POLICY NOTE

THE LITTLE LOCH BROOM SCALLOPS SEVERAL FISHERY (VARIATION) ORDER 2025

SSI 2025/7

The above instrument was made in exercise of the powers conferred by section 1 of the Sea Fisheries (Shellfish) Act 1967(a) (as read with section 2 and schedule 1 of that Act) and all other powers enabling them to do so. The instrument is subject to negative procedure.

Summary Box

The purpose of the Instrument is to continue The Little Loch Broom Scallops Several Fishery Order 2015 for a period of 10 years until 9 March 2035, unchanged.

Policy Objectives

Several Orders allow persons to apply for the right to fish exclusively for specified types of shellfish, including scallops, in a designated area. The Little Loch Broom Scallops Several Fishery (Variation) Order 2025 extends The Little Loch Broom Scallops Several Fishery Order 2015 for a period of 10 years until 9 March 2035.

This Order confers on Scot-Hatch Limited, an exclusive right of several fishery for scallops in part of Little Loch Broom covering the same area as specified by the co-ordinates within the 2015 Order. The 2025 Order continues the restriction that harvesting in this area can only be carried out manually by divers. Failure to make a new Several Order could de-stabilise the existing business opportunities that the 2015 Order currently provides.

In addition this Order corrects the designation of Scot-Hatch Limited set out in the 2015 Order to being a company limited by shares, as per their certificate of incorporation dated 17 October 2013.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights.

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the The Little Loch Broom Scallops Several Fishery (Variation) Order is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU. If that is the case, policy areas are not required to provide any further explanation.

Consultation

To comply with Schedule 1 to the Sea Fisheries (Shellfish) Act 1967 the following bodies have been consulted. This took place between 13th December 2024 and 13th January 2025.

Marine Directorate
Crown Estate Scotland
NatureScot
North West Coast Regional Inshore Fisheries Group

In addition to this the draft Order was also published in the West Highland Free Press and made available through Marine Directorate Coastal Office in Ullapool, for the duration of consultation to allow representations and objections to be made to Ministers.

During this time period no comments or objections were received.

Impact Assessments

The following impact assessments have been completed on the draft SSI and are attached. No adverse impacts were identified in relation to matters of equality, children's rights and wellbeing, or data protection and privacy. No further action is being taken as a result of these impact assessments:

CRWIA
DPIA
AANMP

Financial Effects

A final Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. No financial burdens will be placed on the applicant as a result of the Order.

Scottish Government
Marine Directorate

13 January 2025