

## Report on the Pressures and Risks to the Crustacea Pot Fisheries in D&S IFCA's District

### Officers' Recommendations

- a) That Members note the report and consider the pressures and risks to the inshore potting sector as raised by the South Devon and Channel Shellfishermen and other industry members

### Background

An Officer paper was presented to the Byelaw and Permitting Sub-Committee meeting on 20<sup>th</sup> October 2022 outlining the pressures and potential risks to the static gear fisheries, in particular the potting sector, in the D&S IFCA District. The B&PSC acknowledged the potential pressures and risks to the inshore potting sector and wished it to be brought to the attention of the Full Authority. It recognised that Officers would need to undertake further work to investigate the underlying issues and gather further evidence. This paper outlines the issues and potential next steps to be undertaken by D&S IFCA Officers.

### Context

The Executive Officer of the South Devon and Channel Shellfishermen Ltd (SD&CS), which is a co-operative association of over 80 shellfish fishing vessels (potters/crabbers), shellfish merchants, exporters processors and shellfish businesses, approached D&S IFCA and raised concerns on behalf of the SD&CS about the potential fisheries displacement impacts within D&S IFCA's District which may come as a result of application of the fisheries Non-Quota Species (NQS) aspects of the Trade and Co-operation Agreement (TCA). The TCA is a piece of post EU-exit legislation that sets out what species and how much EU and UK vessels can catch in each other's waters now the UK has left the EU, and sets out a reference period of 2012 - 2016, meaning that catches of NQS in the future will be capped at the level of catches during 2012-2016. The NQS tonnage allowance outlined in the TCA for UK vessels operating in EU waters is 12,365 tonnes for all species (both shellfish and finfish) each year, which will be inadequate generally, as landings of NQS, across all species in 2019 was 15,005.84 tonnes. Therefore, UK vessels may be displaced back into UK waters and potentially inshore should the enforcement of the tonnage be implemented.

Nationally the potting fleet has expanded significantly since 2016 on the back of increased landings and markets worldwide, including exports into China. This significant expansion in vessel numbers prosecuting species wholly in EU waters includes a crab fishery that exists in the German Bight. During the reference period there were around three UK registered vessels targeting crab in the German Bight, and now there are eleven, and there is knowledge of five more vessels having been commissioned to join that fishery. These vessels are specifically built to operate in offshore waters, have the efficiency and capacity to haul large number of pots (5,000-8,000 pots per vessel) and hold their catches in large vivier tanks in the hold of the vessels extending the time at sea to weeks rather than days. Many of these vessels are under 15m (14.99m) in overall length and unlike the inshore vessel operating in D&S IFCA's District, do not stop due to increment weather and tides. Some of these UK vessels originate from businesses operating in the South West of England.

Since the introduction of the Fisheries Act in 2020 and the Government's Joint Fisheries Statement, Fisheries Management Plans (FMPs) are being developed. Five frontrunner FMPs will be published in 2023. These frontrunners include plans for the Crab & Lobster, Whelk,

Scallop, Bass, the Channel NQS and the Southern North Sea and Eastern Channel mixed flatfish. D&S IFCA sits on the Crab and Lobster FMP, as well as the Channel NQS. The objectives of the draft plans have been developed and stakeholder engagement is coming to end. The next steps are for Draft FMPs to be finalised by the end of January 2023 before they go to Defra and then out to public consultation. The engagement events, including those for the Crab and Lobster FMP, have taken place around England and have involved discussions on potential management measures. D&S IFCA attended events in Salcombe and Ilfracombe. A report on the outputs will be published by Seafish in January 2023.

D&S IFCA is also aware that under the Project UK Fisheries Improvement Plan for Crab and Lobster in the South West, stakeholder engagement workshops have taken place in Devon and Cornwall to understand what harvest control rules or management measures fishers catching crab and lobster think would be effective and appropriate to manage the stocks. The report of the outputs from the workshop is now available.

### Concerns and Risks raised by SD&CS and other Industry Members

Fishers in the South West, at both the FMP engagement events and at the Project UK workshops have raised concerns about the pressure on the stocks and the potential impacts from the 'nomadic' offshore vivier vessels should they be displaced into inshore waters. Restrictions on the 'larger' more efficient vessels was raised as a management option at all the workshops. Not only are the inshore fleet concerned but the businesses who run the vivier vessels are also concerned about displacement out of the EU waters and how this will affect their businesses. The SD&CS and also the North Devon Fishermen's Association have reiterated these concerns. SD&CS have informed D&S IFCA that these concerns have been repeatedly raised with Defra over a number of years, information on how the impacts of displacement will be generally countered is scant. There are concerns and risks relating to the capacity of these vessels, stock sustainability and the impact on the inshore fishery .

SD&CS report that they have been in communication with their inshore colleagues in Cornwall, who are struggling to remain viable as a result of competition in the inshore area from increased effort by these vessels that were designed to be more efficient and fish further offshore than 'traditional' inshore fishing vessels, and changes in their fishing patterns (albeit that some of these vessels are choosing to fish inshore for reasons other than the TCA such as moving away from crab to inshore lobster grounds). SD&CS have requested that D&S IFCA try to find a way to stop this situation being replicated in Devon's inshore waters. These concerns reflect the current situation in Cornwall and the ever-present risk that these efficient 'offshore' vessels may decide to move part or all of their operations inshore, as many of these vessels are 14.99m in overall length.

Potential risks from these more efficient 'offshore' vessels include gear conflict with the inshore fleet (longer strings of pots shot over those used by day vessels) displacement of existing vessels; positioning by the offshore vessels on inshore grounds; increased effort on the inshore crab stocks; potential for working days/weeks through all weather and tidal conditions without a break; targeting effort on inshore lobster stocks; and undermining Gentlemen's Agreements between fishers that exist in regulated potting areas such as the Inshore Potting Agreement Area in South Devon .

As mentioned, D&S IFCA sits on national Crab and Lobster FMP groups and the Project UK Southwest Crab and Lobster FIP. During the FMP meetings, these concerns and other issues have been raised and are listed to be considered under the plan's future objectives. However, management measures have not yet been discussed nor any timings for the implementation of any proposals. D&S IFCA will continue to sit on the FMP and consider all management measures discussed.

## Next Steps

D&S IFCA Officers will soon be considering workstreams to be included in the Annual Plan for 2023/2024. Defra has provided funding to D&S IFCA to contribute to the development and delivery of FMPs. The following tasks, which are being considered for inclusion in next year's Annual Plan would, Officers believe, meet Defra's expectations with respect to the Crab and Lobster FMP:

1. D&S IFCA will keep a watching brief on any proposed national management measures and how they may support, align with or impact D&S IFCA's inshore fleet and feedback details to inform these workstreams.
2. D&S IFCA together with the SD&CS, SeaFish Authority and University of Bangor have been successful in gaining Fisheries Industry and Science Partnerships (FISP) funding to undertake several workstreams that fulfil the evidence gathering for the Crab and lobster FMP. One of the workstream include developing a methodology to measure the hardness of the shell of the edible crab, which fishers too have raised as a concern for the sustainability of the stock. This will involve on board surveys to develop and test the methodology and determine a measure that can be used for measuring compliance and enforcement. Surveys also provide the opportunity for greater data collection.
3. The surveys on board potting vessels, as part of the FISP work, will support the gathering of a range of information on the catches, landings, pot types and numbers, soak times of pots and support Cefas research. Information on lobster catches and seasonality of egg bearing will also be undertaken to support the potential roll out of the lobster scrubbing test.
4. Engagement with the potting sector, and undertake activity surveys and fleet analysis to investigate the different métiers in the inshore fleet, the types of vessels involved, number of pots hauled and shot, the number of days at sea, areas fished and other identified parameters.
5. Review of the management measures suggested by the crab and lobster fishing industry from the FMP stakeholder events report and UK FIP workshop report.
6. Review literature relating to use of REM to monitor the potting fleet.

Officers have also been in discussion with Authority members, who have offered their expertise in these fisheries and scientific knowledge to help progress these workstreams. Officers will provide updates to Authority Members on any work undertaken.

## Background Papers

B&PSC Paper Agenda Item 8 - 20<sup>th</sup> October 2022