

Proposals for Future Management of the Isle of Man King Scallop Fishery



Isle of Man
Government

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Department of Environment, Food and Agriculture

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Consultation Paper

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Proposals for future management of the Isle of Man king scallop fishery

Part 1 Introduction

1. Background

1.1 History

The fishery for king scallops in the waters around the Isle of Man has been of significant commercial importance for the local fishing industry for several decades. The fishery operates from November until the end of May each year using toothed dredge gear.

Landings have increased steadily over this time (figure 1) and increased substantially since the 2009-10 season.

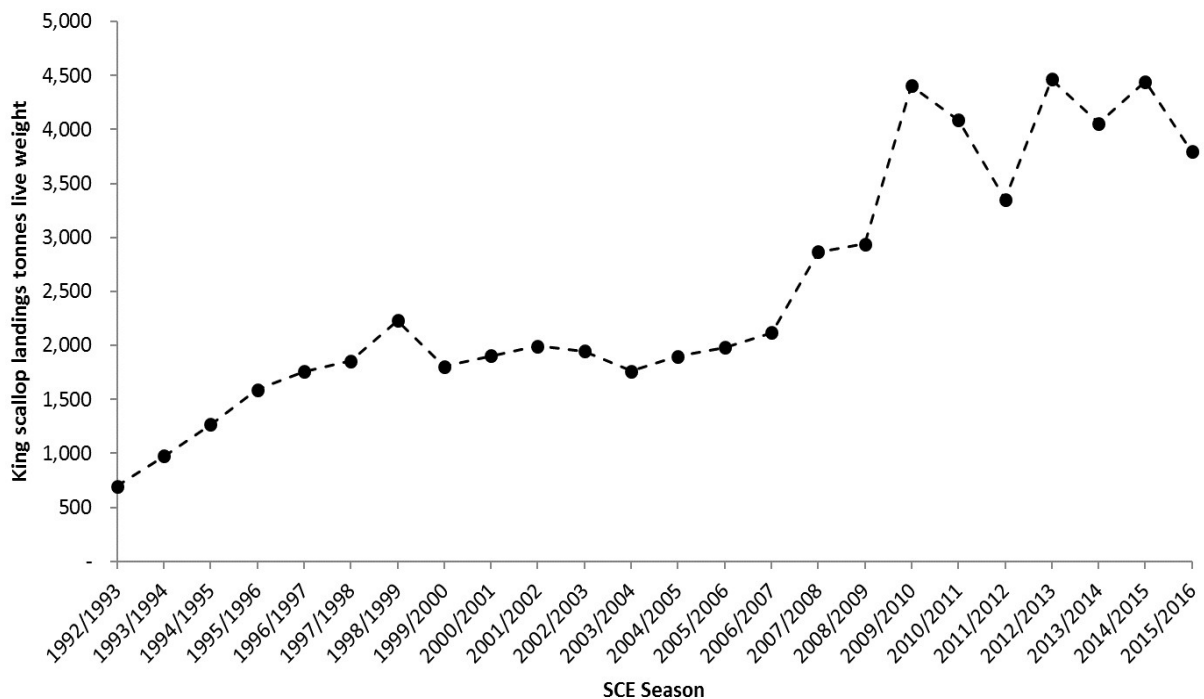


Figure 1: Landings (live weight) of king scallops from 36E5, 37E5 and 38E5. Data are for fishing seasons (1st Nov year to 31st May year+1) Data source: IFISH and Isle of Man Government, DEFA. *N.B. this data includes all vessels fishing for king scallops and not only those vessels that are currently licenced to fish for king scallops within the Isle of Man's territorial sea.*

Management of the fishery within the Isle of Man territorial sea is ultimately the responsibility of the Isle of Man Government (Department of Environment, Food and Agriculture, DEFA).

With concerns over increasing fishing effort, both within the territorial sea and the wider Irish Sea, the Department introduced the Sea Fisheries (Scallop Fishing) Bye Laws in 2010. The purpose of these bye laws was to further regulate king scallop fishing in the territorial sea. Measures introduced included the reduction in the number of dredges that could be used between 3 and 12 nautical miles, the introduction of a maximum tow bar diameter and the introduction of a maximum engine power, while maintaining fishing opportunities for vessels whose engine power exceed the threshold based on evidence of a historic track record.

Using ICES statistical rectangle 37E5 (figure 2) as an indicator for the territorial sea, it can be seen that despite the introduction of these measures, the number of vessels fishing has increased over time (figure 3). There has also been an increase in the total kW days fished (figure 4) which corresponds with an increase in landings (figure 5). However, Landings per Unit Effort (LPUE) have seen a decline (figure 6).

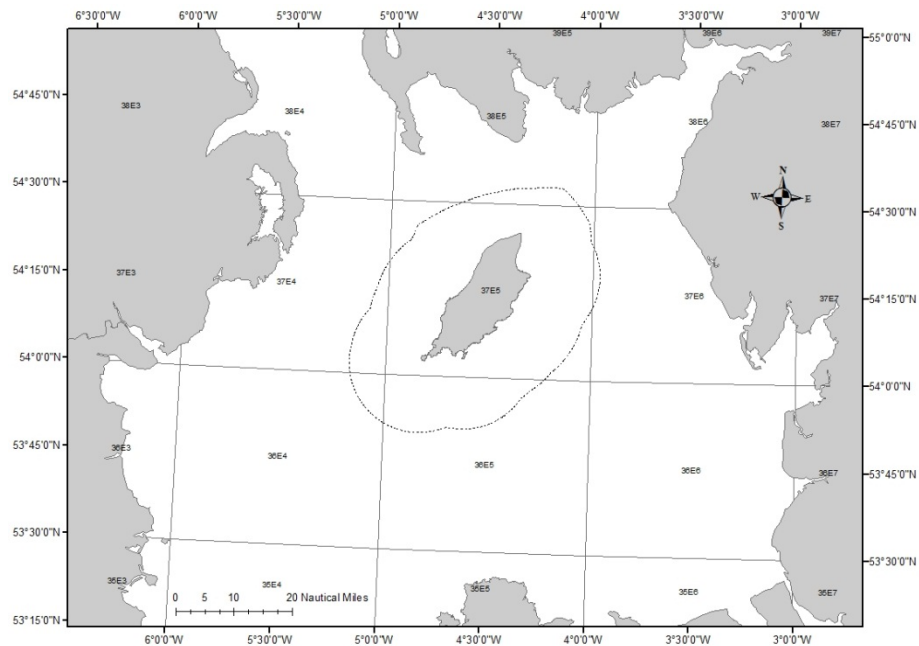


Figure 2: ICES Statistical Rectangles shown relative to the Isle of Man territorial sea. Dotted black line represents the Isle of Man 12 nm limit.

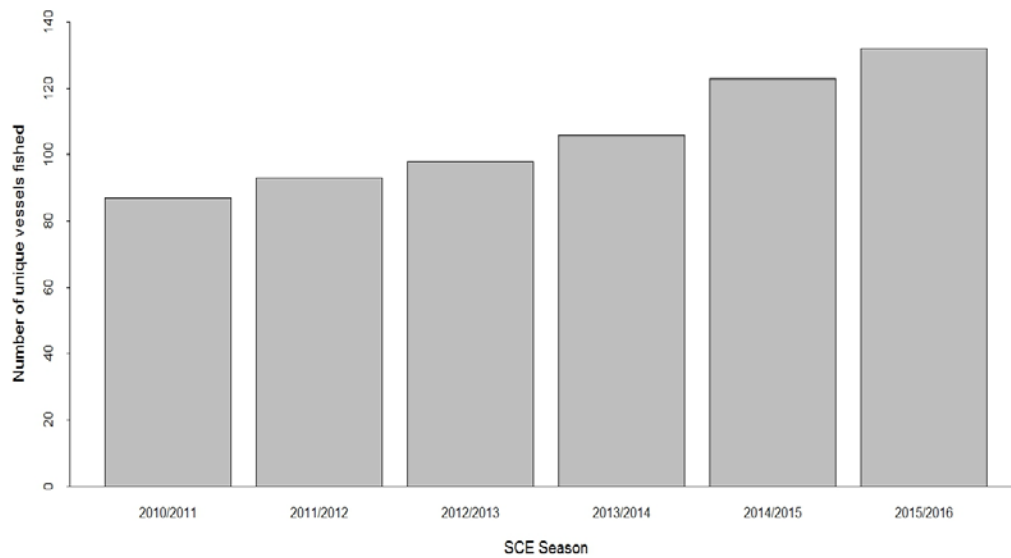


Figure 3: Number of unique vessels recorded as having fished for king scallops within ICES Rectangle 37E5. Data are for fishing seasons (e.g. 1st Nov y to 31st May y+1) Data sources: IFISH and Isle of Man Government, DEFA. *N.B. this data includes all vessels fishing for king scallops and not only those vessels that are currently licenced to fish for king scallops within the Isle of Man's territorial sea.*

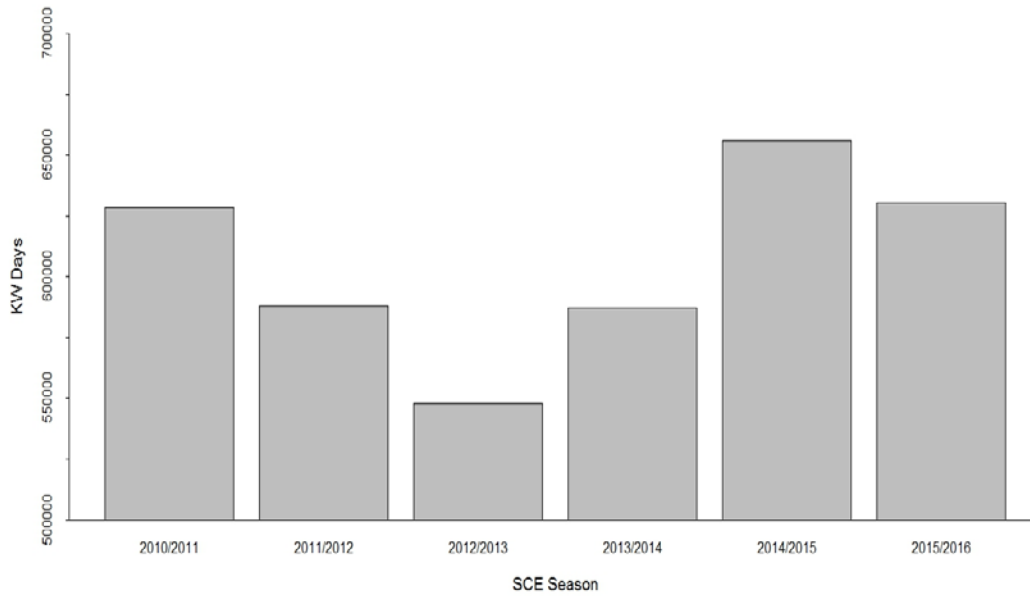


Figure 4: Kilowatt (KW) days of effort for king scallops within ICES Rectangle 37E5. Data are for fishing seasons (e.g. 1st Nov y to 31st May y+1) Data sources: IFISH and Isle of Man Government, DEFA. *N.B. this data includes all vessels fishing for king scallops and not only those vessels that are currently licenced to fish for king scallops within the Isle of Man's territorial sea.*

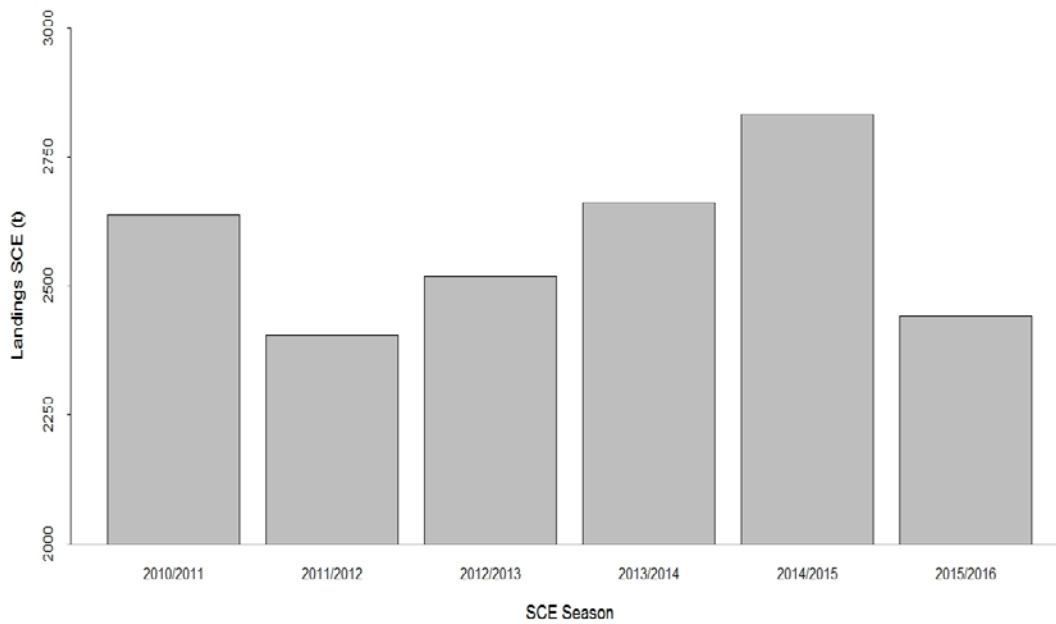


Figure 5: Total landings of king scallops (liveweight) tonnes from ICES Rectangle 37E5. Data are for fishing seasons (e.g. 1st Nov y to 31st May y+1) Data sources: IFISH and Isle of Man Government, DEFA. *N.B. this data includes all vessels fishing for king scallops and not only those vessels that are currently licenced to fish for king scallops within the Isle of Man's territorial sea.*

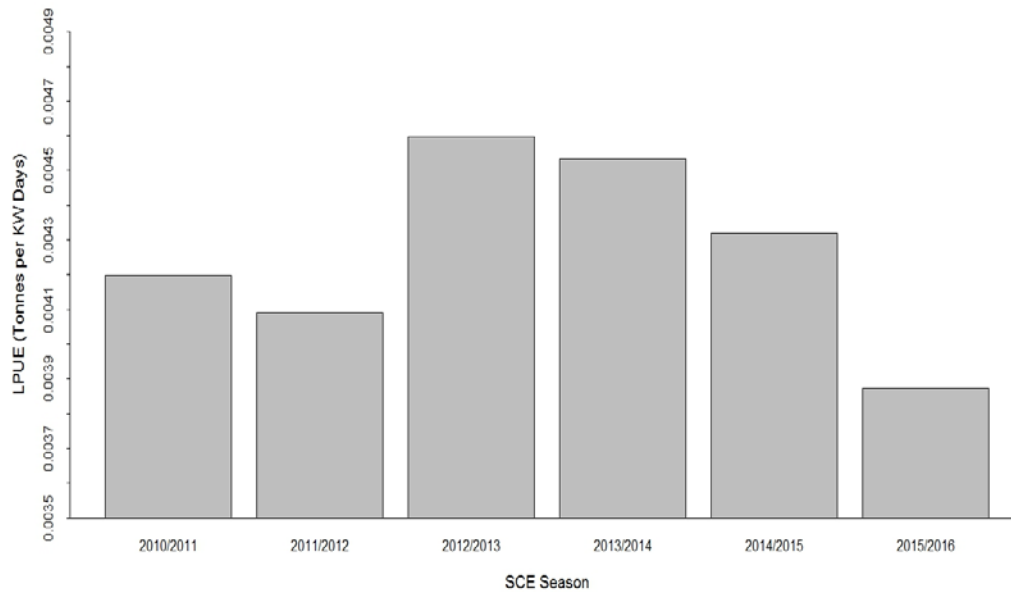


Figure 6: Landings per unit effort (live weight tonnes per KW Day) for king scallops from ICES Rectangle 37E5. Data are for fishing seasons (e.g. 1st Nov y to 31st May y+1) Data sources: IFISH and Isle of Man Government, DEFA. *N.B. this data includes all vessels fishing for king scallops and not only those vessels that are currently licenced to fish for king scallops within the Isle of Man's territorial sea.*

Recent data published in the Marine Management Organisation UK Fisheries Statistics Report 2014 show that in the UK, scallop landings more than doubled between 2008 and 2012, rising to a peak of 58,000 tonnes. In addition, ICES statistical rectangles 36E5 and 37E5, which cover the majority of the Isle of Man territorial sea, show the highest landings of scallops (figure 7) and for vessels over 10m overall length using dredge gear, the highest number of vessels (figure 8), the highest number of days at sea (figure 9) and the highest kW day effort (figure 10). Similarly, data used to monitor fishing effort for scallops in Western Waters show a 26% increase in the number of vessels, and a 23% increase in effort for the whole of ICES area VII.

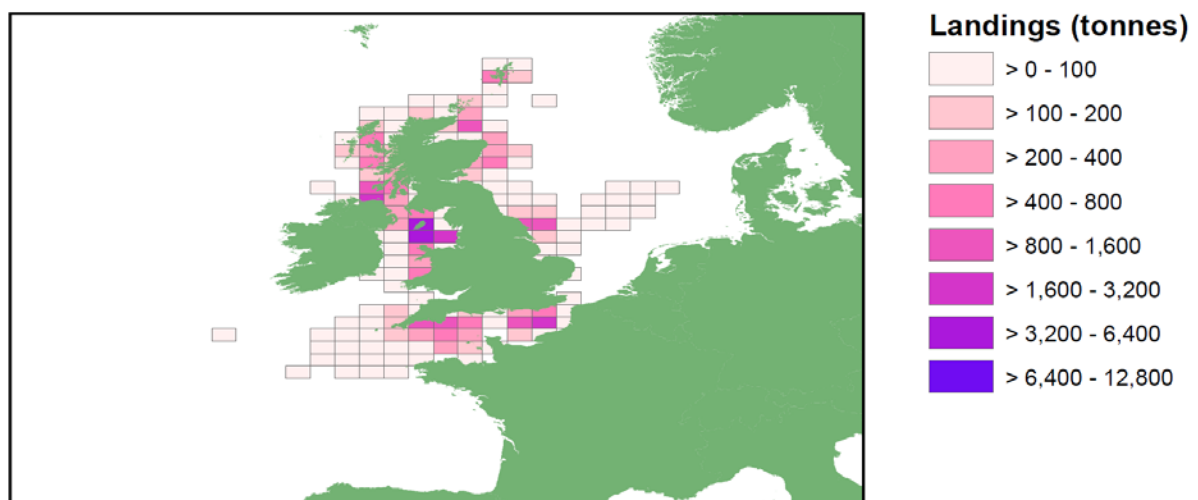


Figure 7: Quantity of scallop landings by UK vessels by ICES rectangle in 2014 (© Copyright Marine Management Organisation UK fisheries Statistics Report 2014)

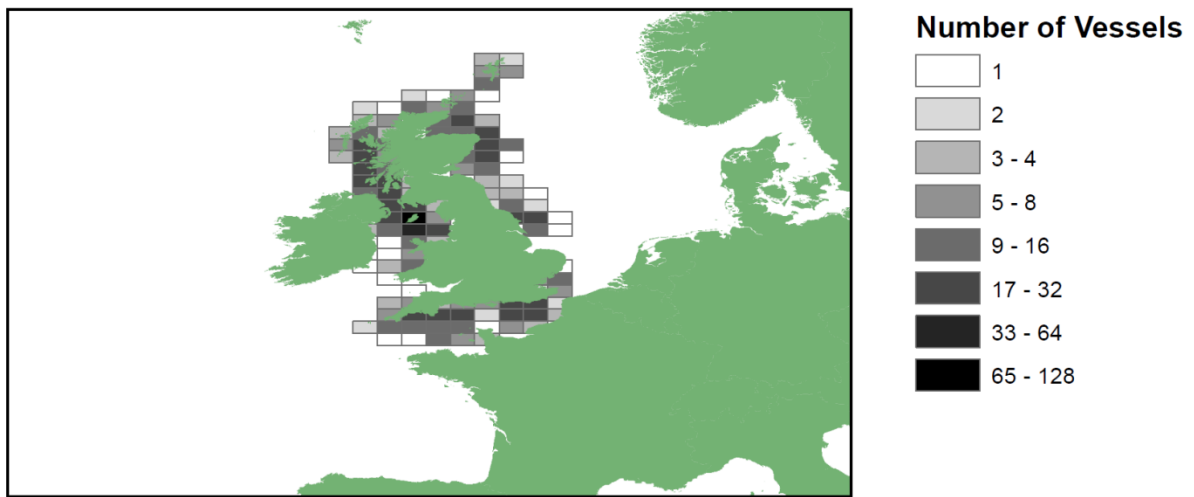


Figure 8: Number of UK >10m vessels using Dredge gear by ICES rectangle in 2014 (© Copyright Marine Management Organisation UK fisheries Statistics Report 2014)

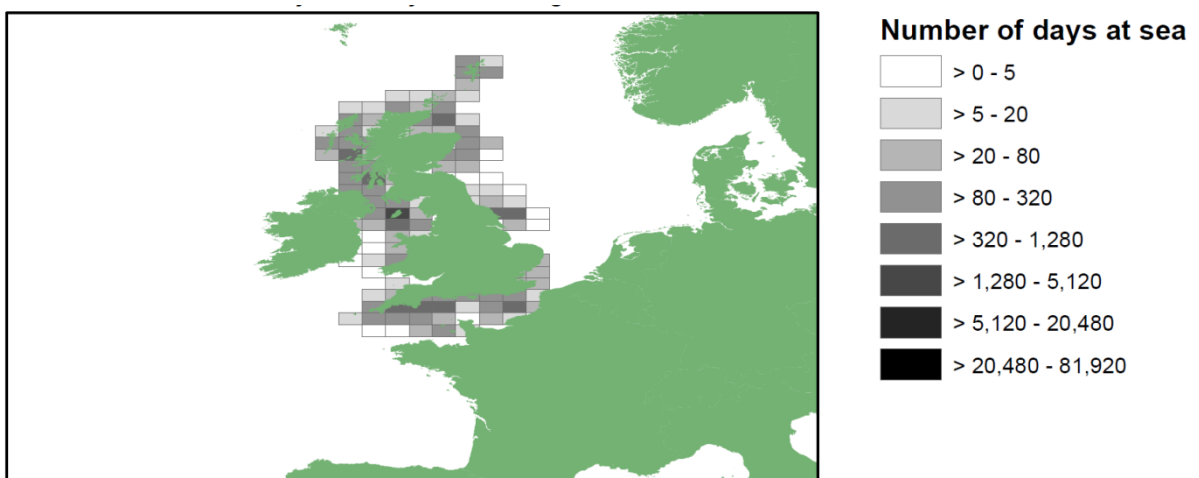


Figure 9: Number of days at sea by UK >10m vessels using Dredge gear by ICES rectangle in 2014 (© Copyright Marine Management Organisation UK fisheries Statistics Report 2014)

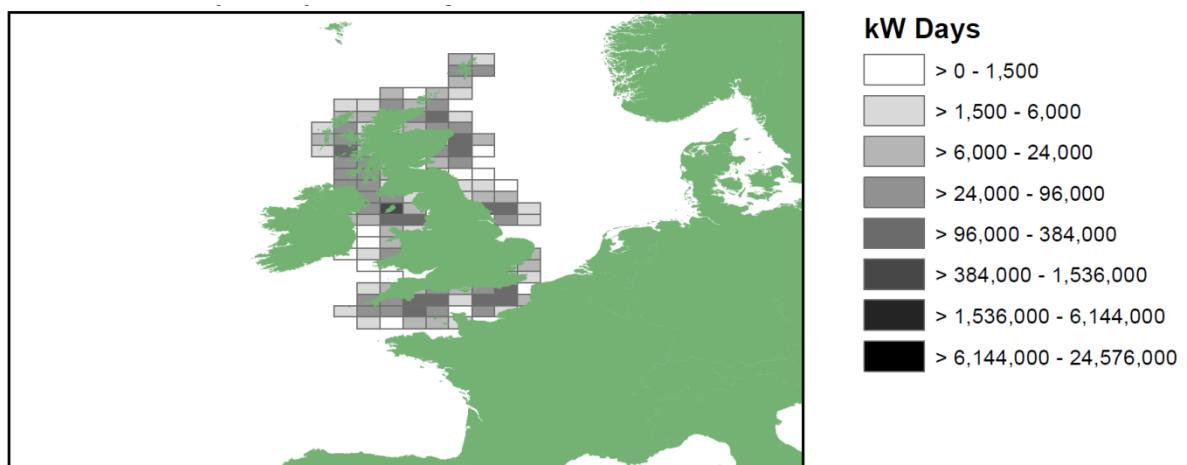


Figure 10: Number of kWDays at sea by UK >10m vessels using Dredge gear by ICES rectangle in 2014 (© Copyright Marine Management Organisation UK fisheries Statistics Report 2014)

It is clear that the Isle of Man territorial sea attracts a significant amount of fishing effort resulting in high levels of landings. DEFA has tried to safeguard scallop stocks within the territorial sea and encourage sustainable fisheries, whilst protecting important marine species and habitats, by implementing various management measures. However, more work needs to be done to ensure that increasing vessel numbers and increasing effort do not jeopardise the work done to date or the future sustainability of the fishery.

Locally, the fishing and seafood industry is worth £7m per annum at first sale, with the king scallop fishery accounting for over £4m of this. The industry is worth £13m per annum overall to the Manx economy and employs around 300 people across the Island's towns. Indirect benefits from the industry are estimated at £44m. In 2015, the Isle of Man Government approved a five year strategy (Future Fisheries) for the sustainable development of the Isle of Man's sea fisheries and marine environment. The strategy identified a number of priority themes, including:

- Managing sea fisheries
- Safeguarding the environment
- Developing sea fisheries
- Managing resources
- Working with customers

1.2 Stock assessment

A king scallop stock assessment is currently being prepared, based on the data collected during the annual surveys undertaken by Bangor University, the Department's external fisheries science advisers. The survey is a continuation of the long-term data set started in 1993. A stock assessment report will be published in due course.

1.3 Industry and external concerns

Industry itself has raised concerns with DEFA and other UK Fisheries Administrations with regards to the considerable effort within the scallop fishery in general, the lack of effective control measures for effort management and the threat to stocks.

In 2014 Marine Scotland consulted on measures to improve the management of effort in the Scottish king scallop fishery, and in 2015 Welsh Government consulted on proposed new management measures for the scallop fishery in Cardigan Bay.

The 2015-16 season has seen a further significant increase in the number of vessels prosecuting the local king scallop fishery and this is cause for serious concern.

1.4 Summary

To summarise, therefore, in recent years there has been a trend towards:

- Additional vessels prosecuting the fishery
- Increased fishing effort in the fishery (kWdays)
- Increased landings from the fishery
- Reduced LPUE

This has prompted concerns from various sectors, including the industry, and the Department feels that it must investigate and take appropriate action, in line with the recently approved strategy.

2. Objectives

This consultation document has the following objectives:-

- 2.1 To inform industry and other interested stakeholders of the Department's commitment to safeguard king scallop stocks within the territorial sea and develop sustainable fisheries, whilst safeguarding important marine species and habitats, by implementing various management measures, in line with the Department's strategic objectives.
- 2.2 To seek views on a range of proposed management measures designed to regulate and reduce the level of fishing effort for king scallops within the territorial sea.

3. Proposals for consultation

The measures proposed are informed by recommendations from industry, recommendations from the School of Ocean Sciences at Bangor University arising from scientific data, management measures implemented elsewhere and lessons learnt through the management of the queen scallop fishery within the territorial sea.

The proposals are:

- The capping or restricting the number of licences issued in respect of the fishery.
- The establishment of a management board.
- The introduction of new technical measures in relation to tow bar length.
- The introduction of new temporal measures in relation to fishing at weekends.

Other existing management measures would remain and it is envisaged that the fishery would continue to be managed through a combination of Regulations made under the Fisheries Act 2012 and Conditions of Licence associated with the Isle of Man Fishing licence.

The Minister for the Department of Environment Food and Agriculture has recognised that to manage the king scallop fishery in a sustainable way there is a need to consider additional measures and therefore endorses the consultation process being undertaken.

As an interim measure, to prevent additional latent effort arising from speculative interest, the Department intends to place a moratorium on the issue of new licences to fish for king scallops within the territorial sea from 6th July 2016. Furthermore, to reduce the potential for any displacement of effort into other fisheries, the Department intends to place a moratorium on the issue of new licences for the crab and lobster fisheries from 6th July 2016.

Part 2 The Consultation

Consultation on proposals for the management of the Isle of Man king scallop fishery

The Department of Environment Food and Agriculture is seeking views on proposals to manage the Isle of Man king scallop fishery from 2016 onwards. The Department welcomes your responses to the following questions along with any additional comments you consider may be of relevance.

Question 1

Please tell us which sector you affiliate to:-

- Catching
- Processing
- NGO
- Fisheries manager
- Fisheries policy
- UK Fisheries Administration
- Other

Answer:

Please provide your Name:

(responses can only be accepted if you provide your full name)

Question 2

The Department wishes to address the issues of increasing vessel numbers and increasing effort and landings and decreasing landings per unit effort within the Isle of Man king scallop fishery in order to safeguard king scallop stocks within the territorial sea and encourage a sustainable fishery.

Q2.1

Do you support the introduction of cap on the number of licences issued in respect of the Isle of Man king scallop fishery? (Select one)

Yes

No

Why do you say this?

Q 2.2

If you answered YES to question 2.1, please answer the questions below:

- i) Do you support a cap on licences at the existing number?

Yes

No

Why do you say this?

Alternatively, or as an additional measure;

- ii) Do you support reducing the number of licences issued in respect of the fishery to those vessels with an appropriate track record within a specified reference period?

Yes

No

Why do you say this?

- iii) Further to Question 2.2 (ii) which of the following do you think would be an appropriate reference period?

- **01st November 2010 – 31st May 2013**
- **01st November 2011 – 31st May 2014**
- **01st November 2012 – 31st May 2015**
- **Other (please provide details)**

Why do you say this?

- iv) Further to Question 2.2 (ii) and (iii) which of the following do you think would be an appropriate number of fishing days, within that reference period, to constitute an eligible track record for entry to the fishery?

- **At least 1 day**
- **At least 10 days**
- **At least 20 days**
- **At least 30 days**
- **At least 40 days**
- **At least 50 days**
- **Other (please provide details)**

Why do you say this?

It is acknowledged that 'pipeline' case scenarios may exist, and these would be considered by DEFA on a case-by-case basis.

Please note that under this proposal, licences would be issued to current owners of vessels which could demonstrate a track record of having fished for more than a set number of days (to be decided) for king scallops, within ICES Statistical rectangles 36E5, 37E5 or 38E5, over a set reference period (to be decided) which were licenced when this consultation was launched.

Licences would remain the property of the Department and would therefore not be transferable or saleable. Should scientific advice indicate that the fishery could withstand increased effort or if existing licences revert to the Department, additional licences may be allocated using documented criteria to assess applications from interested parties.

The Departmental policy, as agreed by the Isle of Man Queen Scallop Management Board, on the issue of Isle of Man Queen Scallop licences may be viewed online at <https://www.gov.im/media/1348374/isle-of-man-queen-scallop-licences-policy-july-2015.pdf> and it is envisaged that the Department would manage any licences issued in respect of the king scallop fishery in a similar manner.

Question 3

The Isle of Man Queen Scallop Management Board was established in 2010. Its aims include the promotion of management of the Isle of Man queen scallop fishery, to ensure that it is both profitable and sustainable in the long term and to provide advice on conservation measures. In seeking to fulfil these aims, the Board as an advisory body, operates within the parameters of recognised fisheries science as modulated by current practical experience on Isle of Man queen scallop grounds.

The Board takes account of the political imperatives within which the Minister and the Department need to operate, within both the Isle of Man and in relation to the United Kingdom and its Devolved Administrations as well as the European Union. Membership consists of people with relevant scientific, commercial fishing, fish processing or public administration experience with the Isle of Man queen scallop industry.

Question 3

Do you support the establishment of an advisory board for the king scallop fishery within the territorial sea, similar to the existing Isle of Man Queen Scallop Management Board?
(Select one)

Yes

No

Why do you say this?

Question 4

Other Fisheries Administrations operate a maximum tow bar length restriction within their waters, limiting the tow bar length to that capable of towing the maximum permissible number of dredges. It is generally thought that this enables more efficient enforcement and may also be beneficial in mitigating benthic habitat impacts due to the reduction in the weight of the gear on the seabed.

Question 4

Do you support the introduction of a tow bar length restriction, within the Isle of Man territorial sea, which would prohibit a vessel from carrying a towbar of length greater than that capable of carrying the maximum permissible number of dredges? [currently 7 per side] (Select one)

Yes

No

Why do you say this?

Question 5

Other Fisheries Administrations operate a weekend ban on fishing for scallops within their waters as a method of regulating effort.

Question 5

Do you support the introduction of a weekend ban on fishing for king scallops within the Isle of Man territorial sea? (Select one)

Yes - A complete weekend ban

Yes - A ban on Saturday only

Yes – A ban on Sunday only

No

Why do you say this?

Question 6

Once the outcome of the stock assessment is known, it may be necessary to introduce additional management measures to sustainably manage the stock.

Question 6

Which of the following options would you support in relation to managing the king scallop fishery within the Isle of Man territorial sea? (select multiple options)

An effort based system e.g. Days at Sea

A catch based system e.g. Total Allowable Catch / quota

A closure based system e.g. Closed Areas

Other (please provide details)

Why do you say this?

4. Feedback to the consultation

4.1 Responses

Responses should be sent in writing and preferably by email to:-

King Scallop Consultation
Fisheries Directorate
Department of Environment Food and Agriculture
The Slieau Whallian
Foxdale Road
St Johns
Isle of Man
IM4 3AS
Email – fisheries@gov.im

Should you require a paper copy of the consultation document please contact the Fisheries Directorate at fisheries@gov.im or on 01624 685857.

Copies of this document may be downloaded from either the Department website at <http://www.gov.im/daff/consultations.gov?menuid=16916&type=current> or from the consultations webpage of the Isle of Man Government website at www.gov.im/consultations.gov

It is important to note these proposals have been prepared for the purposes of consultation and that further refinement may take place in the light of responses received.

The closing date for the receipt of comments is **17.00 on 17th August 2016**.

Unless specifically requested otherwise (see below), responses received may be published either in part or in their entirety, together with the name of the person or body submitting the response. If you are responding on behalf of a group it would be helpful to make your position clear. To ensure that the process is open and honest responses can only be accepted if you provide your full name with your response.

It may be useful when giving your feedback to make reference to the specific proposal(s) set out in the document that you wish to comment on/discuss.

The purpose of consultation is not to be a referendum. It is an information, views and evidence gathering exercise from which to take an informed decision on the content of proposed legislation or policy. As with any consultation exercise, the responses received do not guarantee changes will be made to what has been proposed.

4.2 Other information

If you have any views or observations or there is some point of clarification you would like to receive in relation to the topics in this document or any other issue related to the subject of the consultation you are invited to submit these in writing to:

Karen McHarg
Director of Fisheries
Department of Environment, Food & Agriculture
Thie Slieau Whallian
Foxdale Road
St John's
IM4 3AS
Email: karen.mcharg@gov.im

4.3 Confidentiality

In line with DEFA's policy of openness, at the end of the consultation period copies of the responses we receive may be published in a summary of the responses to this consultation. **If you do not consent to this, you must clearly request that your response be treated as confidential.** Any confidentiality disclaimer generated by your IT system in email responses will not be treated as such a request. Respondents should also be aware that there may be circumstances in which DEFA will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2015.

4.4 Handling Results

A summary of responses will be posted on the Department's website within 3 months of the close of the consultation period and will also be available from the Tynwald library and the Department's head office. Information received will be dealt with in accordance with the access to information regimes. These are primarily the Guidance on the Code of Practice on Consultation and the Code of Practice on Access to Information.

This consultation follows the Isle of Man Government Code of Practice on Consultation (June 2008). If you have any comments on how this consultation has been carried out, please contact Mr Richard Lole, Chief Executive of DEFA, at the Department's head offices in St Johns.

Appendix 1

Consultation distribution list:

Individual owners / nominated representatives of:

Isle of Man registered fishing vessels
UK registered fishing vessels, holding Isle of Man licences

Fishermen's Organisations:

Manx Fish Producers Organisation Ltd
Anglo-North Irish Fish Producers Organisation Ltd
Northern Ireland Fish Producers Organisation Ltd
South Western Fish Producers Organisation Ltd
Scottish White Fish Producers Association
Scottish Fishermen's Organisation Ltd
Scottish Fishermen's Federation
National Federation of Fishermen's Organisations
Clyde Fishermen's Association
Maryport & Solway Fishing Co-op Ltd
Mallaig & North West Fishermen's Association
Welsh Federation of Fishermen's Associations
Isle of Man Queen Scallop Management Board

Processors & their organisations:

UK Scallop Association
IOM Scallop Processors Association
Gourmet Foods
Devereaus
West Coast Sea Products Ltd
Island Seafare
Isle of Man Seafood Products Ltd
C B Horne and Co
AM Seafoods
Robinsons

Environmental Groups:

Manx Wildlife Trust
Manx Basking Shark Watch
Manx Whale & Dolphin Watch
Sea Search
Friends of the Earth
Manx Conservation Forum
Manx National Heritage
Society for the Preservation of Manx Countryside & the Environment
Marine Conservation Society

Other:

All Members of Tynwald
Attorney Generals
Local Authorities
Chamber of Commerce
Isle of Man Government Departments, Chief Officers
Law Society
Fishing News
Department for Environment, Food and Rural Affairs
Department of Environment, Agriculture and Rural Affairs
Marine Scotland
Welsh Assembly Government