King Scallop Draft Fisheries Management Plan (FMP)

Summary of the King Scallop FMP

The King Scallop FMP sets out management proposals and frameworks that will be underpinned by the objective of the Joint Fisheries Statement (JFS) to deliver sustainable stocks, a healthy marine environment and support a vibrant and profitable fishing sector. It has been prepared for the purpose of meeting the requirements set out in the Fisheries Act 2020 and provides a tool for managing fishing activity to give more sustainable fisheries and driving progress towards this goal.

This FMP has been developed by the Scallop Industry Consultation Group Working Group (SICGWG) on behalf of Defra and the Welsh Government. Feedback from the wider Scallop Industry Consultation Group (SICG) and stakeholder engagement events, as well as the evidence gathered in this plan, has demonstrated a need for better management of our king scallop (pecten maximus) fisheries. The aim of this FMP is to contribute to sustainable and well managed king scallop fisheries in England and Wales.

King scallops have been prioritised due to the stock's vulnerability to over-exploitation, the economic value of the fishery and a lack of evidence to assess and monitor the state of the stock properly. King scallop fisheries contribute culturally, socially, and economically to coastal communities through employment and recreational fishing interests. Additional management action is therefore needed to ensure scallop fishing is sustainable by conserving the stock to secure their future and the future of the industry that depend on them.

Key Goals and Proposed Management Actions of the FMP

The following objectives are detailed in the king scallop FMP:

FMP objective 1: Develop a science evidence base to inform the development of harvest strategies and harvest control rules for individual scallop stocks.

FMP objective 2: Develop Harvest Strategies and Harvest Control Rules (HCRs) to ensure fishing effort is responsive to status of stocks by developing appropriate fisheries management measures.

FMP objective 3: Avoid the risk of overfishing while establishing the necessary conditions to allow effective management measures (harvest control rules) to be developed and introduced.

FMP objective 4: To seek opportunities for the broad alignment of measures (where appropriate) such as gear requirements, to safeguard stocks and avoid unnecessary differences in measures applying across administrative management borders.

FMP objective 5: Assess the interactions with the marine environment and potential impacts associated with scallop fisheries and develop an action plan setting out appropriate measures to reduce damaging impacts.

FMP objective 6: Explore ways to address gear and other inefficiencies that currently exist within king scallop fisheries in order to reduce environmental impacts.

FMP objective 7: Explore the impacts of changes in marine spatial use, including the potential impact of nomadic larger UK scallop vessels, on the UK scallop fisheries from an environmental, economic and social perspective.

FMP objective 8: Develop Climate Change mitigation and adaptation measures for UK scallop fisheries.

This FMP identifies the following actions:

1. Improving the evidence base:

The king scallop evidence and research plan describes the available evidence, evidence gaps and how gaps could be addressed to improve management. The need for improvements in stock assessment methodologies, indicators and reference points are highlighted for all stocks. The aim of the research plan is to build on existing research and data for king scallops allowing management to be driven by stock dependent harvest strategies, reliable stock assessments and a consistent ongoing data collection and research programme.

2. Proposed Management Approaches

This FMP sets out measures to be implemented in the short-term to address sustainability concerns in line with the precautionary objective in the Fisheries Act 2020. The proposals include seeking opportunities for strengthening existing measures, such as extending the scope of seasonal and area-based closures to increase stock protection and, if beneficial, to localised sustainability and management, broad alignment of measures where is it appropriate, such as gear requirements, to avoid unnecessary differences in measures applying across management border.

A proposed suite of measures, based on this evidence and feedback, including an overarching framework is set in the plan and highlighted below:

Proposed overarching management framework:

• Scientifically based output control (e.g., catch objective). Output based controls limit the amount of stock that can be caught and landed. These limits are based on scientifically based estimations of stock MSY.

• Scientifically based effort controls (e.g., days at sea) Input controls seek to limit fishing activity through controls of fishing effort. This may take the form of limiting the time that vessels can fish through a maximum number of days at sea.

Proposed Early Management Interventions and Officers' Comments (in blue)

Measure: Scientifically based output or input control (short to medium term)

The desired outcome of this measure is to consider pros and cons of output and input control measures to inform evidence-based development of measures to support sustainable fishing (both options will be analysed and considered in equal measure). This will inform consultations on proposals for the implementation of new king scallop fisheries management measures.

This involves several actions including collating existing data on input and output controls applied to different fisheries; developing an approach where input and output controls could be applied to king scallop fisheries including how they can be set considering fishing opportunities and monitoring requirement; assessing the environmental, social, and economic impacts of applying input and output controls; and the implementation options for such measures.

Officers have read the detail of the FMP and are reassured that input and output control are being considered as part of the Harvest Control Rules and Strategy. However, there is little detail in the FMP on what they might look like and how they would be implemented across the different sectors of the fleet. All actions detailed in the plan are based on collecting existing data and identifying new evidence to help inform any proposed measures. Officers believe there is a great deal of evidence currently available and management measures already in place (in particular in IFCA District inside the 6nm) that can be used to develop controls for the king scallop fisheries. Officers are disappointed that specific measures have not been considered at this stage but will be considered once further evidence is gathered and analysis undertaken. The FMP mentions that a phased approach may be considered or trials across areas or sectors but there is no detail and no timeline for proposals to be forth coming.

Measure: Area based closures/management (short to medium term)

The FMP states the desired outcome of this measure is to provide a sound evidence base for the use of closures as a measure to protect stocks and principles/criteria around when and where this measure may be appropriate. It proposes to produce a guidance document summarising the above analysis and criteria to be applied when considering/ implementing seasonal and area closures.

The various actions include identifying and collating information on existing seasonal closures, their aims, purpose and benefits or issues associated with them and develop a Closure Strategy which will include a set of principles. Further relevant data will be collected to inform the effectiveness of closures and their impact on other fisheries areas. Further areas, where new closures could be applied, will be identified and the environmental, social, and economic impacts of applying closures will be assessed. This will include estimates how measures will contribute to achieving stock sustainability and assess possible displacement impacts.

The FMP states that existing closures will be continued and reviewed regularly to ensure they are fit for purpose and further closures opportunities identified. In the short term a guidance document, Closure Strategy, will be produced and a gradual expansion of area-based closures will be introduced.

Officers welcome the consideration of further seasonal/area-based closures to protect spawning stocks and contribute to stock sustainability. However, the FMP suggests that these will not be achieved until further evidence and information is collated, as described under this measure. There is no timeframe for implementation or discussions on possible areas. It is the Officers view that this will make slow progress and the lack of definitive area-based management in the plan is disheartening.

The FMP recognises that displacement needs to be fully assessed if further measures are introduced. Officers would welcome further detail within the FMP on the impact of these closures and the displacement on other fish stocks in particular those relating to crab stocks. Concerns have already been highlighted by the potting sector operating in the mid-Channel blocks, the impact of scalloping seasonal closures which have been implemented. Anecdotal evidence suggests displacement is causing an impact on crab stocks in the area.

Officers are supportive of the development of a Closure Strategy, but this would require consultation across all fisheries and industry sectors, including regulators, to understand the potential impacts of implementation of measures in the Strategy. Officers would welcome detail on the principles in the Closure Strategy.

Measure: Consideration of broad alignment of measures where there are environmental, social, or economic benefits of doing so (short - medium term)

The desired outcome described in the FMP is the consideration of current and new measures to ensure they are applied at the most appropriate level. Where there are benefits (environmental, social, or economic) to doing so, broad alignment of measures should be considered. The review of existing measures set out later in this section will enable this work to progress.

This measure relies on the collating of information relating to existing measures on dredge/scallop gear specification both inside and outside of the 6 nm boundary and to identify differences in management and exploration of potential alignment of measures. This will involve assessing the impacts of broad alignment and how they contribute to stock sustainability. Where there are potential implementation options these many be piloted in certain areas. This FMP action is to continue with existing management whilst exploring other opportunities once the analysis of information is complete. Stage 2 of this measure details that a log of existing management measures will be developed and maintained and used to consider if alignment or expansion of measures is possible and whether measures should be regional specific.

Officers are uncertain as to what is actually proposed to support the implementation of this measure. As with other measures proposed, it would appear that this is largely based on evidence gathering with no specific interventions highlighted or proposed in detail.

The FMP measure suggests that a log of existing measures will be completed in six months and a report on existing measure will be produced in the short term. Officers have already provided information to Defra on management measures in place within D&S IFCA's District and other IFCAs have provided similar information. This has been in the form of the 'Shellfish Legislation Tool', to which there have been several iterations since 2020. Officers believe that all the information of gear specification and other measures relating to the management of the King Scallop fisheries is available to the Scallop Industry Consultation Group. It would have been useful to have these provided in detail (in tabular format) in Annex 6 (King Scallop FMP Current Management) and used by the group to consider options prior to the publication of the draft FMP. The FMP states that the implementation of this measure is on-going or to be kept under review. This suggests to Officers that management interventions are yet to be decided in the short to medium term.

Longer Term Management Measures

Management Framework: Partnership working (throughout the life of the plan)

The desired outcome of this measures in the FMP states that a collaborative approach with key stakeholders should support the development and implementation of the FMP. This collaborative working can, where appropriate, be considered as the next staging post on the journey towards co-management.

The SICG (and appropriate management groups in Wales) will continue to act as a forum through which industry, regulators, and the research community can engage and work collaboratively on shellfish fisheries management.

Consideration will need to be given to the current membership of the co-management group for the implementation of the plan and how the SICGWG will work with management groups in England and Wales in prioritising and developing measures and subsequent iterations of the plan. Progress on key actions to review the structure of the SICGWG and carry out an analysis of the term co-management will progress in the short-term.

This measure includes: collating information on global co-managed fisheries; analysis of the interpretation and application of the term 'co-management'; developing a communications plan; boosting literacy within the scallop sector to aid informed discussions; facilitate fisheries exchange and sharing of best practice. Stage 3 of this action is to scope potential implementation options and timing e.g., legislation, use of existing powers, and scope potential structure, function and governance of new co-management in relation to developing management measures and commissioning of future research.

Other Actions to support the development of a new management framework include establishing baseline against which changes over time as a result of management can be assessed. This will largely relate to business continuity and economic assessments. Engagement on the implementation of the NQS measures under the Trade and Co-operation Agreement (TCA) is also an on-going action.

Whilst officers are supportive of the inclusion of these longer-term actions, Officers would suggest they are not management interventions or measures. They appear to be 'business as usual' as part of the implementation and on-going objectives of the FMP and will support future iterations of the plan.

Additional Officers' Observations on the King Scallop FMP

Officers appreciate the time, effort and level of engagement that has been undertaken to develop the King Scallop FMP. The FMP and Research Plan outlines a great deal of evidence gathering that is planned to help inform potential changes in management relating to several areas of the fishery including seasonal closures, gear modifications, and consideration of output and input controls. The FMP itself is very high level without any detail on potential management interventions. These are dependent on the collation of information outlined. Overall, it is the Officers view that there have been missed opportunities within the Scallop FMP to include management interventions, as has been done in other shellfish FMPs, and this leads to the opinion that the introduction of any future changes in management, to support the objectives of the Fisheries Act, will be delayed.

Officers welcome some of the research outlined in Annex 2 the FMP Research Plan. These include the assessment of scallop meat and gonadal weight. Currently the weight of the scallop drives its value and therefore is highest when the gonads are largest, just before spawning. Research on the impact of taking scallop at this maximum gonadal weight on the reproductive potential and how this may negate the benefit of spawning seasonal closures is important and necessary.

The Research Plan reference 5.4 looks to assess the impact of scallop dredging outside MPAs on commercial fisheries populations and endangered, threatened and protected species. Officers supports this research in particular aspects relating to the impact of the large nomadic vessels in the Western and Mid-Channel on crab stocks. However, Officers are concerned that in Annex 1- the King Scallop FMP Evidence Statement- it states that 'dredging is unlikely to cause large scale mortality of bycatch species populations due to the low proportion of individual species'. It goes on to say that king scallop dredge bycatch in the English Channel was found to be low compared to other towed mobile fishing gears. This statement is based on a PhD thesis that was published in 2015. Since the publication of this

research, scallop dredging vessels have increased their efficiency and many of the large vessels have 20 dredges aside or more. The Evidence Statement also highlights that brown crab is one of the dominant bycatch species and findings suggest that 15% to 53% is the proportion of bycatch species caught in dredges, with a mean of 19%. This raises concern and Officers would like to see the inclusion in the Research Plan of a specific research need to investigate the level of brown crab bycatch in scallop dredge fisheries particularly in the Western English Channel.

Officers welcome the reference to the use of REM in the FMP to provide spatial data to support MPA /ecosystem management. REM together with IVMS/VMS can be used not only for monitoring compliance of spatial management measures but to inform displacement, spatial squeeze and also to identify productive scallop fishing grounds, as highlighted in a research need under 5.3 of the Research Plan.

Officers would like to have seen more detail in the Evidence Statement on the different metiers of the scallop fleet. Within the fleet characteristic and landings data of the Evidence Plan, there are figures included for only two metiers - the 10m and under fleet and the over 10m fleet. It would be useful to understand the landings of the different metiers such as the 10-12m, 12-15m, 15-18m, and over 18m vessels. It would then be clearer as to which sector is landing more, has the greatest effort on the stocks and where further management might be applicable. Currently the inshore fleet (largely under 15m) in D&S IFCA's District (and other IFCA Districts) is subject to greater management in terms of gears specification and temporal closures than the larger vessels. Under Objective 3 of the FMP, it states that there is 'Currently no regulatory barrier to growth for <10m sector and limited regulatory barrier to growth for <15m sector (despite largest expansion seen to date in 10-15m sector). There is the potential for unexpected growth from the <15m sector to undermine future management decisions'. Whilst this may be the case, the under 15m sector operating inshore is subject to further management than those operating outside the 6nm. Also, the FMP states that there has been a gradual decline in landings for the under 10m fleet since 2016. The FMP suggests, under Objective 3, that there will be consideration of appropriate regulation of the under 15m scallop sector. Officers would like to understand what measures might be considered, as there is currently appropriate management of the inshore sector by IFCAs. The FMP should detail how the management measures inside the 6nm could be used to help inform future management measures across boundaries and sectors of the fleet.

Officers are supportive of the inclusion in the Research Plan of the review of potential solution to gear conflict between the scallop fisheries and other fisheries, in particular the potting fleet in the SW, which will help inform future management measures such as zonal management. Conflict of this nature is an issue within D&S IFCA's District and beyond the 6nm limit.

The King Scallop FMP Objective 5 discusses the action to assess the interactions with the marine environment and potential impacts associated with scallop fisheries. D&S IFCA, as well as other IFCAs, has undertaken MPA assessments of the impact of scallop dredges on features of MPAs. These include reefs, coarse, sediment, mud, sand and sea grass. There is a wealth of information available to the SICG and its members from these assessments. Included in these assessments are reviews of literature used, conclusions on the impact on features and the integrity of the sites, and Natural England's formal advice. Much can be learnt from these assessments. It is interesting to see in the Strategic Environmental Report, which accompanies the FMP as part of the consultation, that before any new management intervention of the king scallop fleet are introduced in MPAs that a test of likely significant

effect and/or MPA assessment will be carried out. Under Defra's 2012 Revised Approach to Managing commercial fishing, scallop dredging was the most significant impact to most features of MPAs and were termed 'red risk' and had to be prohibited from MPAs or large areas within MPAs. This process was undertaken by IFCAs within the 6nm. Again, lessons can be learned from the IFCAs' work, and help support the achievement of the target for MPA condition set out in the Environmental Targets (MPA) Regulations 2022.

The FMP Objective 5 discusses the need to assess the impacts of scallop dredging on the environment. As stated above this has already been done. Officers would suggest that efforts are immediately focussed on the production of an action plan to mitigate these recognised impacts.