

Isle of Man Scallop Management Board (SMB)
Minutes of the meeting held in the Hub, Peel and virtually via Microsoft Teams
29th September 2021 at 10:00

Present:

Peter Duncan	PD	Chair	
David Beard	DB	MFPO/Industry Representative	
William Caley	WC	Shellfish Processor	
Brian Horne	BH	Commercial fisher	
Craig Woodbridge	CW	Commercial fisher	
Domhnall MacLachlainn	DMcL	Commercial fisher	
Mark Roberts	MR	Commercial fisher	[via MS Teams]
Geoffrey Chambers	GC	Commercial fisher	[via MS Teams]
Carrie McMinn	CMcM	AFBI	[via MS Teams]
Isobel Bloor	IB	Bangor University	
Neil Milsom	NM	DEFA	
Jack Emmerson	JE	DEFA	[Minutes]

Not Present (no apologies received):

Scott Merrick	SM	Shellfish Processor
Juan Canipa	JC	Commercial fisher

1. Welcome & Introductions

PD noted the absence of the Minister from the meeting resulting from *purdah*. The *purdah* period does not change the approach to managing the fishery (fundamentally) but may change how the SMB interacts with the Minister. NM stated a desire to separate policy and operational matters going forward, and noted the possibility of a Departmental political member having some delegated responsibility for Fisheries; however, out-going Ministers do not traditionally introduce new policies (i.e. management measures).

2. SMB as a Statutory Board

JE gave an update that the Department has approved a policy to create the SMB as a statutory advisory board. NM added that this is a formal recognition of the advisory role of the Board and, generally, adds greater weight to recommendations and also external perception. JE highlighted that by becoming a statutory board, process and member-obligations are formalised in law. PD acknowledged the role of Chair would include maintaining statutory requirements. There was a general discussion on SMB process, and it was agreed that there was a need for a review of the process around making recommendations, including ensuring quorate, and sufficient time for consideration by members, particularly in relation to negative resolution procedures.

3. Minutes and of the previous meetings

Minutes of 4th June 2020 were agreed by the Board to be an accurate record of proceedings, following a minor amendment proposed by DB, and would be uploaded to the website (**JE**). **AP**.

4. Review of 2021 queen scallop trawl (QSC OTB) fishery

PD sought views on how the harvest strategy and in-season adjustments **HCRs**¹ were perceived by members, following an End-of-Season summary presentation by **IB**. **PD** suggested a scheduled calendar of SMB meetings to address standing issues may address expectations for flexible management going forward.

IB summarised the QSC (OTB) fishery;

- Total landings were 818 t, which means the **TAC**² was *overshot* by 3.2% following an uplift; however, this was anticipated and within current tolerances.
- 24 unique vessels participated during the season.
- The number of trips peaked in week 11. DB asked how many licences are existing in the fishery (there are 42 active licences, with 4 on hold with the Department as of September 2021).
- Chickens (**CHI**) was the area where most QSC were caught.

¹ Harvest Control Rules

² Total Allowable Catch

- The yield at Targets ('**TAR**') was poor throughout the season.
- In future, incorporating LPUE thresholds in high-density areas may need revision; however, LPUE for CHI and TAR remained at 'good' levels throughout the season.
- EDG was closed during the season following low-LPUE.

A general comment from the meeting was that, overall, LPUE was considered to have worked well as a management mechanism.

5. Discussion of the QSC OTB Harvest Strategy

DB stressed that quality is key (referring to landing of low-yield QSC), and price-at-first-sale needs to reflect quality. The importance of post-covid economic recovery being aligned with movement towards quality seafood product was noted by the Board; **NM** and **JE** highlighted that the Sea Fisheries Advisory Committee ('**SFAC**') was the forum for further discussion. **NM** highlighted that the *economics* (market dynamics) during the 2021 season became an important aspect of Departmental decision-making, and that this is likely to continue. **DB** confirmed that he had been given responsibility for establishment of the SFAC.

DMcL highlighted that during 2021, there was not an observable price differential between good- and poor-quality QSC, and that this fails to encourage '*quality is key*' fishing behaviour. **BH** suggested that a gear-trial adjusting the cod-end of the QSC trawl may allow for better selectivity of larger (better quality) QSC, and **WC** queried whether yield (quality) might be density-dependent. **GC** said a price-per-yield approach would encourage responsible high-quality fishing.

DB noted that the LPUE observed at CHI has maintained at a gradual decrease over 2 seasons (2020 and 2021). **BH** reflected that without the Restricted Area ('**RA**') approach, it is possible that LPUE would have dropped far quicker, within a matter of weeks. **IB** confirmed that rapid declines in LPUE have been observed in high-density areas that do not incorporate spatial/effort management.

DMcL/CW noted that there is a socio-economic impact of restricted access, and that it distorts fishing behaviour that would otherwise seek to maximise economic benefit (however **WC** noted that the processors could not take increased supply during 2021, and that the 2021 season was overall a positive experience, and that temptation to significantly deviate from the strategy may be a risk).

JE emphasised the need for a LTFMP³ for this species that incorporates bio-economic approaches for the QSC OTB, and that fleet-capacity management will need to be addressed. **DB** said that the TAC would need to be 1,300 - 1,400 t for the current fleet to be economically viable. **CW** reminded the Board that the QSC fishery inside the Territorial Sea ('**TS**') is dependent upon QSC stocks being well managed outside the TS, noting that achieving agreement and legislative time for all UK DA's was challenging. **IB** confirmed there is a new Term of Reference to consider QSC within the ICES⁴ Working Group on Scallops, and **DB** said the SICG⁵ Working Group is also working with DAs⁶ to introduce management for QSC (as per a similar process for king scallop) in line with the requirements of the UK Fisheries Act (2020) and other drivers.

AP: It was agreed that the SMB would write to the SICG to highlight the issue of QSC management in Area VIIa, and reference potential changes to MLS (MCRS), fleet overcapacity and the joint 2016-17 Consultation. **DB/PD**

DMcL queried whether there could be a different approach next year, such as ITQs/IQs based on track-record and reference period; however, **JE** confirmed that the *letters of comfort* have been issued for a number of years to vessels not attending the fishery, which would limit the scope for such an approach to management in the future. **GC** said the letters of comfort are needed to encourage stock recovery. **JE** said capacity management inside the TS will be important for bio-economic, but that capacity reduction may depend a lot on how management progresses outside the TS.

AP: DB confirmed he would get a QSC strategy 'discussion document' to DEFA by the end of December, on behalf of the SMB, in order to initiate a LTFMP development and consultation process for QSC.

³ Long Term Fishery Management Plan

⁴ International Council for the Exploration of the Seas

⁵ Scallop Industry Consultation Group

⁶ Devolved Administrations

DB raised the need for additional fishing opportunities (TAC allocation) to be made available for *exploratory fishing* outside of the high-density areas, that have recently provided only 1 or 2 days fishing before the **WCL**⁷ is reached by vessels. **JE** suggested that the QSC Harvest Strategy could be reviewed. **IB** emphasised the need for a LTFMP (with biomass objectives).

6. QSC bycatch in the 2020/21 SCE fishery

DB asked whether there is a possibility to permit a bycatch of QSC in the SCE fishery in order to maintain a market for fresh product through the winter. The bycatch would be limited by the remaining quota left unutilised by the QSC DRE fishery, which was agreed at 53.8 t.

IB raised concerns that the QSC DRE quota is not biomass linked, and biologically arbitrary. **NM** said that a *new management measure* that would allow a certain bycatch of QSC would be unlikely to be agreed during *purdah*; however, it could be considered by a new Minister. Further, the Board should also be mindful of the Area VIIa closure during April-May, which would limit landings then.

DMcL suggested alternatively, that DRE QSC should be left unfished to support the 2022 fishery. **WC** said that although the market demand is low, the total landings from the recent OTB fishery is scheduled for markets, and that additional landings through the SCE season (as bycatch) could help secure additional markets ahead of the 2022 season.

AP: DB agreed to develop a SMB recommendation on QSC bycatch in the SCE fishery for presentation to the new DEFA Minister.

7. Future of the QSC DRE fishery

PD asked whether the SMB had any comments to make on the future of the QSC DRE fishery. **DB** said its consideration would be a component of the LTFMP discussion document in December.

8. Results of 2021 Industry-led/Bangor University Surveys & King Scallop Stocks Status

IB gave a presentation on the Bangor University (April 2021) and Industry-led (May 2021) scallop surveys, which showed;

- comparable results in terms of overall abundance and spatial aspects of scallop abundance / population structure.
- The industry-survey produced more data on juvenile populations (< 95 mm).
- The Bangor survey;
 - detected good densities of recruits on the East Coast, Chickens, SW area, Laxey, and Bradda Inshore;
 - The densities of juveniles at Bradda Inshore in particular were greater than observations since 1992. **JE** confirmed that such densities at Bradda Inshore had not been seen since the early 1980s. 60% of the scallops sampled at Bradda Inshore were under-sized;
 - The overall recruit-index increased in both 2019 and 2021 (no data 2020), following a decline since 2014;
 - The overall post-recruit index has increased in 2021 (no data 2020), following a decline since 2015, and
 - For 2021, the geometric mean (of post-recruit abundance) is correlating well with the arithmetic mean, meaning that increased abundance is not skewed by a single high density site.
- The industry-led survey;
 - Identified good recruitment occurring at Bradda (inshore and offshore, outside of 3 NM), south of the EDG ERA, as well as the 2020 TAR closed area;
 - Identified densities of post-recruit in the RAs and CAs in both Chickens and Targets, and also good abundance throughout large spatial areas of EDG;
 - Decline in post-recruit abundance in areas of TAR that had been the focus of the 2020/21 fishery;
 - Abundance at POA was still around 1 scallop per 100 m².
 - Did not survey in the EDG ERA.

⁷ Weekly Catch Limit

IB explained that the ICES Category 3 approach was not adopted last year with the Bangor survey having been cancelled due to Covid. The ICES protocol recommends to exclude the year with missing data; however, **IB** explained that if the trends observed in the industry survey are taken into account, the overall result is a TAC that remains equivalent to the 2020/21 TAC.

DB updated the SMB on TAC calculations he had undertaken with 1) missing data, 2) assumed 'mid-points', and 3) with estimated abundance indices based on industry-led survey trends observed in 2020. **DB** said that without either 1) assuming mid-points or 2) using industry-survey estimates, there may be TAC-estimation problems in the future as $\pm 20\%$ adjustments may not reflect the (discontinuous) trend in abundance. **DB** recommended that a figure should be agreed and adopted for the missing 2020 (Bangor University survey) abundance index, and that this should be based on the industry-led survey, particularly because the two surveys are strongly correlated.

AP: DB said he would circulate his TAC calculations for consideration by the Board/Bangor/DEFA.

JE noted that the Category 3 approach may not be a useful guide at the point of stock-recovery.

IB Recommendations (principles):

1. In-season reviews;
2. Spatial monitoring and management; and,
3. Closed areas where recruitment is detected.

IB specific recommendations

1. Precautionary management approach accounting for discontinuous time-series (missing data from the Bangor survey);
2. Initial TAC to be set at 2,049 t, the same as for 2020/21 (note: 2020/21 landings were 1,782 t);
3. TAC to be adjusted, if necessary, reflecting fisheries-dependent data;
4. Continued RA approach to managing high-density areas at CHI and TAR;
5. Monitor LPUE and Fishing Intensity, and work to develop Trigger and Limit Reference Points;
6. Monthly review of the TAC uptake and fisheries-dependent data;
7. Temporary closed areas to protect recruits (East Coast and Bradda);
8. Daily Catch Limits; and,
9. LTFMP (development of objectives and reference points).

CMcM commented that a similar randomised survey in Northern Irish waters was also showing signs of increased stock abundance.

9. King Scallop Dredge (SCE DRE) fishery: Discussion of survey results & 2021/22 Harvest Control Strategy 2021/22

DB noted that effective enforcement will be critical given the LTMP consultation and positive signs of stock recovery. It was suggested that the most likely area for illegal fishing last season was EDG and TAR, and that estimates of total unreported landings could be up to 15% of TAC. It was noted that discussion around enforcement strategy would be arranged.

BH and **CW** recommended using the industry-led survey abundance index in order to estimate TAC going forward; however, **IB** highlighted that there are only 3 years of data from the industry-led survey, and not all fishing grounds are surveyed each year, but highlighted that in the medium-to-long-term, there is possibility to move towards a biomass-linked stock assessment and TAC using industry-led survey data.

TAC

JE suggested that a recommendation to adjust the TAC would need to consider that the recent time-series of abundance data is not a 'full' dataset. **DB** responded by suggesting the SMB, and DEFA staff, move away from the language of 'incomplete dataset' with two surveys now running in parallel and correlating positively. **IB** recommended that the group consider moving away from the 'data-limited' framework, which is not really applicable to this fishery now, and may develop an interim approach whilst working towards establishing biological reference points once a quantitative stock assessment methodology has been approved by the ICES WGSCALLOP.

Notwithstanding any new methodology, **DMcL** suggested that the current maximum $\pm 20\%$ adjustment around the TAC allowed for better fishing business planning, and **CW** acknowledged TAC-adjustment limits helps avoid boom-to-bust fishing.

DB suggested that the TAC remain at 2,049 t, but may be adjusted in the season based on fisheries-dependent data. **NM** suggested that the Board consider recommending a starting TAC to the current DEFA Minister, and that further, linked recommendation on flexible adjustment is made to the new Minister.

DCL

There was discussion on the DCL, and it was agreed that the DCL should be set at the same level as last season, of 700 kg, until such a time as the LTFMP was further developed and in place (**All**). **WC** highlighted benefits of having a flexible DCL. **NM** said expectations on dynamic management need to be managed, and that any in-season recommendations must follow due process. An additional, linked-recommendation to change the DCL may be considered and developed by the SMB for consideration by the new Minister.

Spatial Management

Chickens Restricted Area (RA)

DB suggested the existing CHI RA continues with a RA approach. **CW** asked when RAs would revert to open-access arrangements. **DB** suggested this would occur when biomass and catch rates return to levels observed in the same ground outside the RAs.

The Board agreed that the CHI RA should remain in place, with a 1 day-at-sea (DAS) limit per vessel per week (**All**). For clarity, the RA boundary is clipped to exclude that part of the CHI RA inside the 3 NM limit. A further suggestion to adjust Daily Catch Limits by changing daily access (DAS) may be developed for consideration by the new Minister.

Chickens Closed area (CA)

CW commented that the quality of QSC and SCE in the CHI CA is generally poor, and it is an exposed fishing ground. **DB** suggested that the area remain closed as a 'brood stock' protection area to produce spat.

Targets (RA)

IB explained the development of spatial management in the area over time. **DMcL** suggested that for RAs, in addition to a DAS-per-week limit, there should be an adjusted curfew for high-density areas. **NM** suggested that there should be two recommendations; an initial recommendation to the Minister regarding closures, and a further recommendation relating to new measures such as new area-based curfew.

Following discussion, the Board decided that the lower part (3 rows x 4) of the TAR RA should be closed until a recommendation to a new Minister can be made including an adjusted curfew (in addition to DAS-per-week limits). The central part (3 rows x 4) should continue to be managed under a RA regime (1 DAS-per-week), and the northern-most area (4 rows x 4) should be opened. **CW** queried why the central section of the area was under an RA regime; however, **DB** suggested that the catch-rates at the end of the 2020/21 season were indicative of a density requiring restricted access.

AP: DB to develop the agreed management measures for SCE fishery 2021/22 SMB recommendations, including; TAC (and management measures), DCL (and management mechanism), spatial management arrangements for Chickens and Targets.

Targets 'Western Strip' (Mud-Belt)

DB raised fisheries-dependent observations indicated that there are significant densities of SCE and QSC, including undersize/juveniles, to the west of the survey area. He suggested a closure to all mobile gear in order to establish a 'brood-stock' long-term closure, which was supported.

NM/JE were also supportive of the idea; however, the closure should only extend to SCE/QSC fisheries until consultation could engage the Nephrops (NEP) trawl sector. The area was described as 6 rows x 2 columns to the west of the survey area. **NM** highlighted that 'mobile gear' would also include pelagic trawls, and precise specifications are important (e.g. demersal mobile gear).

AP: an outline of a closure proposal for Targets Western strip to be provided to DEFA: **DB**

A video survey by Barrule was proposed to better understand the area and its species composition/abundance, which would help inform any consultation process. **AP: IB/PD** to progress

CMcM highlighted that AFBI / DAERA are also establishing four 'scallop enhancement sites' for brood-stock closures, which are based on the NI Scallop Association plotter data and larval modelling. Information to be sent to Members.

East Coast (Laxey)

DB raised the issue of needing to develop a plan for the East Coast (EC) that includes the Experimental Research Area (ERA), and that a closure of EC could not be put in place whilst the ERA remained closed. If there is enough data collected from the ERA, then it should be opened to fishing under a RA-type model.

IB said there were (2017-2019) years of data for the ERA; however 2020 and 2021 is missing. **IB** said that opening the ERA would be a sensible approach if there were industry-survey data for the area. **DB** said the MFPO cannot underwrite the funds for the survey, estimated at around £3,000.

DMcL suggested closing the EC area and opening it when the industry-survey funding issue is resolved. **DB** suggested establishing the EC as a (5x5 box) RA with 2 DAS-per-week, until the ERA is surveyed and the SMB considers and develops a recommendation, with the expectation that the ERA will likely open. **CW** had concerns about the extent of the ERA-EC closure. **IB/JE** said that the rational strategy would be to survey the ERA and open it as an RA, and close the EC area.

The Board decided that no decision could be reached on the EC until such a time that the ERA has been surveyed, i.e. there was no recommendation on the EC area, despite survey data indicating a mixed-population including pre-recruits.

Bradda

The industry-led survey showed results of a 40-year high in abundance, the majority being pre-recruits (ie. not recruiting this season). **JE** suggested there was an opportunity to 1) protect juvenile scallops in significant densities and 2) trial an approach that establishes a temporary closure to resolve gear-conflict resulting from a delayed migration of the brown crab. **DB** suggested that this is possible via voluntary agreements with individuals, as is the case near TAR. **DB** highlighted that the SW crab fishery is predominantly new entrants, and there is a significant increase of potting effort in the area. **DB** said that the static-gear sector need to establish an advisory-board that makes recommendations in the same way as the SMB.

DB suggested that the closure should extend only to the known scallop high density (HD) areas. **IB** suggested a 1-cell buffer around HD areas is useful. **DB** was against of an extended buffer in the absence of more data.

JE asked what the Board's views were on the high-density of juveniles outside the 3 NM. **DB** responded that he was not in favour of looking for further closures in the area outside the 3 NM.

AP: DB wished to consult with other stakeholders before forming a recommendation on the Bradda closure, and would return to the Board within a week.

It was noted that the usual Christmas closure of the scallop fishery would apply, and that this should be communicated to the DAs as part of the communication to them. **AP: JE**

10. Industry-survey funding

DB introduced the ongoing challenge of raising funds for the industry survey and indicated that the expected costs of the survey are £50,000 per annum, which is equivalent to c.30 t of scallops (caught without payment).

DB proposed a trial to allow (as an Individual licence variation or under permit) a number of specified vessels to retain over the DCL of 700kg, landed to a specified processor and with no payment made above the 700kg. The additional proceeds to be set aside for underwriting the costs of the survey. Monies to be retained within a specific and new bank account. In future season, the scheme could be extended to any vessel that landed into the Island.

WC suggested that any excess, beyond survey needs, could be used for other specified scientific purposes to assist Manx SCE and QSC fisheries.

NM/JE provided an update on the proposal. They were reasonably confident on the *vires* under the Fisheries Act 2012, but were seeking legal advice with the Attorney General's Chambers (AGCs), such as in relation to new competition laws, despite the proposal not returning financial rewards to any individual. **NM** emphasised it would be new management measure / policy, and would require the new Minister to sign-off, and therefore unlikely to be in place for the start of the season. As such it may also require consultation under the FMA. **AP: JE/NM**

GC suggested that the bycatch of QSC could be used to generate revenue for the industry R&D fund, but **DB** thought the proceeds would be insufficient.

<JE and NM left the meeting at 1610>.

A further suggestion was made about a new Association that could raise survey funds through subscription fees.

11. SMB Review

Noting the new Government/Minister, move to statutory status of the SMB, and the membership terms of the Board, PD indicated that members will be contacted shortly in relation to their continued membership, ToR and Board responsibilities

12. LTMP

There was little to update on the LTMP, as the consultation is still active. It was noted that DB will be meeting with fishermen in coming weeks and encouraged everyone to submit a response. Enquiries could also be directed to DEFA.

There was some discussion about the introduction of 6-per side dredges, potentially during the 2021/22 season. This would be a technical measure from the LTMP but, with consensus, could potentially be progressed after the new administration is in place

13. Enforcement

A specific discussion between SMB members and the DEFA Enforcement team will be organised by PD for the week beginning 11th October at the Hub. **AP**

14. EDG ERA: see earlier discussion.

15. Scallop surveys in MNRs

DB noted that MNRs may represent potential stocks of scallops, but that surveys would be required to understand the resource. Some MNRs would not be considered part of such a programme, and it was noted that Bangor University had undertaken video surveys, including scallops, of several MNRs in 2016. The results have been produced and could form the basis of such a survey programme. **PD** commented that MNR management plans are a DEFA priority, and would include consideration of fisheries interests. It was suggested that SMB develop a proposal outlining objectives for the scallop resources in MNRs, including a survey programme (where, when, potential methods) **AP**.

16. AOB

There was some discussion of on-board camera systems as used in Scotland, noting that Manx vessels without an authorised system may be prevented from fishing there. Given that it was felt to be an inevitable development, it was necessary to understand the details of that camera system, and determine how it might be introduced into the Manx fleet. DB to obtain details of camera system from Marine Scotland.

12. Date of next meeting

February, for discussion of the LTMP consultation results.

13. Action Points

Minutes of 4 th June 2020 to be uploaded to the website	JE
SMB to write to SICG to highlight the issue of QSC management in Area VIIa, and reference potential changes to MLS (MCRS), fleet overcapacity and the joint 2016-17 Consultation.	DB/PD
Provide QSC strategy 'discussion document' to DEFA by the end of December, on behalf of the SMB, in order to initiate a LTFMP development and consultation process for QSC.	DB
Develop a SMB recommendation on QSC bycatch in the SCE fishery for presentation to the new DEFA Minister.	DB
Circulate QSC TAC calculations for consideration by the Board/Bangor/DEFA.	DB
Develop the agreed management measures for SCE fishery 2021/22 SMB recommendations, including; TAC (and management measures), DCL (and management mechanism), spatial management arrangements for Chickens and Targets.	DB
Outline a closure proposal for Targets Western strip to be provided to DEFA	DB
Progress video survey for Targets Western Strip to inform any consultation process.	IB/PD
highlighted that AFBI / DAERA are also establishing four 'scallop enhancement sites' for brood-stock closures, which are based on the NI Scallop Association plotter data and larval modelling. Information to be sent to Members.	CMcM - DONE
Consult with stakeholders to develop a recommendation on the Bradda closure, and return to the Board within a week.	DB
Christmas closure of the scallop fishery to be communicated to the DAs as part of overall comms.	JE
Industry Survey funding: progress a new management measure / policy towards presentation to new DEFA Minister. Identify consultation requirements under FMA.	JE/NM
Arrange discussion between SMB members and DEFA Enforcement for the week beginning 11 th October at the Hub	PD
SMB develop a proposal outlining objectives for the scallop resources in MNRs, including a survey programme (where, when, potential methods).	DB
Obtain details of camera system from Marine Scotland.	DB