

Whelk Management Group (WMG) Meeting

15th May 2023 - via Microsoft Teams

Attendees

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| Aoife Martin, Seafish (Chair) | Joanna Messini, Defra |
| Alison Freeman, Fishmongers Company | Jim Evans, Welsh Fishermen's Association |
| Andrew Brown, Macduff Shellfish | Nicola Lewellen, MMO |
| Annabel Stockwin, Defra | Lewis Tattersall, Seafish |
| Bill Brock, Brighton and Newhaven Fish Sales Ltd | Mike Roach, NFFO |
| Charlie Brock, Brighton and Newhaven Fish Sales Ltd | Moritz Eichert, Heriot Watt University |
| Charlie, Lynn Shellfish | Natalie Hold, Bangor University |
| Charlotte Colvin, Bangor University | Rebecca Treacy, Seafish |
| Chloe North, Western Fish Producers Organisation | Sophie Bennett, Seafish |
| Eleanor Pettitt-Fergusson, Defra | Tony Miles, MMO |
| Ella Brock, Seafish | Tom Moore, Defra |
| Gwladys Lambert, Cefas | Udara Nagodavithana, Seafish |
| Helen Hunter, Defra | |

Apologies

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| Phil McBryde, Defra | Mike Kaiser, Heriot Watt University |
| Isobel Bloor, Bangor University | Philip Haupt, Kent & Essex IFCA |
| Juliette Hatchman, Southwest Fish Producers Organisation | |

Review minutes and actions from WMG meeting, November 2022 (Lewis Tattersall, Seafish)

1. The minutes from the previous meeting were reviewed, and following the discussion point below, were approved.
 - a. Proposal 1, page three of February's meeting minutes, on *Restricting access to whelk fisheries by means of a permit / entitlement* – discussion on how provisions need to be made to allow for new vessels or replacement vessels to enter the fishery.
2. An update was provided on the Actions from the previous meeting:
 - a. Action 1.11: There is no significant update on the whelk mortality issue in the Kent and Essex district but Seafish is keeping a watching brief on this and will keep the WMG engaged as things develop. Defra advised that a MP in the region is interested in this matter and plans to meet with members of the whelk industry affected by the issue.
 - b. Action 2.22: A legal definition of permit and entitlement was distributed to the WMG.
 - c. Action 3.11, to *Provide an indication of the mechanism and timeframe for implementing a permit or entitlement* will be discussed in more detail during the meeting.
 - d. Action 4.11: The compilation of a list of IFCA's which hold information on the seasonality of whelk populations and/or fisheries is ongoing (Action 4.11).
 - e. Action 5.11: The FMP slides from February's WMG have been circulated (Action 5.11).

Open session for members to raise issues of interest

3. No new issues were raised during the open session.

Fisheries Management Plans: Progress update and next steps (Annabel Stockwin, Defra)

4. Defra provided an update on progress since the first draft of the whelk FMP was submitted in February. The updated included the process to finalise the FMP for consultation. Key points covered include:
 - a. The draft FMP has undergone multiple internal clearance stages and has been reviewed from a technical, legal and policy perspective, known as the Gateway Review. These reviews focus on refining the document for the next stage of clearances.
 - b. The FMP is a legally binding document which means that Defra is bound to deliver on any commitments made in the plans. The FMPs are now under review by senior managers and senior legal teams within Defra to make sure there is clarity on responsibilities; it was noted that the whelk FMP includes principles and objectives that will require collaborative effort from regulators and stakeholders for successful delivery.
 - c. Once the plans have been agreed in Defra, the FMPs will go to ministers and ultimately Downing Street for clearance before progressing to public consultation in summer. Defra has little control over this next stage and as such, there is no firm date for public consultation yet.
5. Key discussion points on this item were as follows:
 - a. There are some challenges around the shared objectives – these won't all sit with government to deliver on but will require significant input and commitment from stakeholders, and as such, have now been renamed 'shared shellfish principles' to reflect the more collaborative nature of these ambitions.
 - b. The issue of whether the Repeal Bill and the retention of EU law (REUL) will affect the FMP process and its implementation. Defra does not envisage any impact on FMP implementation or deadline but will keep a watching brief on this to ensure no potential clashes arise between the two.
 - c. The consultation timeframe was discussed and the concern that it might be reduced to fit parliamentary timelines. There were concerns around how stakeholders will have multiple consultations to respond to, in such a short period of time, and members expressed that compressing consultation periods to fit political deadlines is challenging. Defra agreed that this has become immensely challenging and that timings may get squeezed, but they are working to get the consultation published as soon as possible as they have a legal obligation to have FMPs published by year end.

Fisheries Management Plans: Update on the consultation process (Tom Moore, Defra)

6. Defra presented on the proposed consultation process:
 - a. The whelk FMP consultation will be hosted on a Gov.uk consultation page.
 - b. This will link to two citizen space pages: one for the Fisheries Management Plan (FMP) consultation and one for the Strategic Environmental Assessment (SEA) consultation. Each webpage will include the relevant documents as PDFs; consultation letter, consultation document and questions (condoc), the draft FMP (including annexes), and the draft de-minimis assessment.
 - c. Each FMP will have its own consultation document also known as a 'condoc'. The condoc acts a summary of the FMP and the supporting documents and sets out the purpose of the consultation, specific questions that stakeholders are being asked to respond to, and guidance on how to respond.

7. Key discussion points on this item were as follows:

- a. Members asked why the SEA is being consulted on at the same time as the FMP as this is likely to increase the consultation burden. Defra explained how the SEA is assessing the possible effects of the FMP on the wider environment and this is a statutory requirement which has to be carried out before or in parallel to FMP publication.
- b. There were concerns that if the FMP changes off the back of the public consultation, then whether the SEA will have to be redeveloped to mirror these changes and then be consulted on again. Defra explained how the SEAs are high-level drafts at this point and, depending on the degree of amendment of FMPs post-consultation, may have to be reviewed after consultation.
- c. Members asked if the 10 whelk consultation questions have been drafted, if so by who, and if they can be shared with the WMG. Defra has drafted the questions and they will be shared with delivery partner, Seafish, for their input. It was agreed that Seafish would share these draft questions with the WMG.

Fisheries Management Plans: Comms and Engagement Update (Nicola Lewellen, Defra)

8. Defra presented a high-level overview of the FMP comms and engagement process, as follows:

- a. FMP promotional products are available now in the form of posters and flyers. Posters can be printed at home while flyers will be printed and sent out by Defra once ordered. Anyone interested in the products can order them via an online order form [here](#).
- b. Defra is developing and improving structure of content on the Gov.uk page
- c. A Fathom podcast was released last week on learnings from fisheries co-management in the US and a podcast promoting FMP consultation will feature in June. The podcast can be found on the CFPO's website [here](#).
- d. Defra delivered two FMP webinars, focused on Tranche 1 shellfish FMPs, in March which attracted over 200 attendees and plan to hold more events during the consultation period.
- e. Defra shared a high-level overview of who is / has / will be involved in the engagement process: namely delivery partner, Defra, ICF, and the consultation contributors.
- f. Upon consultation launch, Defra is planning a consultation roadshow, this is likely to include a return to locations delivery partners have already visited as part of FMP stakeholder engagement in 2022, with some other ports flagged as potential locations.

9. Key discussion points on this item were as follows:

- a. Requests for flyers/posters etc should be submitted via the online order form so that Defra can monitor requests and map where the materials are being sent to. Details on how to order materials will be circulated to all WMG members.

Fisheries Management Plans: Whelk FMP (Lewis Tattersall, Seafish)

10. Seafish presented a deep dive into the whelk FMP which included:

- a. Contents of the FMP and a brief look at the executive summary, the foreword, the introduction and the context of the FMP.
- b. The scope and status of fisheries and what it covers i.e. Fleet characteristics, fishery and fishing methods, regional information and an overview of current national level management.

- c. The updated shared shellfish principles (formally shared shellfish objectives).
- d. The updated whelk objectives.
- e. The future fisheries management strategy and the proposed early intervention measures.
- f. Managing environmental considerations which covers the likely impacts from whelk fishing and how these should be addressed.
- g. How the FMP will be implemented and the ongoing monitoring and review
- h. The annexes that will be included with the FMP.

11. Key discussion points on shared shellfish principles and whelk specific objectives were as follows:

- a. Principle 1: Clarification was sought on about formalising the role of the SIAG given this is a pan-UK group while the whelk plan is for English waters only. Seafish reassured members that this detail is acknowledged in the FMP.
- b. Principle 10: Query on whether the wording '*mitigate emissions from the shellfish supply chain*', is appropriate as it implies the entire shellfish supply chain, rather than the UK element of the supply chain. Seafish explained that the intention is to establish a more detailed emissions profile of the UK whelk supply chain.
- c. Objective 3: Discussion on whether '*Assess catch per unit (CPUE) in the whelk fishery*' relates to per defined stock or CPUE in general at a national level. Seafish explained that the ambition is that delineation of whelk stocks and assessment of CPUE will progress in parallel, working with best available evidence at the time and as a proxy of stock health. Assessment of whelk CPUE at stock level will likely not be immediately possible until stocks are more clearly defined. There will be a need to review, refine and improve assessment processes as the evidence base builds. Members raised that Bangor University has developed indicators based on CPUE to inform annual catch limits in Wales which could be relevant. Seafish confirmed that this is referenced in the FMP. It was noted that an established data collection programme for whelk fisheries in Wales (which does not exist in England at the moment) has made this possible.
- d. Objective 5, '*Assess the impact of whelk fishing activity on the wider marine environment*', if the consultation is going down the route of an SEA, members raised that this objective relates more to a habitat's regulation assessment (HRA) and the evidence required for each (SEA or HRA) is very different.

12. Key discussion points on the future fisheries management strategy:

- a. Acknowledged that the proposed management strategy seems clear and concise.
- b. Members referred to the economic value of the fishery, how the whelk fishery is affected by the markets available to it, and how these markets set specifications for whelk. Members felt that there should be more reference market influences in the plan as drivers of patterns of fishing activity. Seafish explained that this is detailed in the evidence and research plan and the position papers for the two proposed initial management interventions (introduction of a whelk permit / entitlement and exploration of seasonal closures to protect spawning stock) consider and assess likely socio-economic impacts and aim to take account of those in terms of how the measures have been developed.
- c. Members noted that socioeconomics is not one dimensional; the socioeconomics of marketing is very different to the socioeconomics of catching but both are equally as important and both are dependent on the other.

13. Key discussion points on the implementation, monitoring and review of the FMP focused on the relationship between the FMP and the Trade and Cooperation Agreement.

- a. There will need to be some flexibility within the FMP to adjust for changes that extend beyond our jurisdiction which will affect how UK and EU fleets fish in UK waters. This will depend on the arrangements with the EU and the notification periods and protocols etc. There may be a need to revisit the FMP more regularly and if the TCA has a significant updates, then they FMP may need to be updated in response.
- b. Members questioned if this needs to be explicitly written into the FMP, in the same way that FMP reviews based on the requirements of the JFS and Fisheries Act are noted in the plan. Defra acknowledged the need investigate this further.

AOB

- 14. Seafish to keep a watching brief on the whelk mortality issue in in Kent and Essex and keep the WMG informed.

Actions

| Number | Description | Responsible |
|--------|--|-------------|
| 12.1 | Provide more clarity on FMP process, the SEA, and the consultation process more generally | Defra |
| 12.2 | Circulate draft whelk consultation questions to the group for their input | Seafish |
| 12.3 | Seafish to share FMP management policy papers with WMG when appropriate | Seafish |
| 12.4 | Provide clarity on how the TCA and international obligations piece will be reflected in the FMP <u>and</u> ascertain if there is a statutory obligation to review FMPs for NQS when the TCA is reviewed. | Defra |
| 12.5 | Maintain a watching brief on Kent and Essex whelk mortality issue | Seafish |
| 12.6 | Share electronic copies of Defra FMP consultation materials | Seafish |