

### **North Shields low impact workshop 11-3-2020. Fishermen's Mission.**

The meeting was well attended with 25 fishermen and representatives from around the North East, covering ports from Northumberland through Durham and Yorkshire.

The background and context of the project was described and it was emphasised that this was an early phase of policy development, that Defra was seeking industry views early on and that this project was part of a larger, longer conversation and process. Any comments or views provided will be treated anonymously and ground rules for participation were laid out.

Next the rationale and recognition that the under/over 10m separation for fisheries management purposes had not worked well was presented and Defra were therefore seeking views as to whether a definition of 'low impact' could replace the u/o10 distinction. The question was asked whether 'low impact' fishing could be defined and then be subject to lighter regulation or increased fishing opportunities, but that without a definition or criteria to determine who qualifies as low impact no policy could be developed or applied. The participants were asked whether this was a good approach, way of thinking about it and that Defra had tendered for this project to find out as early as possible.

Defra subsequently presented the need for a different framework after leaving the CFP, that there would be new quota as a result of Brexit and that therefore they wanted to start early discussion to agree the best way forward in inshore fisheries reform. The focus is on the potential benefit of low impact fishing, and a central focus on sustainability in the Fisheries White Paper (FWP), Fisheries Bill and that an outcome could be more quota from the pool for those classified as low impact.

Defra want to see whether this is feasible, and what the starting point for those discussions is.

A question was asked about the fitting of square mesh panels and whether these technical measures were linked to this project. The answer was that these are distinct projects / issues.

The participants began a series of questions and observations (\*):

\*The biggest challenge perceived locally was that Defra and the MMO needed to simplify the rules and make them manageable. Furthermore there was a clear view expressed that this approach of defining low impact would cause a form of division and that this was not a good first step on a new path.

The response was that there were two objectives to be met, one around a conversation on low impact and what can be done to move away from a sharp length based approach and secondly to see if there were alternatives that would be welcomed and implementable.

\*The observation was made that when the u/o10m policy was rolled out that it was done badly and that when Defra originally allocated quota it did not match regional differences.

\*For inshore fishing, having both full time (FT) and part time (PT) fishermen accessing the pool was also not justifiable as some were wholly reliant on the fishery whereas others had other income streams and security but were given the same fishing opportunities. The management approach went wrong in the 2000's and now urgently needs reform.

Defra emphasised there was no predetermined outcome, but simply a recognition of what had not worked well and needed addressing. It is a key priority to focus on building trust, being open, honest and acknowledging mistakes that had been made in the past as well as avoiding making new mistakes. There was a focus on less of a 'top down' approach and acknowledgement that 'one size

fits all' is not a suitable approach and that diversity within the fleet and regions needs to be recognised. There needs to be a starting point, and low impact seemed a good way to start the conversation but there will also be space for the other issues to be aired and discussed. A web page has been published that offers information about the project and there will be other ways to engage, i.e. this is only the start and not the only way or opportunity to input into these decisions around creating a better system (that will require input from fishermen).

\*Is the low impact starting point about the vessel or the fishery? If low impact is an opportunity and could result in extra access, quota or less regulation then this will continue the problem – as it will result in division, separation and distinct rules for different parts of the fleet, rather than common rules for everyone which is what is needed. The view that this term and split will be divisive was presented as individuals would be motivated by getting the best deal for themselves and that therefore the starting point for a conversation about future management should not start with incentives.

Defra responded that for the long-term focus on sustainability (a key commitment of the FWP/Bill) then there needs to be incentives for fishermen to try to lower their environmental impacts.

\*Low impact is subjective. The Green agenda is driving a definition focussed on impacts. There will be a line in the sand again.

The FWP commits Defra to 'look at it' [i.e. low impact], but not necessarily to implement it if it is deemed not suitable.

\*What is the definition for the scope of the work? Is it about replacing the u/o10m split or is it about lowering impact at the fleet scale? It needs to be clear. What are the boundaries? If low impact is only considered in environmental terms it misses the social and economic ones, which need to be considered.

Defra agreed and said that this was a first conversation with a focus on the environment, but that didn't mean socio-economics were not going to be considered in future management.

\*Defra / MMO do not have the best track record, when u10s were only allocated 3% of the national quota. They have paid money for licences that used to be free. If this project aims to split the u10s then there will be licensing implications and linking licences to impact is a concern.

\*U10s have been telling Defra it is not working for 30 years. We have sat in rooms, spoken to civil servants, taking part in projects, pilot schemes, SAIF (sustainable access to inshore fisheries), various groups and varying methods to come to an answer and it has not changed. The quota system is not perfect, but the regional areas are also very different and there are business plans to reflect that. Investments have been made based on those (5-year) plans – and while the specific issues keep changing the inshore fleet needs to be able to have a business plan and that relies on fishing opportunities and the ability to diversify. This project / definition needs to be mindful of that.

This is an opportunity to do it differently – so it starts with the question if / how low impact could / should be defined.

\*Inshore fishermen need sustainability, they rely on it.

\*Concern that people move / leave the civil service and that fishermen invest the time and effort to educate and collaborate and then it turns out to be a waste of time..

\*Pulse fishing is the worst impact on the marine environment and the worst kind of fishing but it still continues...so it sends out the message to the UK fleet that Defra does not care. There is a perception that anyone can do what they want.

\*The Fisheries Bill (House of Lords reading) says any extra quota can be bid on by the u10s. That will exacerbate inequality. It will create have's and have nots again. New quota cannot be monetised like that, it needs to be free. Pricing and renting quota actually creates financial pressure, pressure to fish more, pressure on the fishery and therefore sustainability. This then starts a vicious cycle. What is needed instead is giving quota back to coastal communities, back to local ports.

Defra: there are mixed views on the quota system; the FB gives powers to do lots of things and that is what it is meant to do. It is one possible option, not the only option.

\*No nomadic fishing vessels have attachments to these local / home ports; we have been fishing the same grounds for 20-30 years, not chasing the fish around the country, but waiting for them to swim past. We fish seasonally and there are high annual variations. The super nomadics operate like 'smash and grab'.

\*We should rebalance the quota we already have not just any new quota.

\*Low impact fishing is day boat fishing

\*We need more protection locally for our static gear. Nomadic scallop dredgers and pulse beamers are destroying the fishery but IFCA's can't prosecute them. For the nomadic fleet it is like the Wild West. The pelagic factory ships fishing for herring are allowed to carry on as they wish, catching whales and dolphins but in the 60s our fathers herring licences were taken away and burned but now we've given those rights to the Scottish and Dutch. This is a matter of extreme injustice.

The FBill states there is a duty to provide fisheries management plans.

This means:

- More co-management
- More localised management
- More regional management

\*The scallop cat A licences give entitlements to vessels

\* the Cod recovery plan destroyed Yorkshire fisheries

***The conversation then focused on Co-design:*** Defra emphasised a different approach, acknowledging that policy and management are better when they are designed by those it affects. A collaborative approach is needed.

\*There has been fragmentation as a result of u/o10s and people have adapted to the rules, fishermen approached Defra / MAFF 20 years ago but it didn't change.

The aim with this work is to have the discussion early, there is no predetermined pathway.

\*There is a concern that reports are produced and then taken to mean "the industry agreed to this"; does participation mean endorsement? There needs to be safeguards, Q&A in the future so that the reports and discussion are not open to re-interpretation with different results for the industry in the future.

The Terms of Reference (ToR) for the project are online and will be widely shared. We also need to focus on the process

\*Scallop dredging cannot be considered low impact

\*Defra need to gain fishermen's confidence again

\*Quotas need to be given to fishermen, not sold on the open market. Quotas should be free. Like in Norway, if the licence is in a fishing family you get quota. You should need to have a boat to have quota. Should only be traded by active fishermen (if at all).

\*The Coastal PO wasn't recognised by Defra

- DEFRA: CPO was offered an opportunity to manage quota but they didn't take it.

\*If fishermen are diversifying can you gift quota you are not going to use to other fishermen in the port who need it?

\*O10s had the same problem by having to buy quota or taking it when boats left the fishery, U10s couldn't. But they still need quota to be able to solve the problems they are facing now.

- DEFRA: This is part of a long-term plan and changes so we need to be able to split issues.

### **First half (Presentation) additional notes**

- There shouldn't be any division of vessels, both u10 and o10 are all fishers. Despite diversity, fishers should be seen as a collective.
- Defra needs to consider the real impact of the application of any definition before it is implemented or publicly shared.
- The design and framing of these workshops precipitates a "win-lose" situation of "low vs. high impact" whereby participants will consciously choose to provide information which will benefit them in the policy outcome of the workshops.
- 'Low-impact is a subjective term and will have entirely different definitions for everyone, depending on relativity.
- The power and influence of the "Green agenda" [environmentalist movements] will lead to a definition which will disadvantage fishers and push them to be more low-impact, regardless of if they are already fishing in a sustainable/environmentally-friendly way.
- The information which has been received by fishers about this project has been insufficient and unclear in defining the project scope.
- Questions around whether there is scope in the project for addressing social sustainability/impact in a definition of low-impact.
- "You can't see the seabed, so why protect it?"
- This project, definition and subsequent policy outcome will only serve as another way to divide fishers and pit them against one another – divide and conquer strategy.
- Questions were raised around why Defra is only starting to use co-design now and, considering the perceived failure of previous consultations to make any positive impact based on fishers' opinions and perspectives, why do Defra believe that this will be different? Belief that Defra will still fail to integrate fishers' feedback effectively, or at all.
- Fishers don't have any intention or desire to destroy/damage the marine environment because otherwise they wouldn't have any stocks left to fish.

- Fishers feel that they have put a lot of time into educating and building trust/rapport with Defra M&F policy teams. However, the rapid turnover of staff in the civil service means that this time is often lost as people with whom they have built a working relationship with, move on and lose contact. Knowledge is lost, which can be demoralising and dissuade fishers to continue to work with Defra.
- Plenty of feedback is provided in these sort of projects, yet fishers feel that they are ignored as soon as the project ends. Reports are put aside, and new staff can misinterpret the results of consultations when they are eventually revisited, often assuming endorsement from fishers whereas, in actuality, there is dissent. A safeguard will need to ensure that this project is clear in its results, so that this is avoided.
- Some concern over Fisheries Bill confusion, where a participant thought that additional quota post-EU Exit would be auctioned.
- Frustration was aimed at the lack of regulation for protecting static gear, for example, dredgers/trawlers destroying pots. One potential 'reward' for obtaining low-impact status could be better protection or compensation for potting damages.
- Consensus that trawlers and dredgers are the highest impact.
- Defra needs to regain the confidence and trust of fishers after making mistakes in the past.

#### **UPSTAIRS GROUP DISCUSSION: CW notes**

\*Low impact should be defined by day boats that are owner operated

Changes as a result of leaving the CFP mean there will be a rebalancing of EU TAC shares, there will be additional quota available

\*Over 10s don't want to lose out

\*Risks stem from monetising quota

The FBill gives powers.

\*Couldn't environmental value be used as a criteria for allocation? Auctions just mean those with the deepest pockets will get more.

Minister has committed to support inshore fisheries and coastal communities. There are differences in opinion on allocation, and there is currently a set number of fishers in the pool.

\*If we are capping licences and effort what happens to latent capacity? Those license holders could just invest in a new equivalent of rule beater

\*What types of auctions are intended?

\* We need to focus on environmentally friendly methods. IFCA byelaws do that with areas and gear specific management. For inshore fisheries there needs to be flexibility in the quota system, to match seasonality and annual changes. The 3 monthly nephrops quota has worked well, given the storminess and lack of opportunity due to weather.

\*License capping has focussed on PT and FT, so will licensing be revisited now? Some of the licensing issues force negative environmental outcomes and that comes through the entitlement and lack of flexibility in the quota pool. E.g. bass, it has created a bass entitlement where anyone who caught bass now gets a tonnage.

\*SSCF (small-scale coastal fisheries) as an EU definition did not recognise the Yorkshire salmon and sea trout fishery although it is artisanal and low impact; it is managed by the EA with a different set of rules.

\*what will the impact of climate change be on entitlements and track records as species move North and new species turn up? E.g. we have red mullet up here now and bonito tuna in Yorkshire.

\*Current structure is too rigid, needs to be more flexible, to focus on the right gear in the right place. The local and regional management needs to tie together

\*What about a quota reserve and banking quota to use for later allocation if needed?

\*What about community quota schemes?

Anglo-Scottish PO holds quota that isn't used by members who are potting but it mean they can hold onto it and spread it around when needed.

Coastal PO effectively only able to hold paper quota as once the share has been caught further south there won't be any left up here. Who should run the Coastal PO?

\*Is Defra planning effort trials as part of this project?

There will always be a TAC and quota but there are options within that, e.g. effort trials and community quota schemes.

\*There are two aspects to consider for the Coastal PO, regional (e.g. nomadic scallop boats v local boats who need protection and there are impacts of displacement), and Seasonal (needs to be tailored to those ongoing regional changes)

\*Nephrops in the Farn Deeps, there are high capacity vessels catching prawns before the u10s could even get out and have a go. Weather dependence is a big factor, maybe access to the Farn Deeps could be licensed to protect local boats (but these licences then could not be sold to other parts of the country)

\*We need an IFCA 12mile limit

\*The working relationship with the MMO is very low

\*quad-rigged trawlers (NL) are fishing the 12nM limit

\*IFCA do stock assessments and permit schemes, which mean it is a managed fishery. The nomadic fleet is the problem, they can switch off AIS at night and enter inside the 12nm and overfish the grounds

\*Gear conflicts is a major issue, should be a vandalism offence. Leads to ghost fishing

\*Lobsters, why bring in the berried hens rule here but not Scotland? V notching is much better option, how can English and Scottish science reach different conclusions?

\*Southern North Sea crab stock has inconsistent regulations and minimum sizes are different but the vessels move between the 6 and 12mile limits, which makes no sense

\*Farn Deep inshore fishery has had extremely negative impacts because of nomadic vessels

\*Previous input from industry has turned out negative, need for industry led science

\*DEFRA needs to appreciate a budget is needed, focus around fisheries management plans and focus on either species, regional or mixed fisheries; there could be an inshore scallop fishery, which is well managed, could provide a good income, not trash the marine environment and reduce or eliminate gear conflict, but could a dredge fishery ever be sustainable? Yes is it low impact? What determines what are the other impacts...

\*Farn Deep twin rig ban has been a big success story. The Scottish vessels outside the 12nm were wiping out the stocks. But what about displacement?

\*Potting in Yorkshire is split: lobsters or crab & lobster

\*Cod recovery closures didn't match the areas we actually found cod and closed grounds where there were no cod. Then we lived in fear of catching any cod due to catch composition rules.

\*Low impact scallop dredging is possible on right grounds, if it's a small (5 dredge) footprint, but not 18....because of the weight of what is being towed.

\*What about a list of pre-authorized gears for U10s?

\*Recruitment into fishing is hampered by paperwork

\*Adaptive management requires information, we need to understand how that information then shapes management, and it needs to be updated over time as things change. NNFO used to produce annual fisheries reports at the metier level providing qualitative information on how fishermen were responding to management. We need to understand what institutional arrangements will be in place for this project and wider work. We need to know that all the information and projects will be pulled together.

\*The language (scientific and legal) needs to be accessible. Shouldn't be left to interpretation. Should be followed up with port level demonstrations and trials.

\*Closer engagement and more frequent dialogue is necessary.

\* The NE has limited species, needs to be considered.

\*The factory ships are treated differently, they fish with micro mesh for sandeel but they are hoovering up all of the juveniles of other species along with them

DEFRA: they will require a licence and have to follow the UK rules.

\*We need a 12mile / 20 mile / 50 mile exclusive UK zone.

\*How will this low impact work affect the MFF (funding)? There are currently favourable rates for SSCF and you can't exclude people as those intervention rates make a big difference.

\*The NE white fish infrastructure has disappeared as people have moved into shellfish. Needs funding for young people to enter. In other EU countries they have used EMFF for new vessels for new entrants under the age of 30, could we do that?

\*Capping and reference periods have caused problems, needs to be looked at again. Very small scale fishermen selling directly to tourists and not merchants look as though they don't have track records, although IFCA /(SFC) docs showed they were landing fish. They have had unfair treatment – these artisanal day boats who sell to the public are at a disadvantage but that's what brings the tourists in

\*CatchApp is a waste of time

\*Can something be done about MFF up front payments by fishermen, as the smaller ones haven't got the money to pay unfrown so they are disadvantaged again versus the bigger businesses.

\*Supertrawlers are causing whale deaths, I've seen them float by and they weren't caught in pot strings. Doesn't matter if EU or UK flagships – it needs to stop.

\*Herring spawning has been impacted by scallop dredging as there is no seaweed now which the herring need to spawn on, its impacting the whole food chain as the herring spawn forms the basis for various species at various times of year and phases.

### ***Second Session: LO notes***

How are auctions environmentally friendly if it comes down to money? Answered with the use of different criteria and designing a non-monetary focused auction system.

Can Defra rebalance quota? It should be taken off those who don't own boats.

The point of Brexit was to support coastal communities; that's what they voted for. Quota and investment should go into helping support coastal communities.

Question of whether licensing will be revisited. Fishers need flexibility to diversify.

Need to understand local science to allocate quota accordingly based on local stocks and seasonality. The mackerel reference year has put them at a disadvantage. The current structure is too rigid and doesn't work. There is a need for local quota management.

Can they bank quota? They have to pay for flexibilities of banking and borrowing.

Is latent capacity still a problem and in which sector? The shellfish sector are concerned.

IFCAs are on the ground, have local knowledge and react in real time. MMO seem detached and have anecdotally declined the offer of going out with fishermen because they did not have the resource. IFCAs are seeking fishers to provide input which is improving their representation.

Questions about fisheries management plans. Are they species management plans? Regional management plans?

New entrants are giving up because they can't cope with the amount and complexity of paperwork and the financial burden of buying boats and quota.

There is a disconnect with engagement. IFCAs, MMO and Defra are all trying. Need to bring those strands together.

There is too much scientific and legal language used. This makes it difficult for interpretation and can lead to misunderstandings. They value workshops and meetings; more of those are needed.

### **Second half (Group discussion, downstairs room) JB notes**

Impacts/criteria:

- Dredging/seabed damage
- Twin-rig, high effort, intense methods
- Seals



- Destructive gears
- Vessel size and power
- **Didn't** see bycatch or discards as an issue

#### General discussion points

- Danger of taking a “utopian” perspective and ignoring whether the practical application will work in reality.
- The u10/o10 classification was an oversimplification that resulted from an attempt by Defra and regulators to make fisheries easier to manage. Ease, however, came at the expense of effectiveness and practicality.
- The Northumberland coast is entirely covered by protected areas (MPAs, MCZs), which largely restricts the impact of fishers in that area due to lack of access. Therefore, fishers local to this area are already lower impact, so would need lighter measures. Criteria could potentially be locality to protected fishing grounds.
- Strong consensual belief that MPAs/MCZs haven't helped fish stock recovery.
- “There's no cod in the North sea”
- The seal population has drastically increased in recent years due to legislation on seal culling and general shifts in public opinion towards conservation, environmentalism and animal rights. This has meant that many seals are dispersing fish before fishers can reach them, or eating fish out of their nets. However, this has had a positive impact on shellfish stocks (e.g. prawns).
- The marine environment is complex, biodiverse and interconnected. Lowering one impact can raise another, or vice versa.
- Impact is often more about the intensity of the fishing method than anything else. Twin-rig boats will be considerably higher impact than single-rig boats.
- Net size has the largest impact. If all net sizes were the same then fishing would only be determined by the skipper/fisher's individual skill and expertise.
- Locality/non-nomadic could be used as a criteria because there are not enough local vessels in an area to have a high impact, it's only the addition of nomadic fishers and foreign vessels that makes a local fleet high impact. Being local also has a positive impact on social sustainability (locally sourced fish, tourism, health & wellbeing benefits).
- Vessel maintenance and fuel costs mean that skippers of smaller vessels will often choose to not go to sea and take an economic loss. It makes rational sense to wait for stocks to recover and go out when they can take home an optimal catch.
- There is a need to recognise the drivers of different fisheries, e.g. small vs. large.
- It's difficult to separate environmental and social sustainability as they're interconnected.
- Recent reduction of locally sourced seafood restaurants is reflective of the lack of whitefish being landed in this area.
- Government should ban dredging and twin-rigs because these are the highest impact.
- Removal of restrictions for low-impact fishers wouldn't make a difference because fishers will always be restricted by weather conditions above anything else.
- This project is simply a way for Defra to “tick a box” that claims co-design/consultation has been done with fishers, but the results won't be considered when policy is formulated. Another participant responded “You've got to start somewhere though”.
- Risk of causing a “bureaucratic nightmare” as the CatchApp has done – need to ensure that any definition is operationalised for policy.

- Dredging is “strip fishing” – dredgers will clear scallop grounds until it’s empty within a week. It’s too indiscriminate and non-technical.
- Survivability of discards could be considered as a criteria.

**Main environmental threats: HC notes**

- Scallop dredging needs banning and everything that lives on the sea bed
- Twin trawlers – consensus on this
- IFCA designed to be regional body – all that’s happened is they’ve become a delivery body for national policy
- Northumberland coast MPA/MCZ – whole coast (not always out to the 6 mile, varies in depth) no one can go to sea without going into a protected area
- MPAs etc. doesn’t work and stocks haven’t improved – least fish in a long time observed by those in the room, couldn’t feed yourself
- Fisheries are becoming monoculture – prawns – if it collapsed then you’d not have a business
- Seals as a cause/threat; don’t kill them though not 100% cause but a big cause (cleaner waters and no culling has allowed their numbers to develop) SEALS AS SIGNIFICANT PROBLEM
- Lobster doing well ‘economically sustainable’ – 12 months
- Prawns are getting hammered “24/7”
- Local boats were not threatening the prawn stocks?? Small horse power cannot impact, inside the 12 and under the hp. Cheaters=Pair trawling and twin rig boats – it’s the intensity it’s because they’re taking double, clumping/impact on the sea bed. Prawns live in muddy burrows which are being destroyed.
- Gear restrictions would be a useful way of limiting impact – general consensus here
- Same engine power, same size of net? Level playing field? Leave more down to fishers’ skill
- Visiting vessels as a threat

**How non-nomadic you are?** Can we reward for this? Maybe not; exploring whether useful for describing low impact. Local boats couldn’t do any damage, these local boats don’t do any damage. Participants explained how local/small boats are self-limiting in terms of their damage (size/power/number of days/weather). Stock is the driver on smaller boats. Big boats, fishermen are the drivers – they’ll go where they need to and can go out as much as they want. They are NOT responsive to stocks, but just go and go and go because they can. Big vessels follow the stock availability – move around, following the salinity, water temp, tidal range etc. set pattern of where the fishery will be at every time of year. Big boats can monopolise this.

Big boats= overheads mean that they need to push through conditions and will push through regardless. Small boats, can stop/will stop if they don’t have resources. Small boats as more attuned.

Smaller boats taking a deliberate economic loss to protect the stocks.

“If you’ve got quota – it doesn’t matter where you’re from – you can prosecute the fishery”

Effort is linked to availability – no one is going to go away. Even low tech boats are expensive. If catch rate drops, they’ll stop. Large vessels, with money, can keep going. Section of fleet that exists within the resources they have e.g. local boats. But the big guys can keep going and going.

Too much effort in terms of hours beyond the 12 mile, only a fraction of effort from local boats

**Low impact criteria:** Being nomadic for low environmental impact (some agreement but not 100%, perhaps 80%); is there a case for non-nomadic a better social impact? Yes, **definite agreement**. Tourism, kids love it. Part of people's holidays etc. etc. Amble – a dozen pubs now serve local seafood.

How can we implement low impact criteria, summary:

- Size
- Power
- Ban scalloping – what are the impacts? Spikes about 20cm. Problem with scalloping is it's "ultra indiscriminate" – you know where the scallop ground is – shift 100 yards, strip fishing, you go to the edge of where you think is feasible. One boat can strip fish a whole area in a week. They take no account of the area. Changing the habitat. Destructive. Not a fishery that's really impacted by weather, particularly the bigger boats.
- Ban twin rigging etc.
- Gear

With no restrictions small guys = "we'd do the same"