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Rural Affairs and Islands Committee
The Scottish Parliament
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11 January 2024

Dear Convener,

Firth of Clyde Cod Seasonal (February to April) Spawning Closure for 2024 and 2025

I am writing to provide the Committee with an update on the seasonal spawning closure in the Firth of Clyde which aims to protect spawning cod and promote recovery of the north western cod stock. Cod is an iconic Scottish stock and we are committed to its long term sustainability.

The Sea Fish (Prohibition on Fishing) (Firth of Clyde) (No. 2) Order 2022 is due for renewal in 2024. The cod spawning closure has been in place each year since 2002, implemented through SSI. The effect of the SSI is to close a specific area of the Firth of Clyde to most types of fishing activity during the cod spawning season (14th February – 30th April). The purpose of the closure is to protect cod in the area whilst they are spawning. Cod found spawning in the Firth of Clyde are part of the wider northern shelf cod stock. Between 2002 and 2021, the SSI included exemptions to allow Nephrops trawlers, creels and scallop dredgers to continue to use the area due to the low numbers of cod that they catch. Despite the ongoing seasonal closure, the inshore elements of the cod stock has shown little sign of recovery. Therefore, you may recall in 2022, The Sea Fish (Prohibition on Fishing) (Firth of Clyde) (No. 2) Order 2022 was laid to continue the spawning closure for 2022 and 2023, covering a revised area, and without any exemptions.

It might be helpful for me to set out the changes to the cod stock in Scottish waters since the previous SSI. Following the recent cod benchmark, ICES advice for the north-western substock of northern shelf cod shows a healthy recovering stock, including in the West of Scotland, with the biomass now twice the size of the sustainable biomass threshold. The West of Scotland management measures – selectivity measures and a restrictive Total Allowable Catch for several years in Area 6, and the management measures introduced through the National Cod Avoidance Plan, established to support the recovery of North Sea cod with the introduction of technical measures, seasonal closures and real time closures,

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have contributed to this. Our view is that such measures are beneficial but we will need to consider different management approaches to cod in inshore and offshore waters in light of the recent ICES northern shelf cod benchmark report. While the outlook on the sustainability of cod in the west of Scotland is far more positive than previously thought, we still have to be careful with the inshore stock and make sure that we have robust protection measures in place with regards to protecting congregations of juvenile fish in inshore waters, which will include all spawning areas. At the annual fisheries negotiations, the UK, Norway and the European Union set a 2024 Total Allowable Catch for cod and in the [trilateral written record](#) there is a commitment for Coastal States to assess their management of the northern shelf stock. As part of its work, for 2024, the Marine Directorate will need to consider different management approaches to cod in inshore and offshore waters in light of the recent ICES Northern Shelf cod benchmark report. It will therefore undertake a review of the cod management measures, including the spawning closures of which the Clyde spawning closure is one of many in place. This work will start in 2024 and in the meantime, the UK has maintained the measures introduced through the North Sea National Cod Avoidance Plan.

Following consideration of the Firth of Clyde closure implemented for 2022 and 2023 and the responses to a public consultation carried out between June and September 2023, I consider it appropriate to continue the spawning closure, in the same manner as in 2022 and 2023 without exemptions, for the 2024 and 2025 period. As such, an SSI, The Sea Fish (Prohibition On Fishing) (Firth Of Clyde) Order 2024 has been laid today. As with the previous Order, this maximizes protection of spawning cod and the habitats they are likely to spawn on by prohibiting all fishing activity within two areas of the Firth of Clyde during the spawning season, whilst allowing fishing activity to continue outside of the closure areas.

We have reviewed the available scientific evidence to reassure ourselves that this approach is the most appropriate and proportionate. The decision to continue the closure without exemptions is based on the best available scientific evidence which shows that any activity within 10m of the seabed has the potential to impact on spawning activity. The continued removal of the exemptions for Nephrops trawlers, creels and scallop dredgers in the closure area maximises protection for spawning cod by minimising disturbance from fishing activity whilst the cod are in this vulnerable stage of their life cycle.

I have also asked Marine Directorate Compliance to ensure that there is increased monitoring of the closure areas during the closure period, both to ensure compliance with the closure, and to record any relevant information indicating whether the closure is indeed in the correct place. Marine Directorate officials are also finalising the existing scientific observer programme to see how we might enhance data collection in the Clyde.

This remains a complex issue to balance, and we have learnt lessons from the process undertaken for the 2022 and 2023 closure. Whilst this may remain an unpopular decision amongst the fishing industry, we believe that this is the best approach to take to strike the right balance between Ministers' obligations to ensure that fishing opportunities are managed so as to achieve economic, social and employment benefits on the one hand, and Ministers' obligations to take a precautionary approach to fisheries management and to ensure that marine stocks are not overexploited. I hope that the Committee can support the new SSI coming into force.

My officials and I will of course be happy to provide evidence to the Committee should this be required.

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Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gillian Martin', written in a cursive style.

Gillian Martin

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