

Informal Consultation on Crab & Lobster Management

Phase 1 Outcome Report



Overview:

Eastern IFCA intends to develop management for the crab and lobster potting fisheries within Cromer Shoal Chalk Beds Marine Conservation Zone (MCZ), and is considering district wide measures. The objectives of this are to enable the continued delivery of Adaptive Risk Management to the MCZ, and to ensure the sustainability of the fisheries and the viability of the local potting industry in our district.

To inform the development of management, we have initiated a two-phase, district-wide informal consultation. Phase 1 sought to provide fishery stakeholders with the opportunity to suggest technical measures which could be included in a wider consultation (i.e. during phase 2). Our approach was to gather views through informal meetings and discussions with industry, noting their preference for in person dialogue.

Phase 2 is intended to follow the standard format for informal consultations utilising our website, social media and written questionnaires to the full range of our stakeholders, seeking views on the proposals from fishery stakeholders as well as their thoughts on management measures.

This document summarises the key outcomes of phase 1, including proposals for management from fishery stakeholders, to inform phase 2.

This document is organised into four sections:

- Section 1 provides an overview of fishing industry views on the use of a flexible permitting byelaw as a mechanism for managing the fisheries.
- Section 2 summarises proposals for management measures within the MCZ and associated limitations.
- Section 3 summarises views on wider management measures which seek to protect district wide stock sustainability.
- Section 4 sets out our next steps.

Phase 1: aims and objectives

Phase 1 ran from 30th June to the end of October. Its primary objectives were:

- 1) To provide fishery stakeholders with an opportunity to make proposals to reduce risk to the rugged chalk features within the Cromer Shoal MCZ.

- 2) To identify if there is consensus on wider management measures for the protection of fisheries sustainability and industry viability within the crab and lobster fisheries throughout the district.

1. The Use of a Flexible Permitting Byelaw as a Mechanism for Managing the Fisheries

This section provides an overview of what was said about the use of a flexible permitting byelaw as a mechanism for managing the crab and lobster fisheries.

Overall, there appears to be widespread concern about the use of a permitting byelaw. Recurring concerns which have emerged over the course of Phase 1 include the following:

- The cost implications of a permit in the context of increases to the costs of fuel and living generally have been raised repeatedly, as has the additional administrative burden of having to apply for a permit annually.
- It is widely felt that permit schemes have the potential to “upset the balance”, causing fishermen to speculate about potential management and change their fishing habits as a result.
- It is felt that the introduction of permits is likely to lead to an increase in fishing effort as fishermen seek to secure a track record in the fishery and/or the geographic area where restrictions are expected to be introduced. Many fishers have raised that they are already observing such changes in fishing behavior. Fishers perceive permits as having value and it is this perceived value that has the potential to drive effort up.
- Permits are widely associated with increased restrictions and limiting diversification opportunities which is a mainstay for the inshore fishing model. There is a real concern that a flexible permitting byelaw makes it too easy for Eastern IFCA to spontaneously add measures. Throughout the consultation fishers have describe being afraid of the implications of permitting systems.
- It also appears that, to an extent, the hesitation in relation to permits is linked to past experiences of national management measures having significant unintended consequences on the inshore fleet. An example often given is the loss of licences for certain species.

The concerns outlined above have been raised to varying degrees at group meetings and in conversations with individuals.

It is noteworthy, however, that these concerns relating to permits are not universally shared. Some respondents have been supportive of a permitting system, seeing this as the only solution to managing perceived threats to local fisheries, including encroachment from larger offshore vessels. It has been suggested that the introduction of permits and pot

imitations could prevent the mass saturation of fishing grounds, making inshore areas less viable and therefore less appealing to larger vessels.

At the same time fishers often describe the crab and lobster fisheries as operating in cycles, with a lot of variation year to year and that management needs to be equally “flexible”, “reactive” and “responsive” to the changing needs of the fisheries and industry.

Eastern IFCA consideration

Within the Cromer Shoal MCA, a flexible approach to management is critical to achieving the Adaptive Risk Management (ARM) approach¹, and many stakeholders, including those concerned about permitting schemes, appreciate the need and benefits of this flexibility. It is likely that many of the concerns raised can be mitigated through the wording of a permitting bylaw thereby achieving the benefits of flexibility whilst mitigating the associated concerns. Consideration of the wording will therefore consider:

- minimising the cost of permits
- implementing safeguards on the face of the bylaw to ensure transparency in issuing, varying or revoking flexible measures; and
- clearly setting out that, in the event the ‘track record requirements’ will be implemented to determine access to the fishery within the MCZ, these relate to a reference period which has already passed (thereby removing the driver for increasing effort now).

Whilst there are clear drivers for management throughout the district, the need for a flexible permit bylaw other than in the MCZ is less clear and the concerns raised in this regard will be considered.

2. Proposals for management measures within the Cromer Shoal Chalk Beds MCZ

This section provides a summary of the proposals from fishery stakeholders for mitigating risk within the MCZ.

Gear tagging and lost gear management

Gear tagging has been suggested by some fishermen as a way to manage lost gear and ensure gear accountability within the MCZ, particularly in relation to the associated code of best practice². As with permits, a key concern is linked to the cost implications in the context of increased costs of fuel and living generally. There appears to be a strong consensus that tags should be provided for free.

¹ <https://www.eastern-ifca.gov.uk/draft-page-implementing-arm-in-the-mcz/>

² <https://www.eastern-ifca.gov.uk/press-release-code-of-best-practice-launched-to-tackle-lost-gear-in-cromer-shoal-chalk-beds-mcz/>

Concerns regarding the practicality of replacing tags on an annual basis were raised. Fishermen are generally against annual changes in tags as this is perceived as both time consuming, impractical and costly. It is often repeated that tags need to be durable enough (not plastic) to last the lifespan of a pot. Fishers have also mentioned that they would like to be given a tag for every pot they own, including those which are not ordinarily deployed in the MCZ, to reflect that pots within and outside of the MCZ can be easily interchanged.

A “one in, one out” system has been suggested as a way to encourage accountability and reporting gear losses. It has also been suggested that buffer zones are put in place around wrecks to minimise gear getting tangled.

It has been highlighted that local conditions need to be taken into account when designing gear tagging and marking systems. Some areas in the district are not suited to using marker buoys because the tides are too strong causing fishing gear to be dragged out of position, especially over winter.

A recurring concern has been raised about Eastern IFCA hauling pots and resetting them the wrong way. It was observed that this is one reason why uniform marking standards could be of benefit.

Closed season

There appears to be an emerging consensus about a closed season on the rugged chalk in the MCZ in January and February.

Some fishers have advocated for a longer closed season starting in November. However, most target lobsters around Christmas, with some relying on this market to get through the winter months. As such, closing the fishery during this time could have a disproportionate impact on smaller-scale fishers.

It has been raised that there is a distinction between a closed season for stock sustainability and a closed season for the protection of the rugged chalk. In this context, it has been observed that, in the interests of the former, a closed season should be from September to the second week of November when female crabs are full of roe.

Limiting the area out to 3nm in the MCZ to beach launched vessels

Fishery stakeholders are of the view that this measure would protect the rugged chalk from larger vessels deploying larger quantities of gear with thicker ropes that are left over longer soak times.

3. Proposals for other, district-wide management measures

This section provides proposals and associated views on wider management measures throughout the district.

Fisheries trends and effort management

Generally, most fishers seem to agree that there has been an increase over recent years in the number of pots on the ground. Various factors are perceived to have contributed to this including regulation pressures from multiple agencies, limited opportunities for diversification, a squeeze on fishing grounds, rising fuel and bait costs which are not matched by catch prices, and windfarm compensation.

Responses on the need for effort limitation have been mixed, with some taking the view that a pot limitation is needed and long overdue, and others maintaining that effort at current levels is sustainable. A recurring issue raised in discussions is that it would be very difficult to come up with a system that is equitable in view of the range of business models and their needs.

Escape gaps

This is another area where responses have been mixed. Although there appears to be a general consensus that escape gaps make fishing more efficient as they cut down on sorting time, some fishers are against the introduction of a mandatory requirement because they target velvet crabs.

V-notching lobster

Whilst a prohibition on landing lobsters with a 'v-notch'³ is mandatory, the act of 'v-notching' a lobster itself is not. Many do this on a voluntary basis, but not in all areas. Views vary as to whether such a measure could be implemented through regulation as monitoring compliance would be difficult.

Minimum Landing Size (MLS) increases

Whilst there was no consensus, this consultation indicated that most fishery stakeholders were against any increases in the MLS of crab and lobster. Interestingly, this appears to be change in preference with several industry members previously seeking the Authority to increase MLS. Crab along the North Norfolk coast, particularly around the rugged chalk, tends to be smaller than in other areas and that is why the current MLS is felt to be appropriate. It is generally felt that even a minor increase in the present time could be detrimental to the viability of local businesses. At the same time, it has been suggested that fact that the fishery could not sustain an increase in MLS is potentially a sign that crab is overfished.

Most fishers have indicated that the current MLS for lobster is appropriate, though some have advocated for a "slot" size and/or an upper size limit. It has also been suggested that different mesh sizes are used depending on the area fished.

³ 'V-notching' refers to the practice of clipping a 'V-shaped' portion of the tail fan of lobsters to mark them as being 'berried' (i.e. egg-bearing) before returning them back to sea. Landing a 'v-notched' lobster is prohibited and as such, this effectively protects the lobster until a new shell is grown after spawning.

These views against MLS increases are not universal and there have been suggestions for increasing the MLS for crab (to 120mm) and lobster (to 90mm). It was observed that although it would be difficult to begin with, this measure would have wide-ranging benefits in the long-term.

Management for recreational potting

Responses on the need for management of recreational potting vary. In some places, it is felt strongly that there should, at minimum, be a requirement for recreational potters to tag their gear, especially if this is introduced as a requirement for commercial fishers.

There have been suggestions for introducing pot limits for recreational fishers (as in the whelk fishery) and suggestions for the introduction of a catch limit such as 5 lobsters and 25 crabs, including for recreational divers.

4. Next Steps

Through Phase 1, we have identified potential areas of consensus and areas of concern. This information has been used to develop suggestions for possible resolutions and options moving forward. We will consult stakeholders on these proposals during Phase 2.

Phase 2 will be open to all stakeholders and there will be an opportunity for everyone to provide their views on the issues discussed in this report either in writing, including through a questionnaire, or verbally, including through bespoke meetings.

Thank you for your engagement with this work so far. You can find out more about ongoing management work in our district and future consultation work on our website: www.eastern-ifca.gov.uk