

Shrimp Permit Byelaw 2018

Formal Consultation March 2020: Outcome



This document discusses the outcome of our formal consultation on the proposed model for the effort limitation scheme to exist under the Shrimp Permit Byelaw 2018.

We asked

We consulted on the effort limitation scheme associated with Category One shrimp permits (for fishing within The Wash and North Norfolk Coast Special Area of Conservation). This consultation closed in March 2020. Our proposal was that:

- Eastern IFCA will set a Total Allowable Effort to be determined each year to ensure that effort does not exceed a five-year rolling average of 1101 trips per year. The maximum available effort that will be set is 1746 trips in any given year.
- If the available effort used is greater than anticipated and it appears that it may be exhausted prior to the end of the permit year (1st August to 31 July), the Authority may impose restrictions to slow the pace of the fishery. This would avoid exhausting the available effort and reduce the likelihood of early closure.
- The Authority may limit the issuing of further permits or limit the number of trips a vessel may undertake per month until the following 1st August.
- If catch returns are more than a month in arrears in their completion and return to Eastern IFCA the vessel will be prohibited from fishing.

You said, and our response

The consultation did not generate a high level of responses. 23 responses to the consultation were received, 19 of these responses were duplicates from individuals from the same business and association. Responses were also received from individual fishermen, the National Federation of Fishermen’s Organisations (NFFO) and The Wildlife Trust.

The following key points were highlighted in response to our proposal:

You Said	Our Response
The number of permits should be limited to prevent additional vessels entering the fishery.	Our research and dialogue with industry has indicated that an influx of vessels entering the fishery is unlikely. Since 2010, the fishery has supported between 29 and 54 vessels and no access restrictions have been in place during this time. However, in recognition of this concern, Eastern IFCA suggest the implementation of additional mitigation in

	<p>the form of an ‘experience requirement’ to fish, more information about this proposal can be found below.</p>
<p>Permits to the fishery should be limited based on track record. Failure to impose a limit on the number of permits now, using track record, will prevent imposing a track record-based limit in the future.</p>	<p>While some members of industry favour this approach, previous consultation, and efforts to verify this statement with industry found that the preference remains to avoid limiting access based on track record.</p> <p>Limiting access based on track record could result in a ‘closed shop’ fishery, and the exclusion of vessels which have historically relied on shrimp but do not have recent track-record.</p> <p>The Shrimp Permit Byelaw 2018 includes the provision to limit the number of permits and to impose eligibility criteria, which could be used to require track record to be eligible for a permit in the future, if this is deemed necessary. However, the current proposals are considered sufficient to mitigate the risk to the shrimp fishery and so this is not the preferred option.</p>
<p>The proposed measures do not provide the assurances needed for effective business planning, given that the fishery could close part way through the season.</p>	<p>The proposed measures limit the total effort within the shrimp fishery within The Wash within a year. Ultimately, the fishery would close for a period if effort thresholds were exceeded. This is however considered unlikely, given that the effort permitted is aligned with effort recorded as having taken place over the last ten years.</p> <p>The model proposed also includes several mechanisms to limit the likelihood of closures, including:</p> <ul style="list-style-type: none"> • Use of a 5-year rolling average as the limit on effort in each year to allow for annual variations in market conditions and shrimp availability. • Capabilities to temporarily suspend the issuing of further permits within a year and limits to trips per vessel to be used, as necessary. • The timing of the fishery from 1st August to 31st July ensures that the most effort is available during the peak period of fishing for the highest number of fishermen (between September and February), with the effort level decreasing towards the end of the permit year.
<p>Vessels which fish for shrimp all year round are more likely to be impacted compared to those who fish for</p>	<p>The timing for the permit year is written into the Shrimp Permit Byelaw subject to consultation previously. As such it did not feature as part of this consultation.</p>

<p>shrimp seasonally. The permit should start on January 1st to reduce this risk.</p>	<p>As above, the timing of the fishery from 1st August to 31st July ensures that the most effort is available during the peak period of fishing to reduce the likelihood of imposing further restrictions and closures.</p>
<p>The number of tows should be a management consideration (not just number of trips) and should be set lower than average due to “significant doubt [...] in] the HRA assessment”</p>	<p>The number of tows per trip is important in relation to seabed interaction. However, we are confident that the data being required in catch returns, including number of tows, will provide sufficient information to allow effort management, limiting seabed habit interactions to an appropriate level, while balancing the burden of reporting and regulation on fishermen.</p>
<p>Implementing restrictions (e.g., on number of tows per fortnight) could make the fishery unviable.</p>	<p>Where there is evidence of risk that effort could exceed the maximum allowed within a permit year, the Authority may implement measures to limit the number of <i>trips</i> per month.</p> <p>A fortnightly limit was proposed in previous consultation; however, dialogue has suggested that a monthly limit would provide more flexibility to fishermen to fish the best tides.</p>
<p>Eastern IFCA should provide more clarity on how the five-year average and maximum number of trips have been determined.</p>	<p>These outcomes have been determined using available data—from the Authority, the two shrimp processors and the MMO—on shrimp fishing activity in recent years. We recognise the importance of understanding past effort to deliver the agreed mitigation to manage effort.</p>
<p>Permits issued to vessel owners impact skippers who are in partnership with the vessel owner but do not have majority shares in the vessel.</p>	<p>This element of the permit scheme is written into the byelaw and has been previously consulted upon and considered by the Authority.</p> <p>The impact of this issue, while limited to a minority within industry, is acknowledged and is a subject also highlighted in the Wash Fishery Order 1992 consultation. Findings from this may inform a revised approach which may be reflected at a later stage.</p>
<p>The precautionary principle should be applied and a reduction in annual fishing effort should be applied.</p>	<p>A high degree of precaution was built into Eastern IFCA’s shrimp fishery Habitats Regulations Assessment (HRA) – which presented worst-case scenarios in terms of effort and impacts.</p> <p>Mitigation, including managing effort at recent levels (the focus of this consultation), has been agreed by the statutory nature conservation adviser as being appropriate for the fishery to continue without causing</p>

	adverse effect on site integrity. Therefore, it is not necessary to apply further precaution to this measure.
A monitoring programme should be signed off by the Authority alongside the effort limitation scheme.	A “monitoring and control plan” for the shrimp fishery is being developed. This will outline how the fishery will be monitored in line with management. Fishing activity is continuously monitored using a range of sources of information, and management and enforcement is regularly reviewed and updated. This will be reported to the Authority when available.

Further comments from respondents included:

- Suggestions for information that should be requested on the catch return form
- Further measures to manage the fishery to maintain the integrity of the Wash and North Norfolk Coast
- Suggestion for annual monitoring of feature conditions
- Request for further dialogue with industry to develop a long-term vision for the fishery.

Outcome

As documented through our comments above, we reviewed all responses to the consultation and will undertake the following:

- Propose the implementation of an additional measure which requires a specified level of experience of fishing in The Wash to be eligible for a shrimp permit. This will reduce the risk of potential impacts resulting from fishermen with limited knowledge of the site fishing inappropriately and will further mitigate the risk of an influx of vessels as a concern raised by industry. This is proposed as a temporary measure only, with further work and dialogue with industry required to determine a more robust system to determine relevant experience.
- Internal development of a system to record and log experience to help the gathering of the required evidence.
- Propose an additional permit condition to increase the frequency of catch returns for a Category One permit to weekly, from monthly, to assist in improving the accuracy and quantity of data.
- Internal development of a monitoring and control plan to outline how the fishery will be monitored in line with management.

Next Steps

In January 2021 Eastern IFCA will begin to consult with industry on the additional measures that were the outcome of this consultation (as above). Keep up to date with the ongoing developments of the Shrimp Permit Byelaw 2018 and future consultation on our website:

www.eastern-ifca.gov.uk

Further Information

- [Shrimp Permit Byelaw 2018 Permit Conditions \(DRAFT\)](#)
- [Shrimp Permit Byelaw: Additional Measures – Consultation, January 2021](#)