

Cromer Shoal Chalk Beds

2025 Interim Measures

Formal Consultation: Outcome



This document details the outcome of the formal consultation on the Cromer Shoal Chalk Beds Interim Measures utilising Byelaws 8 and 11. This consultation ran from 19 February to 20 March 2025.

We asked:

We asked our stakeholders for views on the proposed use of two byelaws within the MCZ:

1. Byelaw 8: Closure of the Natural Disturbance Study Areas

2. Byelaw 11: Vessel Positional Data Requirements
Requirement for vessels within the MCZ commercially fishing for crab or lobster to provide, at least every 3 minutes:
 - Vessel Position
 - Vessel Heading
 - Vessel Speed

You said and our response:

We received formal written responses to the consultation from 3 organisations, representing the views of industry members as well as interested NGOs. In addition, views have been gathered from industry members informally both directly and at industry meetings. The following is a summary of the key issues raised and our response.

- It was suggested that positional requirements for all vessels throughout the MCZ was excessive, and the goals of the proposal could be accomplished with less cost and impact on industry by limiting the requirement to beach launched vessels. This has been adopted.
- Whether the byelaws reference to 'shellfish' included crab and lobster was queried. This definition is established in law and does include crustaceans.
- Concerns were raised over duplication between trackers and I-VMS requirements. I-VMS will fulfil the data requirement, and once the I-VMS requirement is fully in place, the need for this measure will be reviewed.
- It was questioned whether the closures were intended to be permanent. They are not and will be cancelled once the Natural Disturbance Study is complete.
- It was suggested the consultation and engagement did not adequately reach some areas of industry. Eastern IFCA is reviewing its general consultation approach around Cromer to ensure all consultation and engagement reaches relevant stakeholders.

- It was queried how the requirements would be effectively enforced, particularly the positional data requirements. Eastern IFCA undertakes shore and vessel patrols of the area and with the reduction in scope to beach-launched vessels, detection of non-compliance is highly likely.

Detailed consideration of responses to the proposed Interim Measures

You said	Our response
<p>Requiring positional data in the entire MCZ would mean that many people who do not fish near the rugged chalk would still require a tracker, increasing the burden on industry as well as costing Eastern IFCA more in trackers.</p>	<p>Generally, a broader approach can be helpful to ensure that the necessary data is collected; when limiting the number of people required to provide data, there is a risk that important data will be missed. It was also believed that the data could provide useful insight for the Adaptive Risk Management process in highlighting where the fishing activity within the MCZ takes place, and what proportion of the activity takes place over or around rugged chalk.</p> <p>However, it is now understood that I-VMS requirements will come into effect soon and that these will fulfil the positional data requirements of the ARM project. Therefore, it is likely that the benefits of a requirement for a broad range of vessels to provide positional data in relation to the whole MCZ would be limited. Information relating to fishing over rugged chalk is crucial to the ARM project and as such, it is considered appropriate that the requirement is limited to vessel operating from the beach within the rugged chalk area.</p> <p>Outcome: Positional data will only be required from beach launched vessels operating in the MCZ.</p>
<p>Consultation is not broad enough and more engagement is required in some areas</p>	<p>Effective consultation and engagement are at the core of the legislation and policy-making process and Eastern IFCA is always working to improve its ability to reach and engage with stakeholders. While current engagement is undertaken using a combination of letters, texts, website updates, IFCO engagement, and engagement with industry meetings, Eastern IFCA is aware that in the Cromer area some stakeholders have not been adequately reached. For the purpose of this consultation, local fishing association chairs were contacted directly to disseminate the consultation information.</p>

	<p>Outcome: Eastern IFCA is revising its engagement and consultation process around Cromer to ensure that it can reach as many stakeholders as possible.</p>
<p>Crabs and Lobsters may not fall within the definition of 'Shellfish' for the purposes of Byelaws 8 and 11.</p>	<p>The legal definition of shellfish is established in the Sea Fisheries (Shellfish) Act 1967, in particular section 22(2), which reads in part:</p> <p>“shellfish” includes crustaceans and molluscs of any kind, and includes any part of a shellfish and any (or any part of any) brood, ware, half-ware or spat of shellfish, and any spawn of shellfish, and the shell, or any part of the shell, of a shellfish, and references in this Act to shellfish of any particular description shall be construed accordingly</p> <p>Eastern IFCA does not believe that there are any indications that either Byelaw 8 or 11 should be construed more narrowly than this definition. Further, legal advice has been received on the use of Byelaws 8 and 11 in the manner proposed.</p> <p>Outcome: The Byelaws are considered to be legitimate for this proposed purposes.</p>
<p>The positional requirement creates duplication with I-VMS</p>	<p>Eastern IFCA considers the positional data to be important to assist in ensuring the Natural Disturbance Study provides usable data, which is an important part of providing evidence for Adaptive Risk Management. I-VMS, once implemented, will fulfil the positional data requirement and it is understood that implementation is planned for mid-May 2025 but given the history of the project and the fact that iVMS units have been fitted but unused for some time it is not certain how long it will be before I-VMS is fully effective and will routinely provide the data needed. Once I-VMS requirements are in place, relevant vessels are reporting using the system and Eastern IFCA has access to the associated data, the intention is to review this requirement with a view to removing it. It is relevant to note that the Eastern IFCA requirement does allow for the use of iVMS if fitted and operational (including the provision of data to the Authority).</p>

	<p>Outcome: The positional data requirement will be implemented as proposed but limited to beach launched vessels (i.e. those that fish on the rugged chalk). It is anticipated that positional data requirements will ultimately be fulfilled by I-VMS and it is intended that the Eastern IFCA requirement will be reviewed once I-VMS is fully established and can be relied upon.</p>
<p>It was queried how the positional data requirement would be enforced</p>	<p>Failure to comply with a restriction under an Eastern IFCA byelaw is an offence and may lead to prosecution. Eastern IFCA undertakes shore based and vessel patrols of the MCZ, and so any non-compliance with the requirement, i.e. any fishing activity not supported by the necessary data, is very likely to be detected.</p> <p>Further, with the reduction of the measure to applying only to beach-launched vessels, the risks of vessels entering the MCZ from further afield without providing the data, or any defence based on being unaware of the boundaries of the MCZ, is significantly reduced.</p> <p>Outcome: Eastern IFCA undertakes patrols in and around the MCZ, making any non-compliance with this restriction highly detectable.</p>
<p>It is unclear whether the mandatory closures are intended to be permanent</p>	<p>Eastern IFCA is aware that the fishing industry faces significant spatial squeeze. The study areas are discreet (150m by 150m) and were agreed with industry prior to them having been established as voluntarily closed for the purpose of the study since September 2023.</p> <p>The closures are in place only to support the Natural Disturbance Study, and there is no plan for these closures to extend beyond the lifetime of the study. Initially, the study was proposed to last for three years, however, the study may extend beyond that time. The findings of the study are critical to determining the extent of management required to ensure that the conservation objectives of the site are furthered. Without information from the study, it may be the case that more precautionary measures are required to</p>

	<p>reduce risk which is likely to be more impactful to the local fishery stakeholders than the discrete closures.</p> <p>Outcome: Future engagement will clarify that the closures are only intended to be temporary and the benefits of the closures to fishery stakeholders.</p>
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