



**ROYAL FISH: GUIDANCE FOR DEALING WITH
STRANDED ROYAL FISH (e.g. WHALES OVER 25
FEET) IN SCOTTISH WATERS**

Introduction

1. This guidance is being issued to clarify the arrangements which currently apply when dealing with Royal Fish found stranded on the shoreline of Scotland. It provides guidance to the Maritime and Coastguard Agency (MCA) on how to respond to notification of a 'Royal Fish' in Scotland. It also clarifies the role of the local authorities when determining the most favourable disposal option for 'Royal Fish' and the information they will be asked to provide to Marine Scotland, Aberdeen when finalising the arrangements. Marine Scotland, Aberdeen (contact details below) will act as the first point of contact within the Scottish Government.

Definitions

2. In Scotland 'Royal Fish' are considered to be those stranded whales measuring more than 25 feet from the snout to the middle of the tail¹.

Geographical Extent

3. This Guidance applies only to Scotland. In England and Wales, responsibility for 'Royal Fish' rests with the post of Receiver of Wreck (ROW) in the Maritime and Coastguard Agency, an appointment made under the Merchant Shipping Act 1995.

Guidance

4. This document is intended for guidance only. Local practicalities will always be a very important consideration.

Background

5. In July 1999, the responsibility for dealing with all 'Royal Fish' in Scotland was devolved to the Scottish Government. On behalf of the Crown, the Scottish Government's Marine Scotland Directorate has first claim on all 'Royal Fish' found stranded dead on Scottish shores.

6. Further information regarding 'Royal Fish' can be found on the Scottish Government's website: <http://www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats/19887/20815>

7. The responsibility for 'Royal Fish' in England and Wales rests with the post of Receiver of Wreck (ROW) in the Maritime and Coastguard Agency (MCA), an appointment made under the Merchant Shipping Act 1995. Further information on the process in England and Wales can be found at the MCA website (<http://www.mcga.gov.uk>).

¹ The right to claim Royal Fish in Scotland allows the Scottish Government (on behalf of the Crown) to claim stranded whales which are too large to be drawn to land by a 'wain pulled by six oxen'. The Scottish Government understands that no stranded whale measuring more than 25 feet from the snout to the middle of the tail could be so drawn to land, and so only intends to review the right to claim stranded whales which measure more than 25 feet from the snout to the middle of the tail.

Responsibility for 'Royal Fish'

8. On behalf of the Crown, the Scottish Government has first claim on all 'Royal Fish' found dead and stranded on the shoreline of Scotland. Where the Scottish Government does not wish to claim a Royal Fish, it will liaise with the local authority Environment Health Department, who may wish to arrange for disposal of the carcass.

9. In the case of rarer species, the National Museums of Scotland or other organisations may request the whale skeleton for their collection. This option will be considered by the Scottish Government in collaboration with the relevant local authority and the interested party.

10. The responsibility for whales less than 25 feet in length, and all porpoises, dolphins and sturgeons rests with the local authority, who may wish to arrange for their disposal. In such cases, the stranded cetacean should be reported directly to the Scottish Strandings Co-ordinator at the Scottish Agricultural College (SAC) in Inverness, who records all strandings around Scotland and who may wish to undertake a post-mortem examination (necropsy). Contact details can be found at Annex A.

11. If a 'Royal Fish' is dead but has not yet stranded ashore, a watching brief will be required and the Maritime and Coastguard Agency (MCA) will consider the need to broadcast details of its location for shipping and navigational purposes.

12. If a 'Royal Fish' is stranded but not yet dead, animal welfare organisations normally take responsibility for any proposed rescue for these animals. The Scottish Society for the Protection of Cruelty to Animals (SSPCA) should be contacted in the first instance. The Cetacean Research & Rescue Centre (CRRU) may also be able to offer assistance. Contact details for the organisations mentioned above are set out in Annex A.

Notification of 'Royal Fish'

13. When 'Royal Fish' (whales measuring over 25 feet in length from the snout to the middle of the tail) are discovered stranded dead on the shoreline around Scotland, the local Coastguard will notify both Marine Scotland and the appropriate Local Authority Environmental Health Department, providing wherever possible, the following information:

- species of whale (where known);
- size (from the snout to the middle of the tail fluke);
- condition of carcass;
- precise location of stranding, giving a six figure grid reference and a brief description of the location and immediate area;
- digital photographs of the whale and surrounding area, where possible;
- number of carcasses stranded;
- owner of the shoreline, if known (local authority or private landlord);
- whether the local authority Environmental Health Officer has been informed. If so, the contact name, address and telephone number;
- whether the Strandings Co-ordinator at the Scottish Agricultural College, Inverness intends to conduct a post-mortem. If so, then also any details known;
- whether the location accessible to the public. If so, then also whether a guard has been placed; and
- whether there is there any media interest.

[Note: if the whale is less than 25 feet in length, the coastguard should directly contact the local environmental health department who have responsibility for the removal and disposal of the carcass.]

14. The local Coastguard should also inform the Scottish Strandings Co-ordinator at the Scottish Agricultural College (SAC) in Inverness, who record **all** strandings around Scotland and who may wish to undertake a post-mortem examination if the animal is in good condition and at an accessible location (contact details in Annex A). To assist with this, SAC may require more detailed information including²:

- date the stranded animal was first seen;
- shape of the head and whole animal; and
- colour of the carcass (to assist with a more accurate identification of the species).

15. Although the Scottish Strandings Co-ordinator will always seek to obtain samples from whale carcasses, these samples must be collected within 36 hours of death to allow a meaningful post mortem examination. For this reason, rapid notification is essential.

Disposal options

16. On receiving notification of the stranded whale, the local authority Environmental Health Department will initially need to assess the situation to consider whether there is a need to make arrangements for the disposal of the carcass and, if so, what the best course of action would be.

17. In choosing a suitable method for disposal of the carcass, the local authority must take into consideration the following factors:

- public and environmental health issues – i.e., is the carcass posing a potential risk or health hazard³;
- health and safety issues for personnel dealing with the carcass;
- presence of any special constraints – i.e. local heritage/ nature conservation issues;
- cost effectiveness of disposal;
- location, including accessibility for removal equipment;
- availability of disposal sites in the area - i.e., landfill, beach disposal;
- state of decomposition of the carcass; and
- post-mortem result (if conducted within 36 hours of death).

18. A proposal for disposal of the carcass should be drawn up by the local authority following consideration of all these factors. Marine Scotland, Aberdeen should be informed of this proposal in writing before the disposal of the carcass proceeds, especially in cases where financial assistance is being sought.

19. Local circumstances will ultimately dictate the form of action local authorities take when disposing of whale carcasses. It is desirable that, in consultation with both Marine Scotland, Aberdeen and the Scottish Environment Protection Agency (SEPA), such action is taken as appears practical and necessary to dispose of whale carcasses in a safe and efficient manner, to protect public health, safety or amenity.

Recovery of Costs

20. The Scottish Government has no legal obligation to assist with the costs of disposal of 'Royal Fish' but funding may be provided at its discretion to assist local authorities with difficult disposal cases.

² Please note that the information requested should be applied to **all** stranded cetaceans found on Scottish shores, irrespective of size.

If a local authority wishes to seek access to this funding, it should provide Marine Scotland with details of its proposals for disposal, which should be based on the most appropriate and cost-effective option. Marine Scotland will consider these proposals and advise in writing (e-mail is acceptable) whether financial assistance towards the cost of disposal will be available and, if so, to what extent. This written agreement will provide the basis for the level of financial assistance subsequently granted.

21. A summary of the costs (as previously agreed) incurred during the disposal of the 'Royal Fish', including a breakdown of the services used (i.e., contractors, staff time, transport), should be passed to the Scottish Government for payment. These costs should be presented on a single numbered local authority invoice with VAT indicated as appropriate.

22. In support of the invoice, the following information should be provided by the local authority:

- written confirmation of the size and species of the stranded whale;
- details of the disposal options considered (and reasons for the chosen option, including why other options have not been chosen);
- breakdown of the costs incurred: including, equipment hire and associated costs, labour,
- date of commencement and completion of removal [if applicable]

23. Only when this information is provided will the Scottish Government release funds to cover the costs of removal.

Health Issues

24. Stranded whales may harbour infections and/or diseases. The local authority should, wherever necessary, take appropriate precautions to advise the general public of the potential dangers.

Media Interest

25. A dead or dying whale can generate media attention, therefore all press enquiries should be directed to the Scottish Government Press Office.

Contact Arrangements

26. In the event of a Royal Fish stranding dead on a Scottish shore, the Maritime and Coastguard Agency (MCA) or Local Authority Environmental Health Department should contact the Scottish Government. Marine Scotland, Aberdeen will act as the first point of contact within the Scottish Government. The contact details are below:

Telephone 01224 295579 (Office Hours - Licensing Operations Team)

Fax 01224 295524 (Licensing Operations Team)

Should these routes fail to secure a response then a call should be made to Marine Scotland, Laboratory Switchboard on (01224) 876 544, if the incident is during working hours.

³ Local authorities may wish to contact the State Veterinary Service and / or the local SEPA office to seek advice on animal by-product and waste matters respectively.

Annex A - Useful Contacts

Marine Scotland

Licensing Operations Team
375 Victoria Road,
Aberdeen
AB11 9DB

Tel: 01224 876 544

Fax: 01224 295 524

e-mail: MS.MarineLicensing@scotland.gsi.gov.uk

Scottish Agricultural College (SAC)

Drummondhill
Stratherrick Road
Inverness
Inverness-shire
IV2 4JZ

Tel: 01463 243 030 (Bob Reid)

Fax: 01463 711 103

Mobile: 07979 245 893

Scottish Environment Protection Agency

Corporate Office
Erskine Court
Castle Business Park
Stirling
FK9 4TR

Tel: 01786 457 700

Natural History Museum

Department of Zoology
Cromwell Road
London
SW7 5BD

Tel: 01710 938 9123

Scottish Society for the Prevention of Cruelty to Animals (SSPCA)

Kingseat Road
Halbeath
Dunfermline
KY11 8RY

Animal Helpline number: 03000 999 999

Cetacean Research and Rescue Unit (CRRU)

P.O. Box 11307

Banff
Aberdeenshire
AB45 3WB

Tel: 01261 851 696
National Hotline Number: 0845 1081 422

Maritime and Coastguard Agency (MCA)
Scotland & Northern Ireland Regional Office
Marine House
Blaikies Quay
Aberdeen
AB11 5EZ

Tel: 01224 597 900
Fax: 01224 571 920

Historic Scotland
Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Tel: 0131 668 8764

Scottish Government Press Office
St Andrews House
Edinburgh
EH1 3DG

Tel: 0131 244 2687 (office hours)
Tel: 0131 556 8400 (outside office hours)