



FISHERIES WORKING GROUP

WEDNESDAY, 29 JANUARY at 10.00 A.M.

Your attendance is requested at a meeting of the FISHERIES WORKING GROUP to be held in COMMITTEE ROOM NO.4, WOODHILL HOUSE, WESTBURN ROAD, ABERDEEN, AB16 5GB on WEDNESDAY 29 JANUARY, 2020 at 10.00 A.M.

22 January, 2020

Director of Business Services

To: Councillors I Sutherland (Chair), A Allan, C Buchan, M Findlater, P Johnston, A Kille, M Roy and S Smith.

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B U S I N E S S

1. Welcome and Declarations of Interest

2. Statement on Equalities:

Consider, and if so decided, adopt: "In line with the Council's legal duty under section 149 of the Equality Act 2010 the Committee, in making decisions on the attached reports, shall have due regard to the need to":-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

3. Minute of Meeting of 11 September 2019 **(Pages 4-7)**

4. Matters Arising **(Page 8)**

5. Presentation: 2020 TACs by Kenny Coull, Fisheries Policy Officer, Scottish White Fish Producers Association

6. Presentation: Seafood Scotland update by Donna Fordyce, Interim CEO

7. Bulletin: Review of Fisheries Working Group **(Pages 9-10)**

8. Bulletin: Funding of Voluntary Training for Fishermen **(Pages 11-12)**

9. Verbal updates:

- Future-proofing fisheries study
- Seafood Centre of Excellence project
- Update on Southern Trench Proposed Marine Protected Area
- Future trading arrangements with EU for Scottish seafood

10. Any Other Business

11. Dates of 2020 meetings:

2pm on Friday 22 May (provisionally in Chamber, Buchan House, Peterhead)

10am on Friday 11 September (provisionally in Fraserburgh Community and Sports Centre,

PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS

What is the duty?

In making decisions on the attached reports, Members are reminded of their legal duty under section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

How can Members discharge the duty?

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision.

However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals.

How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

What does this mean for Committee/Full Council decisions?

Members are directed to the section in reports headed ‘Equalities, Staffing and Financial Implications’. This will indicate whether or not an Equality Impact Assessment (EIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is.

An EIA will be appended to a report where it is likely that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an EIA is required. If one is not required, the report author will explain why that is.

Where an EIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link:-
http://www.equalityhumanrights.com/uploaded_files/EqualityAct/psed_technical_guidance_scotland.doc

FISHERIES WORKING GROUP
ROSEHEARTY COMMUNITY BOAT CLUB

WEDNESDAY, 11 SEPTEMBER 2019

Present: Councillors I Sutherland (Chair), C C Buchan, M Findlater, S W Smith, D Mair, A Kille; A Allan; Cllr M Roy;

Apologies: Cllr P Johnston

Officers: Derek McDonald, Industry Support Executive (Rural and Maritime); Jamie Wilkinson, NESFLAG Coordinator

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct. Interests were intimated by Cllr Beagrie and Cllr Doreen Mair in respect of projects supported by NESFLAG.

2. PUBLIC SECTOR EQUALITY DUTY

In making decisions on the undernoted items of business, the Working Group **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

3. MINUTE OF MEETING OF 15 May 2019

The Minute was **agreed** as a correct record.

4. MATTERS ARISING

There were five action points from the last meeting, all of which had already been addressed or would be covered by the agenda. There were no further matters arising.

The meeting was preceded firstly by a visit to Rosehearty Harbour to learn of the plans underway by Rosehearty Inshore Fishermen's Association for a new harbourside chill, ice machine and other improvements to help maintain the quality of locally landed seafood. This had been followed by a presentation in Rosehearty Community Boat Club on the refurbishment of the building (a former toilet block) and the club's wide range of activities. Members noted the considerable benefits both projects were generating for the local community and requested that both speakers were thanked for making time available to address members and answer their questions.

Action point 1: Derek McDonald to offer members' thanks to hosts.

5. PRESENTATION: NESFLAG OVERVIEW BY JAMIE WILKINSON, NESFLAG COORDINATOR

Mr Wilkinson opened by advising that North East Scotland Fisheries Local Action Group (NESFLAG) is a partnership of over 20 organisations from the public, private, community and fisheries sector. NESFLAG delivers the community-led local development elements of the European Maritime and Fisheries Fund 2014-2020.

The NESFLAG budget for the programme period is £1.437m which covers the Aberdeenshire and Angus coasts, encompassing most fishing communities and coastal settlements. Aberdeenshire Council administers the programme through a dedicated co-ordinator and part time support staff. The programme is split between three Local Development Strategies (North Aberdeenshire, South Aberdeenshire and Angus) and is linked to the LEADER rural development programmes.

Since its launch NESFLAG has worked with a wide range of applicants: community groups, third sector organisations, public bodies, private companies, business collectives, fishermen's associations and others. Projects can cover a wide range of activities but must address at least one of the following priorities set out by the FLAG's strategy:

- a) adding value and promoting innovation at all stages of the fisheries and seafood supply chain
- b) creating jobs, attracting young people, encouraging lifelong learning and facilitating training in fisheries areas
- c) supporting diversification inside or outside commercial fisheries
- d) enhancing and capitalising on the environmental assets of the fisheries areas
- e) promoting social well-being, cultural heritage and community development in fisheries areas

NESFLAG launched in March 2016 and the first application round was held in July 2016. Although the number of applications was low at the outset, interest steadily increased and the programme gathered momentum during 2017 and 2018. To date 28 projects have been approved with a total grant commitment of £1,108,293.40. This equates to 77.13% of the programme budget.

Following the most recent round of approvals, the budgets for North Aberdeenshire and Angus were now fully committed (subject to two projects currently in the approval process) and NESFLAG is currently closed for new applications in those areas. There remains around £200,000 in the South Aberdeenshire budget for new projects, and an application deadline has been set for November 2019. Subject to location and budget constraints, the NESFLAG Co-ordinator continues to work with potential applicants, with a particular focus on South Aberdeenshire to encourage further applications, particularly in Stonehaven, Gourdon and Johnshaven. Following assurances from UK Government, NESFLAG grant offers can be made up until September 2020. The deadline for projects to be completed and draw down all funding is December 2020, though there may be some flexibility to extend this date if required.

Mr Wilkinson went on to describe several projects funded by the NESFLAG programme to illustrate the wider range of initiatives undertaken, several of which have cooperated to deliver mutual benefit (eg both the Fraserburgh Harbour tele-handler and the Stonehaven Sea Safari rigid inflatable boat had assisted beach clean activities undertaken by the Turning the Plastic Tide project).

Members expressed their appreciation of the many benefits generated by NESFLAG and asked Mr Wilkinson whether future UK structural funds were likely to support a similar programme. Mr Wilkinson advised that representations to that effect had already been made

to UK and Scottish Governments by the council and by NESFLAG. The Chair thanked Mr Wilkinson for his presentation.

Action point 2: Members to be kept informed of future Maritime and Fisheries structural funds

6. BULLETIN: COUNCIL RESPONSE TO SOUTHERN TRENCH PROPOSED MARINE PROTECTED AREA (pMPA) CONSULTATION

There had been circulated a Bulletin report dated 30 August 2019 by the Head of Economic Development which set out the response submitted by Aberdeenshire Council on 30 August to the proposal by Marine Scotland to create new Marine Protected Areas in Scotland, specifically off the coast of Aberdeenshire (Southern Trench) and the background to the proposal. The council's view had been informed by input from Banff and Buchan Area Committee and from Infrastructure Services Committee.

The council's Economic Development service had met with the Scottish Natural Heritage project lead in April 2019 to discuss the proposals in some detail. A meeting was thereafter sought and obtained with the Scottish Whitefish Producers Association's Chief Scientific Adviser to discuss the proposals and potential consequences for the fishing industry. He advised that the Southern Trench pMPA had already been the subject of lengthy consultation with industry and that the association was content with the proposals as they stood. As the Southern Trench pMPA is currently in good environmental condition it was thought that fishing activities within it were unlikely to be significantly affected.

Action point 3: Members to be kept informed of development in the pMPA process for the Southern Trench

7. BULLETIN: SCOTTISH SEAFOOD ASSOCIATION TRAINING ACTIVITY

There had been circulated a Bulletin report dated 30 August 2019 by the Head of Economic Development which provided a summary of seafood industry related training delivered by the Scottish Seafood Association, with which the council's Economic Development service has worked closely since SSA was formed to help enhance the sector's performance.

The council had assisted SSA in its application to NESFLAG for financial support for a training centre project which led to the appointment of Michael Sim as SSA's Technical Training Consultant to drive enhanced levels of training, including a bespoke induction course for new entrants. A significant driver of seafood industry training is the desire amongst several businesses to attain recognised accreditation standards such as SALSA (Safe and Local Supplier Approval). In late 2018, Aberdeenshire Council approved a funding package (Support for Aberdeenshire Business) to assist ten seafood businesses in Aberdeenshire with the costs of attaining the SALSA Plus Seafood standard.

After consideration, the Working Group **agreed** to note information provided in the update.

8. BULLETIN: VERBAL UPDATES

The Industry Support Executive (Rural & Maritime) provided a number of brief verbal updates on the NESFLAG-funded Future-proofing Fisheries Project, which is expected to report early in 2020; on the Scottish Seafood Centre of Excellence project and on the indicative Total Allowable Catches (TACs) for 2020, based on the provisional scientific advice from ICES (International Council for the Exploration of the Seas)

After consideration, the Working Group **agreed** to note information provided in the update.

9. ANY OTHER BUSINESS

There was no other business

10. DATE OF NEXT MEETING

- 29 January 2020 at a venue to be confirmed

DRAFT

FISHERIES WORKING GROUP ACTION SHEET 11 SEPTEMBER 2019

NO.	Agenda Item	ACTION	ACTION OWNER	COMPLETION DATE/UPDATE
4	Matters arising	Action point 1: Hosts to be thanked on behalf of FWG members	Derek McDonald	11 September 2019
5	NESFLAG presentation	Action Point 2: Members to kept informed of future Maritime and Fisheries structural funds	Derek McDonald	Ongoing
6	Bulletin: Council response to Proposed Marine Protected Area Consultation	Action Point 3: Members to kept informed of developments in the pMPA process for the Southern Trench	Derek McDonald	Ongoing



BULLETIN: FISHERIES WORKING GROUP – 29 JANUARY 2020

REVIEW OF FISHERIES WORKING GROUP

1 Recommendations

The Committee is recommended to:

1.1 Consider future options for Fisheries Working Group (FWG)

2 Background / Discussion

2.1 A report presented to FWG on 15 May 2019 advised of competing demands reducing the capacity of Committee Services officers to support Fisheries Working Group and other Member Officer Working Groups, most notably Rural Affairs Working Group (RAWG), creating additional work for organising officers from Economic Development. Aberdeenshire Council also hosts NE Scotland Fisheries Development Partnership (NESFDP) and NE Scotland Agriculture Advisory Group (NESAAG). Each comprise representatives from outside organisations and neighbouring councils and both groups have been subject to periodic review. No change is proposed to how NESFDP and NESAAG operate or to the level of Committee Officer support provided.

2.2 Reviews of FWG and RAWG are now underway. It is anticipated a report on the future arrangements for FWG and RAWG will be presented to Infrastructure Services Committee after due consideration. The range of options originally proposed for FWG include:

- a) To integrate FWG into NESFDP
- b) To reduce the frequency of FWG meetings
- c) Make alternative proposals
- d) No change

FWG Members declared their preference at the FWG meetings on 15 May and on 11 September 2019 for the status quo to prevail, noting in particular that NESFDP and FWG are very different bodies and that the council's singular view on fisheries related policy and other matters would be greatly diluted if FWG were to be subsumed into NESFDP. This outcome would require additional resources to be found.

2.3 The intention is for the review of FWG and RAWG to proceed broadly in parallel and whilst FWG has already met twice in May and September 2019 to discuss the various options, the RAWG meeting on 19 September did not proceed. A review report was tabled on 13 November at RAWG but the meeting on 13 November went ahead in the absence of the Chair (Provost) who was representing the Council at an event in London. RAWG members agreed to defer detailed discussions the next meeting of the Group.

- 2.4 The Industry Support Executive (Rural & Maritime) from Economic Development will continue to pick up the extra workload associated with FWG and RAWG meetings until the review has been completed, but this will reduce officer time available to carry out project work and industry support activity at what is an important time for both the fisheries and rural economy sectors.
- 2.5 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report.

3 Scheme of Governance

Fisheries Working Group is able to consider this item in terms of its remit to provide a focus to enable issues and concerns across the wider fisheries sector in Aberdeenshire to be addressed.

4 Implications and Risk

Subject	Yes	No	N/A
Financial		x	
Staffing	x		
Equalities		x	
Fairer Scotland Duty		x	
Town Centre First		x	
Sustainability		x	
Children and Young People's Rights and Wellbeing		x	

- 4.1 There are short-term staffing implications while the review is taking place. The time available to the Industry Support Executive (Rural & Maritime) to carry out policy and project work will be reduced.

Belinda Miller
Head of Economic Development and Protective Services

Report by Derek McDonald, Industry Support Executive (Rural & Maritime)
21 January 2020

BULLETIN: FISHERIES WORKING GROUP – 29 JANUARY 2020

FUNDING OF VOLUNTARY TRAINING FOR FISHERMEN

1 Recommendation

1.1 It is recommended that the Group notes this bulletin

2 Background / Discussion

- 2.1 Safety training for the Scottish fishing industry has been funded since 2014 by the European Maritime and Fisheries Fund (EMFF), co-financed by Scottish Government. Coordinated at UK level by Seafish (the project funding applicant) safety training has been delivered north of the border by a range of Scottish providers. Seafish reimbursed providers' costs and covered administrative oncosts from EMFF grant payments. The final application from Seafish under the EMFF programme (in 2018) for such funding in Scotland was reduced as it was unaffordable within the remaining EMFF allocation for such measures. However when EMFF funding ran out in June 2019, a further £200,000 was provided by Scottish Government funding to deliver additional training until December 2019, by which time it was hoped that new long-term arrangements would be in place.
- 2.2 Concerns were raised as 2019 drew to a close with little visibility of how fishermen's training could continue in Scotland in the absence of a state aid-compliant funding mechanism. In September the Cabinet Secretary for the Rural Economy approved further funding to support the work of the newly formed Scottish Fisheries Safety Group (SFSG) which was actively involved in discussions with Seafish and others to identify the best approach to continue to deliver fishing industry safety training in Scotland. Aberdeenshire Council maintained close contact with Marine Scotland, Seafish, the Scottish Maritime Academy and SFSG at this time and was advised that the political will to sustain safety training was not in doubt, but that finding a legal basis which complied with state aid rules was a challenge. Marine Scotland advised at that time that Scottish Government had provided some £1.5m since 2016 to fund safety training as project co-finance.
- 2.3 On 3 December 2019 Simon Potten, Head of Safety and Training at Seafish advised that their request for £250,000 stop-gap funding from the Department for Transport Trust Fund had been approved. This would enable Seafish to continue to fund fishermen's training in England and Scotland after 31 December 2019 for three months while a longer-term solution could be found under the new Maritime & Fisheries Funds in the UK. Mr Potten advised that the £250,000 would be split equally between Scotland and England initially but that progress would be reviewed in early March 2020 to assess whether a re-allocation would be necessary. Mr Potten went on to advise that new conditions would be imposed to ensure prudent financial management and value for money:

- a) a requirement that all new entrants must first complete the 3-day Introduction to Commercial Fishing course and then gain practical fishing experience before the release of funding for trainees to progress on to the remainder of the 3-week ICF course. This is intended to minimise money wasted on training new entrants who then decide fishing is not for them.
- b) The introduction of a cap on the funding total that any one trainee can draw down during this period (Set at around £2,000)

2.4 Members will be kept apprised of progress.

2.5 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report.

3 Scheme of Governance

Fisheries Working Group is able to consider this item in terms of its remit to provide a focus to enable issues and concerns across the wider fisheries sector in Aberdeenshire to be addressed.

4 Implications and Risk

Subject	Yes	No	N/A
Financial		x	
Staffing		x	
Equalities		x	
Fairer Scotland Duty		x	
Town Centre First		x	
Sustainability		x	
Children and Young People's Rights and Wellbeing		x	

Belinda Miller
Head of Economic Development and Protective Services

Report by Derek McDonald, Industry Support Executive (Rural & Maritime)
21 January 2020