

## **Seafish, Defra and MMO drop-in**

### **(for minimum landing size 'MLS' and lobster trials)**

**Location:** Warkworth Harbour Commissioners, 6 Coquet House, Amble, NE65 0AP

**Date:** 11 December 2024

**Time:** 1530 -1730.

#### **In attendance:**

- Approximately 15 industry representatives
- Lewis Tattersall, Head of Fisheries Management at Seafish (Chair)
- Annabel Stockwin, Team Leader Non Quota Species (Shellfish) at Defra
- Thomas Valderrama, Non Quota Species Team (Shellfish) at Defra
- Katie Haldenby, Non Quota Species Team (Shellfish) at Defra
- Tim Dixon, Head of Fisheries Management at MMO
- Sarah Errington, Principal Fisheries Manager at MMO
- Caley McIntosh, North East Regional Fisheries Manager at MMO
- Mark Southerton, Chief at Northumberland IFCA (NIFCA)

#### **Purpose of the drop-in:**

- The purpose of this drop-in was firstly to discuss how to introduce an increased minimum landing size 'MLS' (also referred to as 'minimum conservation reference size') of lobster to 90mm, as committed in the 2023 crab and lobster fisheries management plan (FMP), and secondly inform fishers of the start of MMO's work on lobster management trials in the Northumberland region – a measure outlined in the crab and lobster FMP that Defra has commissioned MMO to deliver.

#### **Introduction**

- A meeting was also held in Whitby on 10 December 2024 – where the other lobster trial area was identified in the FMP. The note of this meeting can be found [here](#).
- It is acknowledged by all organisations in attendance the importance of the lobster fishery in this region and how important this species is for this area, including the communities it supports.
- The time of this meeting was originally scheduled for 1700-1900 but Seafish received feedback that due to tides the meeting needed to be moved to 1530-1730 to ensure the maximum attendance by Industry representatives.

#### **Summary of key points:**

An overview of context and background information was provided by Seafish as follows:

- Both MCRS increases and regionally specific management trials were proposed as initial management interventions for lobster in the English FMP, which was published in December 2023 after public consultation. MCRS increase (to 90mm) is proposed as a national-level management measure, i.e. covering all English waters, and management trials were proposed for the Northumberland Durham and Yorkshire / Humber lobster fishery units (LFU) [as defined by Cefas](#).

- Management interventions proposed under the English FMP would apply to all English waters (in the case of national level measures) and would apply to all vessels fishing in English waters regardless of their nationality. Discussion in this meeting on management trials was focused on the Northumberland Durham LFU.
- Cefas stock assessments for 2023 showed that in the Northumberland Durham LFU exploitation rates were high (above MSY) and stock size is between the minimum and MSY reference point. This suggests that stocks may be being overexploited, and that management action is required as per the UK Fisheries Act 2020 which stipulates that UK fish stocks should be managed at or above MSY and that where stocks are below MSY, action should be taken to help them recover.
- The overarching aim is to ensure UK fish stocks are sustainably exploited. Given the importance of lobster fisheries in the NE of England, it is crucially important that management is effective at protecting stocks and the fisheries that depend on them.
- The aim of this meeting is to:
  - Understand how an increase in lobster MLS could be introduced in a way that minimises the impact on the fishing industry as far as possible, for example by exploring different options around phasing of increases and considering the timing of MLS step-changes to ensure fisheries are protected, and;
  - Start discussions on management trials for the Northumberland Durham LFU (inshore and offshore) to help the MMO understand industry aspirations for future management and what can be learned from existing management, such as that in place inside 6nm through NIFCA.

#### Minimum landing size (MLS)/ minimum conservation reference size (MCRS)

- Consensus from industry representatives was that they already have working regional management in the inshore (<6nm) area through Northumberland IFCA. Fishers note that the majority of landings (80-90%) for lobsters happen inshore within the IFCA management area. There is not much fishing activity for this fishery offshore. This is why there is such concern for any further changes in regulations. Government noted that this is one of the only areas around the English coast where this feedback is provided.
- Fishers in attendance noted that lobster stocks are in '200% better position' than they were 30 years ago. This is based on their observations that their catch is increasing and there are an abundance of juvenile lobsters found in pots as well.
- They stated that costs are 20-30% higher these days so the fishery is naturally slowing down and they felt that effort will likely continue to reduce as individuals leave the industry. An IFCA representative commented that five fishermen had left the industry in the past year. Fishermen felt that the status of the stock is not the key issue – it is the costs that the fishery are accruing (for example marina fees, wages, fuel, etc).
- It is the opinion of Industry that effort is reducing naturally due to the demographic of the current fishers. An example being that in Amble there are only two fishers that are under 40 years of age. Effort by the inshore vessels is already controlled by costs and weather conditions.
- When considering the impact of new measures such as MLS increases, fishers said that government need to be aware that some fishers are more vulnerable to the changes and associated costs. Some may be able to absorb the cost but many in this region will not be able to.
- Clarification and reassurance was provided by Defra that they are not considering the increase being implemented in one direct jump, it is looking at how it could be phased to

reduce impacts on fishers. Example of discussions with Whitby the previous evening provided – where there was a consensus from those in attendance that if it was being increased to do this in a phased way over 5-6 years; 1mm per year and then miss a year; start being January 2026, allowing access to the Christmas market at the lower size.

- NIFCA, Seafish and Defra discussed some of the size / cost analysis that had been explored by themselves and other administrations that have already moved to 90mm. This includes modelling done by the Isle of Man and Jersey, which show that while an increase in the MLS does lead to a temporary loss of income, this can be mitigated by phasing the increase and an increase in stock abundance after 3-5 years. Fishers replied that the temporary loss of income would most likely be too high for some to cope with, even with phasing.
- Rationale behind the MLS increase discussed; industry representatives felt that there are a lot of berried lobsters seen under 90mm so the MLS increase is not required.
- Clarification was provided by government that the MLS would apply to all vessels inside English waters up to the territorial limit – so would include Scottish and European vessels; inside and outside of 6nm in English waters. A regional variation in Northumberland could lead to enforcement issues and displacement into this region.
- There was general agreement from industry representatives that the berried ban is being complied with by them, but that it might not be working well due to others not complying. There was support for removing the berried ban, and continuing / increasing a NIFCA led v-notching scheme.
- Defra explained that a berried review was ongoing at the time of the meeting. [This review has now been published](#) with more information to be found below. Defra noted that it is not yet possible to determine what impact the berried ban is having on the stock using current stock assessments and landings data. However, despite enforcement challenges, there is evidence that there is still compliance with the berried ban, and that it does, in theory, provide stock benefits, especially if enforcement and compliance is improved. With Cefas stock assessments showing that stocks are currently not fished at MSY, management measures which protect the stock, such as the berried ban, remain necessary. Industry asked government to consider if this region can be considered outside the national MLS and berried ban measures.
- Industry explained concerns for their future with increasing management measures and there needs to be consideration of the cumulative impacts. There were also questions around how policy makers and managers can assess the effectiveness of one measure if further measures are continuously implemented.
- Social science project(s) have reported the decline there has been in the inshore fleet in the last 15 years. Northumberland fishery is landing into a rural area so this comes with its own challenges of portside infrastructure and access to markets.
- Effectiveness of v-notching was discussed with the reintroduction of NIFCA's v-notching scheme. The species has a good survivability to being discarded.
- Industry representatives noted that increasing the MLS here will increase what is being thrown away.
- MLS increase will also increase the cost of lobster, making it less competitive in the market compared to European and Canadian lobsters.
- 80% of what these fishers catch is between 87-88mm so catches would reduce by 30-40%.

- Government was asked to consider the impacts of this on the supply chain – it needs to be economically viable for a transporter to come from Eyemouth to Amble in order for the fishers to get their landings to market.
- The fishery has been impacted by storm events more than ever before in recent years.
- Fishers would welcome an investigation into opportunities for diversification (for example, funding for gears, marketing and access to species). Fishers in the northeast have a very limited fishery and there are not the other species to be able to swap to.  
Acknowledgement that there has been some relaxation in the capped licences which has been welcomed by industry.
- Discussion regarding displacement risks and compliance risks; particularly with regard to the border with Scotland.
- Industry made the points that government need to strike a balance between having lobsters and having fishers. There is no point having one without the other.
- The Cefas stock assessment in the FMP is based on data from 2021. As such there is a lag, and industry consider that it does not match what fishers are seeing in the real time.
- Government and the FMP are not taking away autonomy from IFCA. IFCA jurisdiction extends out to 6nm so anything outside of this needs national measures from government or implementation via MMO.

#### Lobster management trials

- Defra has commissioned MMO to deliver the trial of finer scale management for crab and lobster in areas around the country outlined in the crab and lobster FMP. There are 3 fishery unit areas identified: Western English Channel 'Southwest' crab and then 'Northumberland and Durham' and 'Yorkshire Humber' for Lobster.
- Seafish and MMO have set up regional groups to support delivery of 3 trial areas. One meeting has been held so far and attendance from fishers was very low. These groups need fisher's expertise to develop options of measures that they would like to trial. An outcome of this online meeting was to split into two different groups for the two Northeast trial areas given the differences in the fishery.
- This work is at the very beginning and MMO will be starting to have discussions/meetings to consider options; and the measures that will be trialled are not yet decided, nothing is off the table yet.
- It is outlined in the FMP measures could include pot limits, days at sea, catch limits but it could be there are different options industry would like to trial.
- Government needs to be flexible with dates and times (for example, weather and tide considerations) of meetings and have more incentives for engagement to reduce the pressure on all to attend meetings. Use NIFCA to help disseminate information.
- Nature of the fishery discussed – consensus that there is no issue outside of 6nm that needs additional controls.
- Regarding effort reduction options - some in attendance noted that there are not many new people coming into the industry so they do not think that effort is going to increase any further.
- Compliance matters regarding how MMO and IFCA work together and risks of fishers catching undersized lobsters in Northumberland and landing them in Scotland, where the MLS is still at 87mm.
- It was noted that there are already a number of management measures in place in Northumberland (via NIFCA), and that it would be preferable to introduce similar management (particularly pot limits) in other areas to create a level playing field, rather

than introducing new measures at a national level which could be seen to disadvantage those fisheries which are already managed at a regional level.

- Some email addresses were collected at the end of the drop in. These will be added to mailing list for Seafish, Defra and MMO in further communication with the fleet.

#### Review of Lobsters and Crawfish Order 2000 and 2017 Amendment (berried lobster ban)

- Defra has [published the review of The Lobsters and Crawfish \(Prohibition of Fishing and Landing\) \(England\) Order 2000, including the 2017 Amendment \(the berried lobster ban\)](#), which recommends retaining the legislation.
- Available evidence does not support repealing or replacing the regulations. With lobster and crawfish stocks still under pressure, it is crucial to maintain and enhance the protective measures in the 2000 Order.
- Enforcement challenges and low compliance in some areas of the country have been acknowledged by Defra, and we are working closely with IFCA and MMO to improve enforcement by addressing issues with identifying scrubbed animals. Nevertheless, non-compliance comes with a risk of financial penalties, and prosecutions have been successfully carried out in the past, signalling the measure is enforceable. The review also recommends that stricter penalties be considered for non-compliance.
- The review recommends extending the definition of a v-notched lobster or crawfish to include a notch in all 5 uropods. This change harmonises with certain IFCA regulations and provides additional protection to v-notched animals. This will be implemented through new legislation.
- The review recommends, with further consideration needed, to extend the Order to include prohibiting 'buying, selling, and possession' of berried and v-notched lobsters and crawfish.
- Defra will continue to monitor the Order, which will be up for review again in 5 years.
- The Crab and Lobster Fisheries Management Plan commits to considering how new measures and future management regimes, such as the berried lobster ban, can strengthen existing legislation. These commitments will provide further data to support the next Post Implementation Review.

#### **Useful information:**

- Crab and Lobster FMP - <https://www.gov.uk/government/publications/crab-and-lobster-fisheries-management-plan-fmp-for-english-waters/crab-and-lobster-fisheries-management-plan>
- 'Proposed initial management interventions' section of the FMP. 'Proposal 1' is for the harmonisation of MCRS (MLS) and 'Proposal 3' is for the trial of finer scale management for brown crab and lobster in selected fishery units:  
<https://www.gov.uk/government/publications/crab-and-lobster-fisheries-management-plan-fmp-for-english-waters/crab-and-lobster-fisheries-management-plan#proposed-initial-management-interventions>

- Mike Roach (NFFO) has a WhatsApp group to help with the dissemination of information for fisheries management in this region (including MLS and trials). Mike is happy to add people to this group. Membership of NFFO is not required.