Formal Consultation on the Closed Areas Byelaw 2021

Outcome report

Overview:

Eastern IFCA undertook a formal consultation revising the closures in place under the Marine Protected Areas Byelaw 2018 via the Closed Areas Byelaw 2021. This document summaries the key outcomes of the consultation which ran from 9 October 2025 to 17 November 2025.

We asked:

The consultation sought the views of stakeholders on the following revisions to closed areas within the Eastern IFC District:

Restricted Areas	**Changes compared to the Marine protected Areas Byelaw 2018**
Areas 1-13 in The Wash + 53	Areas 1-12 are carried over from the previous byelaw. Area 13 has been revised (made smaller) to reflect the reduction in the size of the feature which is proacted. Closed Area 53 has been added for the protection of *Sabellaria* reef in The Wash. The prohibition in this area includes use of bottom towed gear and hand-working.
Areas 14-29 + 52 in The Wash	Areas 14 to 29 are carried over from the previous byelaw with the exception of area 23 which has been removed. Area 52 has been added for the protection of circalittoral rock in The Wash.
Areas 31 – 34 on the North Norfolk Coast	Four small areas which were closed to bottom-towed-gear between Wells and Blakeney have been replaced by a single larger closure which includes a seasonal corridor which permits use of bottom-towed-gear between 16 October and 31 March* each year.
Areas 35, 59, 60 and the Artisanal shrimp management area	These closures in part overlap with existing closures to bottom-towed-gear in place under Byelaw 12 (trawling restrictions). The closures include an exemption for artisanal shrimp fishing which

	enables small scale fishing activity in accordance with the Artisanal Shrimp Management Policy[1].
Areas 36-38, 61- 72 within the Haisborough Hammond and Winterton Special Area of Conservation	These are all additional closures to bottom-towed-gear for the protection of *Sabellaria* reef.
Areas 40-51, 54-58, 73 and 74	These are all additional closures to bottom-towed-gear for the protection of *Sabellaria* reef.
Area 39	This area has been revised to reflect the reduction in the size of the area where the feature (eelgrass) was located. The closure applies to bottom-towed-gear and hand gathering.

* *The seasonal opening of the closure was inadvertently inversed during drafting and the formal consultaion (see below)*

You Said & Our Response:

It is important to note that the development of the byelaw has been supported by other consultations and these are referred to within the associated Impact Assessment.

Three responses were received to the consultation, one from an individual fishermen, one from a multiple vessel owner and one from a fishing association. In the case of the individual fishermen's response, this related to a telephone discussion followed by an in-person discussion.

The table below provides an overview of the breadth of responses received.

You said	Our response
The seasonal closure to bottom-towed-gear in area 33 closes the area at the wrong time of year.	The seasonal corridor which enables fishing using bottom-towed-gear is intended to reduce potential impacts on fish spawning during the most sensitive time of the year and permit fishing outside of this.

[1] 2021_11_23_Artisanal_Shrimp_Management_policy_ver3_as_notified.pdf

Closure of Area 33 during the period 16 October to 31 March will impact shrimp fishing activity.	The byelaw was originally written to include a prohibition on fishing within area 33 between 1 April to 15 October each year[2]. During Quality Assurance (QA), the wording was changed to close Area 33 at all times except outside of the period 1 April to 15 October. However the dates were not revised accordingly. As such, more recent iterations of the draft byelaw included a closure during the wrong period. The wording has been revised to reflect the error with the effect that the **seasonal corridor is <u>closed</u> between 1 April to 15 October** (inclusive) each year.
The closed areas within Inner Dowsing Race Bank and North Ridge Special Area of Conservation (IDRBNR SAC) are important mussel seed fishing grounds. Mussel seed fisheries lead to stocking of Wash Aquaculture Areas which is beneficial to the sustainability of Wash fisheries.	It is understood that historically, significant amounts of mussel seed were fished from within the IDRBNR SAC and that this supported aquaculture including in The Wash. Where sublittoral mussel seed is identified within a closed area, the Authority may exempt fishermen from the prohibition on fishing with bottom-towed-gear to enable the removal of mussel seed. Such an exemption will only be given if the Authority can rule out that a fishery will adversely impact site integrity and this will be done on a case-by-case basis. It is important to note that the Authority also has in place a policy to enable prospecting where fishermen identify that sublittoral mussel beds may have formed which is similarly subject to a Habitat Regulation Assessment. The associated impact assessment considers the potential impact of losing access to mussel seed areas however a monetary value of this impact cannot be estimated due to a lack of information. The Authority is required to prevent fishing activity from adversely impacting site integrity within IDRBNR SAC. Closed areas are intended to protect

[2] Action Item 18 of the 33rd Eastern IFCA Authority Meeting held on 18 July 2018 (2018_07_18_Item_14_Shrimp_fishery_management.pdf)

	Sabellaria reef and dredging is considered to be a 'red risk' interaction with this sub-feature which requires removal of the fishing activity in order to rule out significant adverse effects. As such, whilst the potential impact is acknowledged, removal of fishing pressures which are considered to be 'red risk' is a requirement of Defra's revised approach to managing fishing in Marine Protected Areas and as such the Authority has a legal obligation to implement the closures under the provisions of the Habitats and Species Regulations 2017.
The closed areas within the IDRBNR SAC are important shrimp fishing grounds. Shrimp fishing activity has been displaced via other closures and these additional closures increase the spatial squeeze on inshore fishermen.	The brown shrimp fishery is one of most important fisheries locally, supporting as many as 58 vessels annually (although this varies significantly year on year) in addition to two King's Lynn based processors and the ancillary associated employment (e.g. delivery drivers, factory works etc.). The impact assess has considered the potential monetary impact of the closures within IDRBNR in relation to shrimp fisheries as relatively low (approximately £124 annually) based on historic fishing activity (between 2010 and 2025 inclusive, Marine Management Organisation sales notes data). This reflects the relatively small proportion of closures compared to fishing within the associated ICES Statistical Rectangle (0.26%). The Wash and Lincolnshire coast are known to support the vast majority of the brown shrimp fishery. In addition, closures are associated with *Sabellaria* reef which are thought to support pink shrimp habitats rather than brown shrimp habitats. The cumulative impact of all closures within the Closed Area Byelaw are also considered within the Impact Assessment. Other closures, and in particular those within the Wash and North Norfolk Coast SAC, will cumulatively have a greater impact on shrimp fishing opportunities in particular. Iin total, the average annual monetary cost to profits of

	closures to the shrimp fishery is estimated as £10,547 (based on average value of landed catch between 2010 and 2025 inclusive), which represents approximately 6% of the total profit value of the shrimp fishery annually. However, the potential impact is considered to potentially over estimate the actual cost because closures are primarily for the protection of *Sabellaria* reef (which is associated with pink shrimp rather than brown shrimp) and because the most important shrimping grounds of The Wash and Lincolnshire cost remain open to fishing. It is also important to note that the largest closure (made up of Closed Areas 31, 32 and 33) include a seasonal corridor which enables shrimp fishing during the shrimp fishing season and within the main shrimp fishing grounds of the North Norfolk Coast. Removal of fishing pressures which are considered to be 'red risk' is a requirement of Defra's revised approach to managing fishing in Marine Protected Areas and as such the Authority has a legal obligation to implement the closures under the provisions of the Habitats and Species Regulations 2017.
Fishing using bottom-towed-gear within the Cromer Shoal Chalk Beds Marine Conservation Zone for hundreds of years and closure will cause displacement.	The CSCB MCZ is not considered to support significant bottom-towed-gear fisheries and is notably associated with potting for crab and lobsters. The associated Impact Assessment estimates that the closures would have an annual impact of £1,856 based on the proportion of the closure compared to the proportion of the associated ICES statistical rectangle. However, this is likely to be an overestimate given that the area is primarily associated with potting rather than bottom towed gear and most bottom-towed-gear activity is likely to occur outside of the CSCB MCZ. The CSCB MCZ is designated in part because of the chalk bed substrates which are vulnerable to damage from bottom-towed-gear, including some

	areas of chalk which are covered with sand. Sand coverage changes over time and can form only a thin layer over the chalk or be removed completely during periods of rough weather. For this reason, Natural England have advised that all subtidal chalk features should be treated as 'exposed' for the purpose of considering impacts to the site and as such, a prohibition on bottom-towed gear is necessary to prevent the conservation objectives of the site being hindered.
Closures represent a loss of potential future fisheries.	The inshore fishery business model often requires the ability to diversify into different fisheries over time. As such, any closures potentially represent a loss to future fishing opportunities should they arise. The associated monetary cost of such cannot be estimated within the associated Impact Assessment however the risk is included as part of the overall consideration. The Authority's legal obligation to prevent adverse impacts to site integrity within Marine Protected Areas requires that any 'red-risk' interactions are prevented however, including where this has an impact (cost) to associated fisheries.
The Authority should undertake surveys of potential closed areas to identify if there are fishing opportunities which the industry are not aware of.	The Authority uses the best available evidence to inform decision making in relation to fisheries management and this is set out in the associated Impact Assessment. This includes fishing activity data during the period 2010 to 2025 (inclusive)from the MMO. There are limitations to using this data, which provides fishing activity information at a low spatial resolution and it is noted that this is unlikely to highlight fishing grounds which the fishing industry are not aware of and this is also reflected within the Associated Impact Assessment. Ultimately, the Impact Assessment identifies that the level of uncertainty within the data used to support the consideration of impacts is adequate

	given the relatively low economic impact and risk to associated fisheries.

Outcome:

The byelaw has been revised following consultation in relation to the timing of the seasonal closure (Closed Area 33).

Other responses which highlight the potential impacts to fishing industry have been carefully considered against the Authority's legal obligation to prevent adverse impacts to site integrity on Marine Protected Areas. The potential impacts are acknowledged within the associated Impact Assessment.