

Introduction of new fisheries spatial management measures
in the Western Irish Sea Mud-belt

Summary of responses & DEFA responses

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1. The consultation

The Department of Environment, Food and Agriculture (DEFA) opened the consultation on the introduction of new fisheries spatial management measures in the Western Irish Sea Mud-belt (WISMB) on the 06 February 2024. The consultation was open for 6 weeks, and closed on the 18 March 2024.

Given the highly technical nature of the consultation, DEFA decided to run the consultation exercise as a 'private' consultation in the sense that it did not appear on the public facing Consultation Hub site.

Access to the consultation required a specific hyperlink, which was circulated to –

1. all holders of an Isle of Man sea fishing licence at the time of the launch of the consultation;
2. the four UK Fisheries Policy Authorities;
3. representative organisations of fishing interests; and
4. UK public fisheries research institutions.

In addition, DEFA shared the consultation with the Manx Wildlife Trust, a local environmental nongovernmental organisation (eNGO), given the organisations long-standing interests in the conservation of the Island's marine environment.

2. Responses received

A total of 13 responses were received via the Consultation Hub. In addition, four responses were received by email (one of which was a duplicate of an online response). This document considers the responses provided by 16 unique consultees.

A breakdown of type of consultees who responded is provided in Table 1.

Table 1. Consultee type

Description (type)	Number of responses
Fisheries related (association / organisation)	2
Fisheries related (company)	4
Fisheries related (individual)	6
eNGO	1
Individuals	2
Public body	1

A total of 9 responses were received from consultees based on the Isle of Man, whilst the remaining 7 responses were received from consultees based in the United Kingdom (of which 6 were based in Northern Ireland).

Not all consultees answered every question, and 2 consultees chose to respond by correspondence rather than answering questions directly.

3. Summary of responses

Views on DEFA's three objectives

DEFA sought views on the three objectives put forward for the introduction of new spatial management measures in the WISMB, which were:

1. To enable Phase 1b research of the Manx Blue Carbon Project, as part of the Island's Climate Change Plan, to inform future policy and blue carbon management.
2. To enable further research into the sustainable fisheries and marine conservation benefits of spatial management measures, in particular for commercial fish stocks and conservation features that are assessed as being highly depleted or in a critical status, as well as other species that are known to rely upon the WISMB for nursery grounds.
3. Encourage the establishment and development of an environmentally sustainable prawn creel fishery, to allow for the Isle of Man's additional quota to be utilised in line with the Memorandum of Understanding between the Fisheries Administrations of the United Kingdom and the Isle of Man.

Of the 14 responses that answered the consultation questions directly, only one did not provide a view on DEFA's objectives.

Of the 13 responses that provided views on DEFA's objectives, 4 provided negative views of the objectives, whilst 7 provided positive views (of which three were by individuals/organisations with an interest in conservation).

One respondent provided views that were neither positive nor negative, and instead made reference to the potential impacts of a creel fishery on the mid-water trawl (pelagic) fishery and suggested a closed season for creels from mid-August to the end of October.

Overall, the negative responses opposed the creation of a creel fishery for Nephrops in grounds that have been traditionally fished by trawls, citing that the proposed areas were likely to cause significant displacement of the trawl fleet. One respondent suggested that any potential gear conflict between creel and trawl fleets could be resolved outwith any statutory spatial management measures. Several respondents questioned whether displacement of trawl fleet operators should be compensated if the measures were introduced.

Overall, the positive responses saw clear benefits in DEFA's objectives from a scientific, conservation and sustainable fisheries perspective. One of the positive responses articulated that, given the existing arrangements on the allocation of 'existing quota' amongst British fishing boats, it would be practically impossible for the Manx fleet to diversify into the Nephrops using trawls on any meaningful scale given the lack of quota for bycatch species which must be landed under the retained 'landings obligation' rules.

Generally, the negative responses were from UK based stakeholders, whilst the positive responses were from stakeholders based on the Isle of Man, with only one Isle of Man respondent expressing a negative view towards the objectives.

Should the areas be implemented?

The questions which sought views on whether any or all of the areas should be implemented followed were generally along the same lines as the question on DEFA's objectives, i.e. responses were either in support of the areas as proposed, or against. Overall, responses from conservation interests and Isle of Man based stakeholders were in favour of introducing all of the proposed

spatial management measures, whilst UK based stakeholders were against introducing any of the measures being proposed.

Responses against the proposals cited impacts on food production and food security, displacement impacts and increased fishing pressure on adjacent areas.

Responses in favour of the proposals cited the benefits of diversification into a low-impact fishing method, the conservation benefits from reduced trawl impacts, and the importance of developing the evidence base on blue carbon.

One respondent reiterated concerns relating to gear-conflict with the mid-water (pelagic) trawl sector if the areas were opened to creel fishing.

Should the areas be amended/changed?

Overall, respondents that were not in favour of any of the proposed measures did not provide comment on whether (or how) the areas should be amended or changed, instead they reiterated their general opposition to the proposed measures being introduced.

Respondents that were in favour of the proposed measures did raise some concerns with the proposed spatial designations of the areas, suggesting that the eastern boundaries of the proposed areas (West of Targets and South west) encroached onto seabed areas that did not have muddy habitats.

Another respondent suggested that, whilst they were in favour of the proposed areas, they should be reviewed in 2026 in light of new evidence.

Responses from individuals and organisations with an interest in marine conservation suggested that the proposed closures should be expanded to include the whole of the WISMB.

Development of a management framework for a creel fishery

Generally, respondents that were in favour of the proposed management measures supported DEFA's proposed management framework for a creel fishery, whilst those who do not support the proposed measures were against the development of a creel fishery in-principle. Respondents who were opposed to the development of a creel fishery raised concern with the potential depletion of stock biomass as a result of the whole-prawn target fishery.

Respondents who were in favour of developing a creel fishery generally indicated a preference for a precautionary approach to authorising access to the fishery, with restricted access and pot limitations. Some respondents were uncertain as what amount of pots would result in an economically viable allocation, whilst others suggested that access to the fishery should be restricted to one SFA per company/individual. Generally, respondents in favour of the development of a creel fishery expressed that between 400 and 500 pots per vessel may allow for an economically viable fishery, and the total number of vessels should be decided on the extent of closed areas and the stock biomass in those areas. Overall, there was consensus among respondents in favour of the proposals that pot-allocations should be consistent across all vessels who are authorised to participate in the fishery.

One respondent provided indicative estimates of the maximum amount of pots that should be authorised for each area, where 2,000 pots could be permitted in the West of Targets area, 500 pots in the central Blue Carbon Experimental zone, and 1,000 pots in the southwest area.

Individuals and organisations with an interest in marine conservation cited concerns with cetacean entanglement as a result of the development of a creel fishery. These responses also suggested that DEFA and the fishing industry investigate, trial and adopt solutions (e.g. buoyless gear) that would reduce the risk of entanglement.

Stakeholders with an interest in mid-water (pelagic) trawl fisheries supported the introduction of pot-limits as a means of reducing/managing potential gear conflict between the creel sector and the pelagic sector, in addition to a creel closed-season from mid-August to the end of October.

In terms of additional technical conservation measures that could be applied to the creel fishery, there was some support for requiring pots to be fitted to escape panels to allow the release of small/undersized Nephrops and non-target species; however, it was generally felt that these interventions should be revisited in the following the establishment of the fishery.

Additional considerations

There was some support for closing the whole areas to all other forms of pot-fishing in the areas (other than the use of creels); however, there was also some support for allowing crab and lobster pots to also be set in the areas in order to reduce the fishing effort in other areas of the Isle of Man territorial sea.

4. Northern Ireland Fisherman's Federation comments

The response from the Northern Ireland Fisherman's Federation (NIFF) did not directly address the questions in the consultation, but provided a detailed response and narrative from the perspective of both the Northern Ireland Fish Producers Organisation and the Anglo-North Irish Fish Producers Organisation.

The NIFF response highlighted research being undertaken in Northern Ireland by the Agri-Food and Biosciences Institute (AFBI) and Ulster University (UU) who are also investigating the role of blue carbon and the potential impacts of bottom towed fishing methods on the role of blue carbon.

The NIFF response stressed the need for a joined-up approach to the management of the Irish Sea, and highlighted that there are concurrent spatial issues at play that will affect the trawl sector, including Offshore Renewables, and potential measures in the Republic of Ireland coastal (0-6 NM) area.

NIFF recognised the real and tangible benefits of the closure of small Blue Carbon Experimental zones in terms of providing empirical evidence of how fishing impacts seabed ecosystem services and carbon sequestration, and suggested that these be integrated into a regional science strategy for the Irish Sea to further a collaborative approach between the various jurisdictions in the Irish Sea.

NIFF raised concerns that the proposed closed areas could impact upon the annual stock assessments for Nephrops and groundfish stocks conducted by AFBI, which underpin quota decision making at an international level. NIFF asserted that any measures should not impinge upon the surveys.

NIFF also highlighted that the removal of fishing by trawls does not mean 'zero-disturbance' given that the faunal communities themselves act as a natural disturbance in carbon cycling. Whilst NIFF recognised the need to develop the evidence base relating to blue carbon, it stressed that the research needs to be carried out in a responsible way that does not alienate particular sectors of the fleet.

NIFF argued that there was insufficient evidence in the consultation to justify the size of the proposed areas, in particular the West of Targets and Southwest areas, which it felt could undermine the wider conservation efforts in the Irish Sea; however, their response highlighted the potential benefits of the smaller experimental closures. Further, NIFF suggested that some areas should also be close to creeling as well as trawling in order to provide greater insight from the Blue Carbon project.

NIFF highlighted the ongoing work between the NI industry and UU, funded by the UK Government Fishing Industry Science Partnership project, which is examining the effect of bottom trawling on blue carbon deposits. NIFF suggested delaying the proposals while the NI research is completed so that the most informed decision can be reached.

NIFF also reiterated the concerns around gear-conflict between creels and the mid-water (pelagic) trawl fisheries.

Finally, NIFF argued that if significant areas of the Isle of Man territorial sea were to exclude the Nephrops trawl fishery, the NI industry would oppose the Island's interests in terms of additional quota gained as a result of the UK's withdrawal from the European Union, in order to ensure access for its fleet to other fisheries in the Irish Sea.

5. Blue Carbon Research responses

Several responses made comment on the blue carbon research exercise. Overall, the responses were positive. The suggestion of using the trawler fleet to assist in scientific research was made.

Attention was made to current blue carbon research activities being undertaken by the Northern Irish and Eirean Governments (and associated academic institutions) which will provide useful additional background information to the Manx Blue Carbon project and the potential for cross jurisdiction collaboration and marine spatial planning initiatives.

A further suggestion was that the Manx Blue Carbon team may wish to consider including experimental areas within the planned closed areas where creel fishing does not take place, to discount disturbance from creeling.

6. DEFA response

DEFA appreciates all the responses submitted by individuals and organisations to this consultation. Clearly, there are two very opposing positions on the issue, and the future management of the WISMB will need to take account of both sets of views.

Some of the responses brought to light additional considerations and factors that will need to be carefully considered as DEFA develops its policy in this area.

Whilst the Department does not envisage undertaking any further formal consultation until at least 2026, it will continue to work closely with key stakeholders over the next two years to ensure that the stated objectives are achieved in a fair, balanced and pragmatic way.

To be clear, the introduction of any of the proposed measures will affect only vessels operating under the authority of a sea fishing licence issued under the Fisheries Act 2012 (of Tynwald).

Scientific research vessels, of fishing vessels operating under scientific permit issued by DEFA, will not be impacted by the proposed measures.

The Department recognises the need for a joined-up approach to marine spatial management in the Irish Sea, and will ensure that the development of a Manx Marine Spatial Plan takes account of the developments/measures in the wider Irish Sea region.

7. Measures to be introduced

Having taken into account the responses received during the consultation, the Department has decided to amend the areas in which bottom-towed fishing gear measures will be introduced. The reason for these changes is that the Department recognises and appreciates the potential displacement effects on the demersal trawl fleet and the impacts this may have on activity in the wider Irish Sea region.

The re-designed areas will also reduce impacts upon adjacent trawl/dredge fisheries for queen scallops and king scallops.

Whilst the introduction of any new measures is likely to have a displacement effect to some extent, the Department anticipates that the re-designed areas will mitigate potential displacement effects as a result of:

- a reduction in the total area (-18%) subject to new measures;
- a re-designed approach that removes measures from the westernmost areas of the Isle of Man territorial sea, which are historically important to the demersal trawl fleet.

Analysis undertaken by the Department estimates that the amended areas will reduce the potential displacement effect by c.20% compared to the measures proposed in the consultation.

The Department has made these adjustments so that the closed areas balance the impacts on demersal trawl stakeholders against the Department's three objectives as outlined in the consultation.

In April 2024, DEFA will introduce a licence variation to bring into effect the measures that prohibit the use of bottom towed fishing gear in three areas, as shown in Figure 1 and described in Table 2 overleaf.

Concurrently, DEFA will undertake an application round for Nephrops (creel) Specific Fishery Authorisation (SFAs), which will be open to all British fishing vessels that are issued either a Category A or Category B Isle of Man sea fishing licence. Applicants will be required to submit an application using the form provided. Further details and guidance will be uploaded to the Isle of Man Government website on the Specific Fishery Authorisations webpage¹.

The Department will adopt a precautionary approach to allocating SFAs. Initially, **7 Nephrops (creel) SFAs** will be made available;

- 4 for the northernmost closed area (West of Targets (Mud) CA);
- 1 for the central area (Bradda (Mud) CA); and
- 2 for the southernmost area (Southwest (Mud) CA). Note that additional closures within these areas, which also prohibit creel fishing for scientific purposes, is being considered to investigate the impacts of creels on the marine environment.

¹ <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/environmentdirectorates/fisheries/sea-fisheries/specific-fishery-authorisations/>

Each Nephrops (creel) SFA will be subject to an initial **pot-limit of 400 creels**. Pot-limits will be reviewed as fisheries-dependent data is collected and analysed in consultation with stakeholders. Vessels that are not allocated a Nephrops (creel) SFA will be prohibited from targeting Nephrops using creels in the Isle of Man territorial sea.

Vessels which are allocated a Nephrops (creel) SFA may be subject to additional conditions in order to improve data collection in the new fishery, including a requirement to have an onboard observer at the request of the Department.

DEFA intends to facilitate engagement between Nephrops (creel) fishing vessels and pelagic trawl vessels in order to avoid any gear conflict during the period mid-August and end of October. Whilst a voluntary arrangement would be preferred, the Department will consider statutory measures if required.

The use of any other static-gear (e.g. whelk pots, crab and lobster pots) will be prohibited within the Mud Closed Areas.

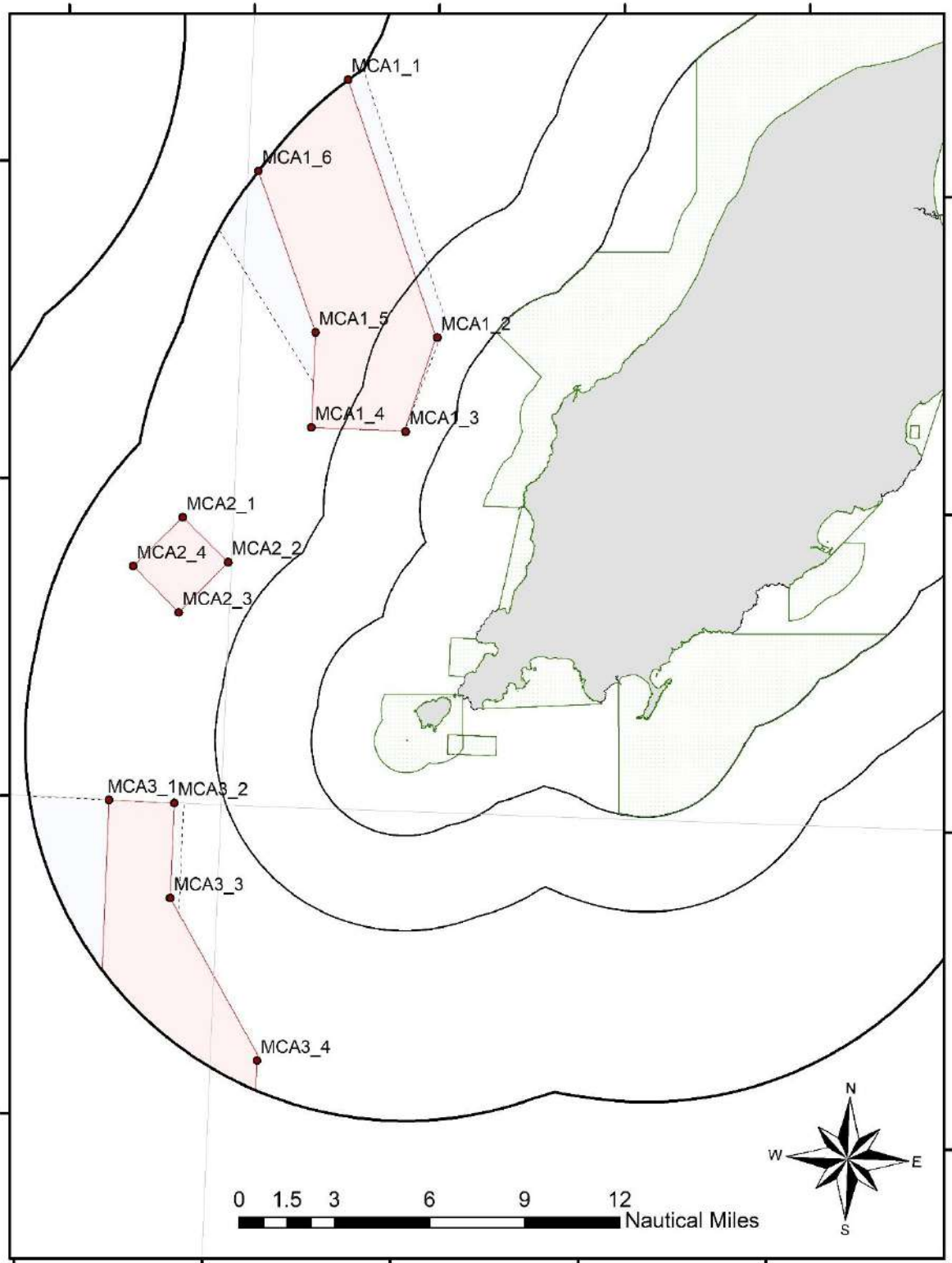


Figure 1. Closed areas implemented with effect from 01 April 2024 (red), overlaid on the originally proposed areas (grey with dashed outline). Green areas show the extent of areas currently closed to bottom towed fishing gear by virtue of the Manx Marine Nature Reserve Byelaws 2018.

Table 2 – Mud Closed Areas (MCAs)

West of Targets Closed Area (122.1 km²):

The area of the Isle of Man territorial sea internal of a line drawn from point MCA1_1, to MCA1_2, to MCA1_3, to MCA1_4, to MCA1_5, to MCA1_6 returning in a clockwise direction along the territorial sea limit to MCA1_1.

MCA1_1	004° 54.77' W	54° 23.00' N
MCA1_2	004° 49.50' W	54° 15.00' N
MCA1_3	004° 51.00' W	54° 12.00' N
MCA1_4	004° 56.00' W	54° 12.00' N
MCA1_5	004° 56.00' W	54° 15.00' N
MCA1_6	004° 59.43' W	54° 20.00' N

Bradda Blue Carbon Experimental Area (15.4 km²):

The area of the Isle of Man territorial sea internal of a line drawn from point MCA2_1, to MCA2_2, to MCA2_3, to MCA2_4, returning to MCA2_1.

MCA2_1	005° 02.70' W	54° 09.00' N
MCA2_2	005° 00.17' W	54° 07.65' N
MCA2_3	005° 02.70' W	54° 06.00' N
MCA2_4	005° 05.25' W	54° 07.40' N

Southwest Closed Area (74.0 km²):

The area of the Isle of Man territorial sea south of a line drawn from MCA3_1, to MCA3_2, to MCA3_3, to MCA3_4 to the territorial sea limit.

MCA3_1	005° 06.00' W	54° 00.00' N
MCA3_2	005° 02.50' W	54° 00.00' N
MCA3_3	005° 02.50' W	53° 57.00' N
MCA3_4	-004° 57.50' W	53° 52.00' N