1960's) is now one of the last independently owned salmon netting firms in Scotland. A clear sign of the demise of netting is that effort is now around 3% of the level in 1952 (when records began). We have the fourth generation of our family active in the business now. This is our legacy not only to our own family but to Scotland as a nation. Certainly, there are easier, less hazardous ways to make a living. However, as far as we are concerned, this is about much more. We are part of a long established Scottish tradition where what we do is not just to pay the bills, but it is our way of life and a part of Scotland's rich heritage. Further details can be found on our business at [www.usansalmon.com](http://www.usansalmon.com).

3. The angling season extends from 16th February to 31st October (in excess of 220 days fishing), a considerably longer season than our own. Our season currently runs from the 1st May until 31st August (87 days taking account of voluntary restrictions).

4. Much has been said in the past about the economic value of a rod caught fish being greater than that of one caught by nets. However, this ignores the key facts that we are an indigenous small independent Scottish company which pays its taxes, employs workers and invests money in its ongoing operations in terms of plant, equipment and other associated services. It should also be noted that the Scottish Government Freshwater Fisheries Forum Steering Group have stated that "it was generally recognised that netting should be acknowledged in the framework plan and that it would be useful to have a comparison on the value of net caught salmon compared with rod caught salmon. It was highlighted, however that netting, which has been in existence for centuries, is now in decline and that rod caught salmon now account for the biggest percentage of salmon caught. Making comparisons in monetary terms may not be best way of assessing value".

5. It is also noteworthy, that while we continue to fish using traditional methods, we are also seeking to adapt and diversify elements of our business to meet the needs of consumers. As an example, we now sell smoked salmon at farmers markets, across the country, as well as the fact that a proportion of our fresh fish is exported abroad. We have also provided Salmon for the Royal household in the past in addition to supplying to the G8 Summit at Gleneagles. Our fish was also used in the final of the Great British Menu 2007 which was held at the British Embassy in Paris. We have established an online shop for selling our very own

smoked salmon to discerning customers at home and abroad at competitive prices. Clearly, the quality of our product is recognised. Additionally, we attended the European seafood Expo in Brussels, with the full support of Angus Council, Seafood Scotland and Highland and Islands Enterprise, to further our marketing efforts for this unique branded iconic Scottish produce.

6. Additionally, we have been successful in having have Scottish Wild Salmon registered as an EU Protected Food Name (PFN). We warmly welcomed the support of Scottish Government in that Scottish Wild Salmon has been awarded this highly prized accreditation (subject to drafting of the regulation). Achievement of this known standard provides proper recognition for this unique iconic Scottish product and the few remaining traditional salmon netters. Scottish Wild Salmon represents the highest quality of indigenous Scottish renewable produce, a fact recognised worldwide by both domestic customers and top chefs and restaurants. It is a centuries' old Scottish tradition, though sadly, only a handful of Scottish salmon netting stations are still active. Survival of salmon netting is essential, being the only legal method of harvesting these fish for the enjoyment of consumers and very much a part of the fabric of Scotland.

7. As can be seen, we are not a huge commercial enterprise, employing 14 staff during the 2012 season, however, in these difficult economic times, it is important to remember that Scotland is built on small businesses and innovation. In our view, this should be fostered and encouraged rather than forced into terminal decline. Given the Scottish Ministers firm commitment to its economic recovery plan; we also believe that supporting rural industries under threat is entirely consistent with, and indeed central to, that policy objective.

### **Proposed Aquaculture and Fisheries (Scotland) Bill – Proposed Amendment – Removal of Coastal Netting From Local Fishery Board Management**

8. We welcome much of the new bill in terms of its intent and purpose. In particular, we support the proposed measures around openness, accountability and transparency of local district fishery boards. However Angling interests make no secret of the fact that they deplore fixed engine fisheries (Scottish bag, jumper and stake nets). Sadly, there are now only a handful of these stations in operation around our Scottish coastline. Despite this, the Association of Salmon Fishery Boards are continually calling for their closure. They are seeking to vilify netting through a continuous stream of anti-netting propaganda, which has thus far been unchecked (notwithstanding representations from us).

9. Against that backdrop, we wish to see coastal netting removed from the management of local fishery boards all together. It is clearly recognised that we, and operations like ours, are an inshore fishery and the Esk board itself (our local management) has indicated it cannot manage us appropriately. We have sustained years of relentless persecution at the hands of the local fishery board, which is dominated by angling interests managing for abundance without the slightest regard for netting interests other than to see them put out of business. Therefore it is appropriate to consider transferring us to the management of Scottish Government Inshore Fisheries Team. This is effectively how other Scottish inshore fisheries are managed and there is therefore no sensible rationale for continuing to subject us to continued inept, haphazard and discriminatory management.

**Proposed Aquaculture and Fisheries (Scotland) Bill – Proposed Amendment – Weekly Close Time Abolition and Introduction of Days At Sea**

10. The purpose of the raw data replicated below is to demonstrate, in real terms, our position in relation to angling and the effect of previous revisions to the Weekly Close Time regulations.

Netting Sector	Angling Sector
Season Length 16 Feb – 31 Aug – 128 days	Season Length 16 Feb – 31 Oct – 222 days
This equates to 28 Weeks and 2 days x 108 hours fishing time per week = 3072 hours (128 days per season).	Season Length - No change – 222 days
As a result of the 1988 Weekly Close Time increase, netsmen lost 21 days fishing time.	Season Length - No change – 222 days
Prior to 1988, Netsmen were entitled to fish for 149 days based on a season running from 16 Feb - 31 Aug. We propose consecutive days at sea from 4 April - 31 August, this continuous period could be varied depending on where MSS determine the stock to be strongest e.g. 18 April -14 Sept.	Season Length - No change – 222 days
Currently, in terms of consecutive days at sea, netsmen would entitled to fish from 25 April to 31 August = 128 days, thereby not fishing the early Spring stock where the stock is deemed the weakest.	
SNFAS Members already delay fishing until 1 April for no return, whereas white fish sector fishermen receive recognition for adopting conservation initiatives by receiving more time to fish. Salmon net fishermen have received no such recognition.	
Notes: From the headline days noted above, there is considerable further time lost for bad weather and other contrary environmental factors.	

11. The current situation is inequitable. The introduction of days at sea, would avoid the need for our personnel to attempt to remove leaders in adverse weather and sea conditions. The conflict between Health and Safety and the outdated Weekly Close Time regulations must be resolved. It is an unacceptable position to face prosecution for failure to remove leaders, where to do so, would present a health and safety risk to our employees.

12. It is reprehensible for us to have to survive on reduced fishing time, where there is no threat to salmon stocks. We would argue that economic considerations must be of overriding importance in these circumstances. We are seeking to exercise our legal rights without being unreasonably fettered by circumstances out-with our control such as sea state and weather. The introduction of days at sea, presents an opportunity to implement flexibility, while balancing any genuine stock concerns (e.g. with the early spring component) that may exist.

13. In light of this we seek the abolition of the outdated Weekly Close Time legislation and replacement with a minimum days at sea allowance. Doing so, would avoid the need for us to wrestle with the conflicts of current fisheries legislation (avoiding inadvertent breaches of the law, due to circumstances out-with our control) and health and safety considerations (which of course must remain paramount at all times).

14. Under such a model, the Scottish Government could potentially set the season start date (having due regard for robust scientific stock evidence) and we would then be permitted to fish for the number of days specified in legislation. This would allow us to manage and plan our operations more efficiently and effectively, taking into account the environmental considerations and would also permit flexibility around the season start date should it be required while at the same time allowing us a statutory minimum number of days in which to exercise our legal title and safeguard our livelihood.

15. At present within the current fisheries legislation we could be charged at the behest of the Esk District Salmon Fishery Board, if we do not go to sea to remove our leaders or other gear, when they deem it is safe to do so (even where, with our expertise and experience we consider it unsafe to do so). We could also potentially face more serious charges from the MCA or the Health and Safety Executive if we go to sea and one or more of our employees get injured or even killed. There is also the very real possibility of being sued by the injured party or indeed by relatives, in the event that an employee died. Surely we as employers and humble fishermen should not have to make choices like these?