



8th EIFCA Meeting

Papers to support the presentations on:

- **Change of approach to management of fisheries in European Marine Sites in England – item 11**
- **Eastern region crab and lobster stock assessment – item 12**

To be held at:

**The Boathouse Business Centre
1 Harbour Square, Nene Parade, Wisbech PE13 3BH**

**30th January 2013
1030 hours**

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 11

8th EIFCA meeting

30 January 2013

A report on the Revised Approach to the Management of Fisheries in European Marine Sites

Report by: Senior Marine Environment Officer with presentation by Mr Robbie Fisher of Defra

Purpose of report

Mr Robbie Fisher (Defra) has been invited to present this item to the Authority members, to provide an outline of the revised approach and the resultant actions required of IFCAs. A brief introduction is provided in this paper.

Recommendations

Members are asked to:

- **Receive the report and presentation;**
- **Direct Authority officers to prioritise resources as necessary in order to meet the deadlines associated with this approach; and**
- **Note that prioritising this work will impact the Authority's ability to take on work in other areas**

Background

In August 2012, Defra announced that the management of commercial fisheries was to be brought in line with management of other consented activities in European Marine Sites. This means fishing activities will be treated as plans or projects, with those having a significant effect on European Marine Sites undergoing an appropriate assessment. The activity may only continue where the assessment identifies that the activity will not cause an adverse effect on site integrity.

Roles and responsibilities

The Authority's predecessor, Eastern Sea Fisheries Joint Committee, had obtained advice that the cockle and mussel fisheries managed under the Wash Fishery Order 1992 were plans or projects. As a result, since 2002, officers have undertaken appropriate assessment of these fisheries before they are consented. Defra's revised approach means that all commercial fishing activities need to be assessed in this way. Non-Wash Fishery Order fisheries are consented by the Marine Management Organisation under a fisheries licence. As IFCAs are as the lead fisheries regulator within inshore waters (0-6nm), IFCAs will be responsible for the assessment of all commercial fisheries within European Marine Sites in its district. The Marine Management Organisation will lead on activities within European Marine Sites between 6-12nm, and will work with Defra for sites that extend beyond 12nm.

Location of European Marine Sites

A suite of European Marine Sites (which include Special Areas of Conservation and Special Protection Areas) occur within the Eastern IFCA district¹. These sites are illustrated on the attached map provided by Natural England's Southern North Sea team². The largest site that occurs entirely within the district is the Wash and North Norfolk Coast Special Area of Conservation. Two estuarine Special Protection Areas, the Humber and the Stour and Orwell, straddle our boundaries with the neighbouring IFCAs to the north and south. Two large Special Areas of Conservation (Inner Dowsing, Race Bank & North Ridge; and Haisborough, Hammond & Winterton) and one large Special Protection Area (Outer Thames Estuary) lie partially within the Eastern IFCA district but also extend across the 6nm boundary and beyond 12nm.

Risk-based prioritisation

Implementation of the revised approach will be phased. Liaison with Natural England at the national level has identified the "high-risk" issues³ (i.e. known threats to site features from particular fishing methods). For these issues, the relevant management body is required to implement management measures (e.g. IFCA byelaws) by December 2013. These features are considered at such a high-risk that they should be directly protected. Within the Eastern IFCA district, the high-risk features are:

- (i) towed demersal gear over *Sabellaria spinulosa* reef (feature); and
 - (ii) towed demersal gear over eelgrass/*Zostera marina* beds (associated with a feature).
- The Defra expectation is that regulators will create closed areas to particular fishing methods.

For medium-risk 'amber' issues, where there is less certainty of impact, the test of likely significant effect and appropriate assessment will need to be applied, and management developed accordingly. The deadline for implementing management measures in these cases is December 2015. The large number of medium-risk issues and the current uncertainties relating to site features, fishing intensity, and fishing impact, mean that considerable work will be required to inform the appropriate assessment for these activities.

It should be noted that the Habitats Regulations require that, where it cannot be ascertained that a plan or project will not have an adverse effect on site integrity, the activity should not be consented.

Implications

1. This project cuts across all areas of the Authority's work, from research and environment to administration, community engagement and enforcement. It is deemed by Defra as the highest priority given the potential for infringement proceedings (which could result in steep fines being levelled).
2. Development of management measures: The Authority is required to develop management measures by December 2013 for high-risk issues. It is anticipated that an Eastern IFCA byelaw will be the most suitable measure to provide

¹ Final clarification has been sought from Natural England to ascertain which sites should be included in this project – there is some uncertainty over certain coastal sites.

² The Stour & Orwell conservation designations are not shown because the map was produced by Natural England's Southern North Sea team, whose district ends at Felixstowe.

³ For the purpose of this paper, "issue" means the interaction of a particular fishing activity with a named European Marine Site feature.

adequate protection to the high-risk features (though fishery orders are a possibility). Close collaboration with Natural England and affected fishery stakeholders will be necessary. The Authority's byelaw review process will be steered by the need to implement measures this year, and will be a key consideration for the Authority's Regulation and Compliance Sub-Committee. In 2014 and 2015 this work will expand for medium-risk issues. Enforcement requirements will increase as new measures are developed; careful consideration must be made in relation to resourcing Authority officers and enforcement assets.

3. Research and Environment work: The increased focus on European Marine Sites will require additional officer time to develop advice to the Authority on the scientific aspects of the project. During 2013, the focus will be on agreeing appropriate management measures with Natural England and stakeholders based on available evidence on feature location and fishing activities as well as developing appropriate investigative techniques. The work will become increasingly complex as medium-risk issues are investigated, since the range of evidence issues (feature location and condition, fishing activity intensity and location, and fishing impact) requires strengthening and the number of issues is large. Officers are due to complete site action plans with local Natural England teams in February 2013 – these will help identify the data gaps and enable relevant authorities to incorporate investigative and monitoring work into their research and environment plans.
4. Administration and community engagement: A clear understanding of fishing activities underpins successful management. Inshore Fisheries & Conservation Officers have a vital role in gathering information on fishing types, intensity and location at the local level. They are also ideally placed for engaging with stakeholders to identify their concerns, and to explain the Authority's role in implementing national policies at the local level. The Authority's existing community engagement programme will be enhanced to enable specific conservation topics to be discussed.
5. Stakeholder expectations: The revised approach to managing commercial fisheries in European Marine Sites will be seen as a huge threat to some stakeholders, but will be welcomed by others promoting conservation. IFCA's have a remit to balance environmental protection with supporting a viable fishing industry. Clear and consistent communication with all stakeholders will be essential in order to explain the Authority's intentions and justify actions. There is also potential for confusion with the current Marine Conservation Zones currently being consulted on by Defra.

Communications

As set out in points four and five, clear communication and two-way engagement with affected stakeholders will be crucial to deliver this work. Defra and the MMO are currently working on communications plans and materials which can then be used by area officers in their discussions. This is expected in Feb 2013.

Appendix:

Map of marine protected areas in the Southern North Sea

Background papers:

1. Defra letter to fishing industry, 14th August 2012
2. Natural England's map showing Marine Protected Areas in Southern North Sea, December 2012 (attached).

Southern North Sea MPAs

- Special Areas of Conservation
- Candidate Special Areas of Conservation
- New Marine Special Protection Areas
- Special Protection Areas
- Recommended MCZs
- Coastal Sites of Special Scientific Interest
- Natural England SNS Team boundary
- 12nm Territorial Sea Limit

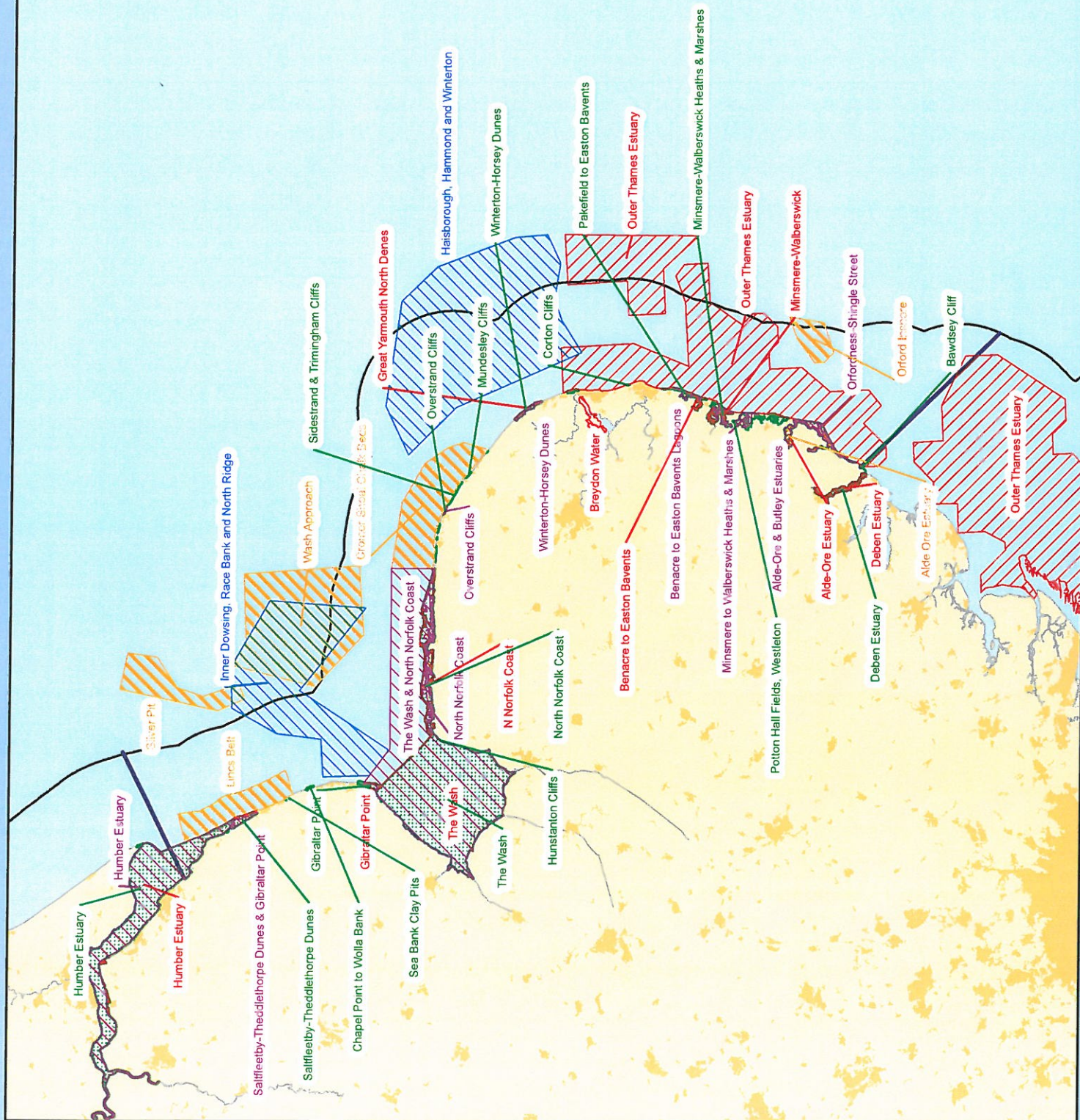


0 5 10 20 Kilometers

Map produced on 18/12/2012 by
Southern North Sea Marine Team,
Natural England

Scale (at A4): 1:1,361,182

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Vision

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Action Item 12

8th EIFCA Meeting

30 January 2013

An introduction to the Presentation on Eastern region crab and lobster stock assessment by Ewen Bell (CEFAS) & Joanne Messini (Defra)

Report by: Eden Hannam – Head of Marine Environment & Research

Purpose of report

Ewen Bell (CEFAS) & Joanne Messini (Defra) has been invited to present this item to the Authority members, to provide an outline of the current work being undertaken to make sure stocks meet the Marine Strategy Framework Directive.

Recommendations

Members are asked to:

- **Receive the report and presentation;**
- **Invite Defra & CEFAS to present at the quarterly community meetings held around the Eastern IFCA District**
- **Direct Authority officers to consider resources as necessary to increase information gathering for Crabs and Lobsters; and**
- **Refer this work for consideration by the Planning and Communications Sub-Committee when they agree the 2013-14 Research and Environment Plan**

Background

Currently there is no nationally co-ordinated management programme for Crabs and Lobsters although there is likely to be a requirement to achieve a level of sustainable management by 2020 through the Marine Strategy Framework Directive. Current figures rely on MMO landing figures which are highly variable, particularly as they are based around large 'ICES' rectangles. The presentation today is based on what CEFAS have been able to deduce from this current information.

Roles and responsibilities

Eastern IFCA has a role in managing stocks inside its districts, working with the MMO and Defra who licence these activities. Both crab and lobster stocks straddle our seaward boundary. As such considerable partnership working will be required to meet the requirements of the new directive.

Communications

Changes to the management of crabs and lobsters will need full community engagement. Eastern IFCA will be adding this as a standing discussion item to quarterly community meetings.

Changes to management measures could be required and this could be inflammatory.