

## Minutes: UK Scallops, Principle 1 & 3

Meeting Date: 21<sup>st</sup> September 2021

Location: Teams

Attendees	Organisation
AB: Andrew Brown	Macduff Shellfish
ABo: Andy Boulton	Waitrose
ABl: Abigayil Blandon	WWF
ADB: Anton Dietschel-Buehler	Flatfish
AH: Adam Holland	Sea Source
AL: Andy Lawler	Centre for Environment, Fisheries and Aquaculture Science
BC: Ben Collier	Northern Ireland Gear Trials
CB: Coco Bagley	Department for Environment, Food and Rural Affairs
CD: Calum Duncan	Scottish Environment LINK
CL: Carole Laignel	Shetland Shellfish Management Organisation
CM: Carrie McMinn	Agri-Food and Biosciences Institute
CP: Claire Pescod	Macduff Shellfish
FN: Fiona Nimmo	Poseidon
JH: Juliette Hatchman	South West Fish Producer Organisation
JHe: John Hermse	Community Inshore Fisheries Alliance
JP: Jo Pollett	Marine Stewardship Council
JPo: Jim Portus	South West Fish Producer Organisation
KC: Kenny Coull	Scottish White Fish Producers Association
KK: Katie Keay (Chair)	Marine Stewardship Council
LB: Lynda Blackadder	Marine Scotland Science
MF: Mairi Fenton	Heriot-Watt University
MP: Mike Park	Scottish White Fish Producers Association
MS: Matt Spencer	Marine Stewardship Council
RS: Rebecca Lyal	Marine Stewardship Council
SM: Simon Macdonald	West Coast Regional Inshore Fisheries Group
SSM: Sally Stewart-Moore	Seafish
<b>Apologies:</b>	
Elaine Whyte	Community Inshore Fisheries Alliance

### Purpose of the meeting

This call was an opportunity for the Steering Group to review progress made against each of the actions under Principle 1 and 3 in the UK scallop Fishery Improvement Project (FIP) action plan and to discuss the new FisheryProgress.org social policy requirements. Some of the actions in Principle 1 were discussed in the previous meeting on 15 September.

### Agenda Item 1: FisheryProgress.org social policy

FisheryProgress.org recently introduced a new human rights and social responsibility policy which will be phased in over the course of the next year for all FIPs on their platform. It is important the Steering

Group understands the new requirements as members will need to provide information to comply with the policy.

Overview:

- The Steering Group will have to sign up to a code of conduct by November 2021, which the Secretariat can coordinate with agreement from members.
- There is a requirement to provide a vessel list for each FIP by May 2022.
- All vessels and fishers involved in the FIP should be aware of rights, and have a grievance mechanism in place.
- A self-evaluation of the FIP needs to be undertaken, and if any risk is identified then the FIP will have to deliver a risk assessment plan.

The self assessment criteria:

- There is transshipment of products and/or fishers.
- The FIP has one or more vessels with a significant migrant workforce (defined as 25% or more of the fishers not from the vessel's flag state).
- The FIP has one or more vessels where the fishers are not allowed on shore every 90 days.
- The fishery has a known instance of forced labour, child labour or human trafficking abuse within the past four years.
- The FIP does not have enough information to determine if it meets the criteria above.

Next steps for the FIP:

- Steering Group to read and agree to the Code of Conduct.
- Steering Group to input on FIP self-assessment.
- Draft a vessel list for the FIP.
- Secretariat to share the full presentation on the social policy from FisheryProgress.org.

*Discussion*

AH asked what information is required for the vessel list, as a lot of information is available from the Marine Management Organisation (MMO). MS said that the Steering Group will need vessel names and home ports. The Secretariat will start coordinating the vessel list and agreements on the Code of Conduct. CP thought it appropriate that relevant Steering Group members take an action to provide their scallop member's vessel information to add to the FIP vessel list.

### ***Actions from Item 1:***

1. Secretariat to:
  - facilitate Steering Group input on FIP self-assessment against the risk criteria and coordinate a vessel list for the FIP after consultation with the Steering Group.
  - inform the Steering Group of what vessel information is needed.
2. Steering Group to:
  - provide vessel information to the Secretariat to support the creation of a vessel list for the FIP.
  - review and agree to the Code of Conduct circulated by the Secretariat and/or inform the Secretariat of any concerns.

## **Agenda Item 2: Review of main action points**

Poseidon conducted the annual review of the FIP in May, and FN stressed the importance of Year 3 in delivering progress on a number of actions. FN presented the expected Year 3 changes to Principle 1 and 3 actions to the Steering Group.

Principle 1:

- Expected score changes for PI 1.2.1 and 1.2.2 - harvest strategy and harvest control rules (HCRs) - in year three for all unit of assessment (UoA) areas, from SG<60 to SG60-79.
- Central to these score changes is the development of a harvest strategy, which can be added to the fishery management plan (FMP), and considering options for reference points to support appropriate HCRs.

Principle 3:

- The only expected changes in score for Principle 3 are in decision making processes (PI 3.2.2) and compliance and enforcement (PI 3.2.3) in all areas of the FIP except the Irish Sea UoA. The expected score change is from SG60-79 to SG80.
- These score changes require agreement on a decision making process that will achieve the fishery specific objectives, and developing an appropriate monitoring system within marine protected areas (MPAs).

## **Agenda Item 3: Harvest strategy and harvest control rules**

JP reminded the Steering Group that SG80 is the target score for all performance indicators (PIs) addressed by the FIP, and provided an overview of what is required for SG80 in the MSC Fishery Standard:

- The harvest strategy needs to be responsive to the state of the stock and elements of the strategy must work together to achieve stock management objectives; and, there needs to be some evidence that it can achieve these objectives.
- HCRs need to be well-defined to ensure exploitation rate is reduced as the point of recruitment impairment is approached, with HCRs aiming to keep the stock at or around a level consistent with MSY.

*Scallop Industry Consultation Group (SICG) and Defra updates:*

Defra held two calls for evidence over Summer: latent capacity in the <12m fleet and management options for the <15m fleet, as well as discussions on alternatives to the Western Waters Effort Management Regime. Overall, the SICG had welcomed the call for evidence, the opportunity for input, and to work with Defra.

The SICG agreed with much of the Western Waters alternatives report and were looking forward to further engagement with the process. CP informed the group that the SICG was moving towards becoming more of a co-management group with the Devolved Administrations as official partners. The new approach will see the Devolved Administrations included in the SICG terms of reference (ToR). A meeting is scheduled to discuss the ToR in more detail and begin the formation of a UK-wide management plan for scallops; one that still respects the different management regimes across the nations. CP reaffirmed that this Project UK scallop FIP is seen as a key mechanism for driving improvement by the SICG and it had been written into the co-management group's ToR.

CP concluded by saying Western Waters alternative workshops were planned for crab in the autumn and the SICG were pushing for a similar workshop for scallop soon. An Isle of Man scallop consultation was ongoing and CP was trying to contact Peter Duncan for more information on this.

#### *Discussion*

AB added that in the last Scottish Scallop Sector Working Group (SSSWG) Jim Watson, of Marine Scotland, made clear that any changes to management in Scottish waters would be discussed through the SSSWG forum. AB noted that the way in which the SICG and SSSWG will work together was yet to be determined. JP asked what the timeline was for implementing the co-management processes being discussed in the SICG and SSSWG, and CP explained that more detail would be available after the next SICG meetings.

SSM asked if there was Northern Ireland representation in the new SICG ToR. CP said there was and that once the representatives were agreed she would share with SSM. CB and JPo mentioned that both Patrick Smith, Daera, and Harry Wick, NIFPO, were involved with the new ToR for the co-management SICG group.

JH informed the group that the national shellfish fishery management plan (FMP) is likely to be prioritised by Defra, and the FIP FMP could provide a good working example for the scallop section. In terms of timelines, the Defra shellfish FMP is likely to go out to consultation in the summer of 2022, which is within the timeline of the FIP. This would be unlikely to occur within the action plans' anticipated year three milestone, but could be incorporated into the year four review.

CP explained the intention of the new SICG co-management group was to cover all Devolved Administrations, and that the new group would be a small sub-set of the SICG, with no more than 10 industry groups and 10 members from the various Devolved Administrations. JH added that previously liaison had been mainly with Defra, who can only comment on English waters, with the next meeting set to discuss UK wide management as other Devolved Administration bodies are joining.

CB said the Defra calls for evidence ended in August. Defra is in the process of analysing the responses and will produce a summary which should be published by 22<sup>nd</sup> November. Results will be discussed with the SICG for scallops and the Shellfish Industry Advisory Group, and the crab management group for crabs. Overall Defra received 20 responses to their latent capacity call for evidence and 18 responses for management of the <15m fleet.

#### *Reference points:*

AL said that North Sea dredge survey, which is the main source of scallop assessment data, went ahead successfully this year and it would add to Cefas' time series data. CM said that the Agri-Food and Biosciences Institute (AFBI) focuses on trends of scallops in their area. Appropriate reference points will still take at least a year to develop and AFBI also need to estimate gear efficiency. LB said the ICES scallop working group (WGScallop) ToR is drafted on a three-year cycle, with the current ToR drawing to a close LB offered to raise the topic of defining reference points to the next ToR and would update the Steering Group how the next WGScallop meeting goes.

#### *Discussion*

AB wanted to clarify whether Cefas' stock assessment remit extended for whole North Sea or just English waters. AL confirmed it was just for English waters, and added they sampled in the central

North Sea for the first time this year, although admitted he was unsure what the long term ambition was for that area.

#### ***Actions from Item 3:***

1. CP to ask Peter Duncan for information on the outcome of the IoM consultation to share with the Secretariat.
2. CP and JH to provide more information on how the SSSWG and SICG management group will work together before the next Steering Group meeting.
3. LB to raise the topic of adding reference points to the next WGScallop ToR in the next ICES WGScallop meeting.

#### **Agenda Item 4: Legal framework**

To reach SG80 for Action 10, legal framework, the requirements are that:

- There is an effective national legal system and organised and effective cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.
- The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the UoA.
- The management system has a mechanism to observe the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.

The focus of the action plan to Year 3 is to identify relevant stakeholders for Irish Sea defined stock units, and review the legal framework now UK is an independent coastal state.

#### ***Discussion:***

FN explained that the main reason for not reaching SG80 is the requirement for evidence of organised cooperation with other parties over shared Irish Sea stocks. CP said this highlighted the importance of getting Northern Irish and Irish input into the legal framework, and AH agreed to could help facilitate this. CP said the SICG would review conversations between Northern Ireland and Republic of Ireland ahead of the next Steering Group meeting.

LB confirmed that Marine Scotland Science does not survey the full Irish Sea, but they do have an assessment area in the Irish Sea. LB added that defining stock assessment areas in the Irish Sea was on the agenda for the next ICES WGScallop meeting on the 4<sup>th</sup>-8<sup>th</sup> October.

#### ***Actions from Item 4:***

1. AH to support Northern Irish and Irish input into the legal framework action of the FIP and CP and MS to follow up with AH around what is required.

#### **Agenda Item 5: Roles and responsibilities**

This action is being led by SICG members of the FIP. CP said that this area was still developing and confirmed she would continue to raise national roles and responsibilities as an agenda point at SICG meetings.

### *Discussion*

FN asked whether the Defra call for evidence was only for England, Wales and Northern Ireland (not Scotland), which CB confirmed, and that latent capacity was already being addressed in Scotland. AB added the recent coalition between the SNP and Scottish Green Party was looking at further reducing the latent capacity, with the timeline for completion before the next election in 2026.

## **Agenda Item 6: Fishery specific objectives**

This action aims to draft long-and-short term objectives to guide decision making which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2. The milestone for year three is to develop a suite of short and long-term objectives which management groups agree on. The SICG had been identified as the appropriate body to lead on the development of fishery-specific objectives and CP said it was important to keep the FIP aligned with progress in the SICG.

### *Discussion*

FN said the SICG appeared to lead on Northern Irish, Welsh and English management, with Scottish matters being led by the SSSWG. CP confirmed the SICG is looking for a UK wide system, and SSSWG is looking to bring in all the Scottish scallop stakeholders, so the two groups would sit alongside one another. JPo stressed that the SICG were working on ensuring there was no hierarchy and that all stocks of importance to the UK fleets are covered, including scallop stocks not in UK waters but that are pursued by UK vessels.

As the regional groups seemed to be covered by both the SICG and SSSWG, FN offered to amend the action plan to reflect this. JPo added the Western Waters Effort Regime only applied to UK vessels in UK waters and EU vessels in EU waters.

CP asked whether JP could take an action to provide examples of short and long term objectives in MSC fisheries, which she agreed the Secretariat would do.

CP said the FMP that the SICG was developing ahead of the Joint Fishery Statement (JFS) will be discussed at the next SICG meeting, where both Project UK scallop FIP FMPs would be shared.

### ***Actions from Item 6:***

1. FN to amend action plan to reflect the formation of regional groups is no longer needed, as the work will be led by SSSWG and SICG.
2. Secretariat to provide examples of short and long term objectives in certified MSC fisheries.

## **Agenda Item 7: Decision making process**

FN noted that the updates already provided by the SICG and new SSSWG demonstrate the fishery is part of a substantive decision making processes. She stressed the importance of documenting discussions in the different management groups. FN expected the ToR for the new SICG management group to state the decision making process which can be inserted into the FMP.

## **Agenda Item 8: Fishery Management Plan update**

The Steering Group is drafting a fishery management plan (FMP), where documentation and progress can be recorded in a central document. BL and CP are leading the FIP's FMP and CP presented the

most recent updates. These include more sub-sections to guide each Fishery Administration's information, further input from MF's PhD research, and relevant text transferred from the Project UK Channel scallop FMP.

Summary of FMP updates:

- CP, MS and Bill Lart agreed that the best way to obtain information was to have short, circa 45min, calls with stakeholders as they work through the FMP. These calls will be with CP and MS, with MS to arrange them.
- A timeline of these calls will be determined before the next Steering Group, with government bodies from the Devolved Administrations, catching sector and eNGOs all required to input information.
- CP said there is likely to be a FMP focus group forming in the SICG, coordinated by Lewis Tattersall at Seafish, with material from this FIP's FMP likely to be incorporated into the wider national shellfish FMP.

#### *Discussion*

FN stressed the importance of naming the FIP's FMP as 'FIP FMP' so as to avoid confusion with other working group FMPs. The FMP process is required by MSC where there is not already an FMP in place for a species, which may have led to confusion, as the FIP's FMP was started before discussions of a national shellfish FMP began. CP expected FMP template headings to be released from Defra soon, which may help further framing, but expected it to be broadly similar with the structure already used by FIP.

CD highlighted that the Marine Conservation Society and other NGOs were lobbying for legal FMPs for all commercial species, which would include scallop species, arising from the Fisheries Act. CD noted that the FIP's FMP appropriately reflect the Fisheries Act requirements, which JPo said the Steering Group would ensure occurred. CD noted the importance of a voluntary FMP (such as one arising from the MSC process) in the absence of a statutory FMP (required by the Fisheries Act).

#### **Action from Item 8:**

1. CP and MS to arrange FMP calls with relevant Steering group members.

#### **Agenda Item 9: Compliance and enforcement**

Action 14, compliance and enforcement, is reliant on the Devolved Administrations' rollout of iVMS. In the absence of iVMS being available to monitor vessels around MPAs, MS asked the group for thoughts around how the Steering Group can contribute to this action.

#### *Discussion*

CM said that Succorfish iVMS technology was being trialled in Strangford Loch and if it is found appropriate it would likely be rolled out to other MPAs in Northern Irish waters as a monitoring tool. SSM believed that if the gear is rolled out, it would likely be for all inshore vessels. CM pointed out that there are no scallop boats allowed in the Lough as there is a ban on all mobile gear within the Lough, and that the Succorfish technology was being trialled on other vessel types.

CP said in Scottish waters remote electronic monitoring (REM) is required for scallop fishers by January 2022 and there is funding available to help facilitate the equipment being installed.

JP asked whether the action plan should be clearer that this action is reliant on the Devolved Administrations rolling out their iVMS and REM strategy, as this is a topic that has a lot of external scrutiny and the FIP needs to be clear it is adhering to legal processes on this point. FN agreed with this approach and said she would update the action plan accordingly.

KC said there was an upcoming industry meeting to discuss monitoring in MPAs, and KC was meeting with the Seafish Kingfisher team around their MPA mapping tool. JPo said that the Steering Group should seek an update for English waters from the Association of Inshore Fisheries and Conservation Authorities (IFCAs) and or the MMO, which KK agreed with and said in the absence of those organisations being on the call the Secretariat would follow up with them.

#### ***Actions from Item 9:***

1. FN to amend action plan to state Action 14 is reliant on Devolved Administration timelines for iVMS rollout.
2. Secretariat to request an update on iVMS progress from IFCAs and MMO.

#### **Agenda Item 10: Monitoring and management performance evaluation**

JP wanted to highlight the action to ensure Steering group members were aware of what is required to score SG80. The Steering Group needs to ensure there are mechanisms in place to evaluate key parts of the fishery-specific management system, and that it is subject to regular internal – and occasional external – review.

For the Round 1 FIPs, consultants conducted a review of the FMP, and although the UK scallop FIP FMP is not ready for external review, Steering Group members should start to think about who could undertake an this exercise. FN noted that she should update the timeline in the action plan to reflect this.

#### ***Action from Item 10:***

1. FN to update the action plan timeline for Action 15.

#### **Any Other Business**

LB had received reports of dead scallops along the East coast of Scotland over the past four-six weeks as a result of a potential algal bloom and asked whether anyone else had. CD received an email about dead fish, not scallops, at Elliot Beach, Arbroath, Angus on 13th September, which he thought may have arisen from any offshore stormy weather. These were pelagic species, herring most likely, so may be totally unconnected to the scallop reports. KC had noticed in the press comments about dead seabirds washing up and offered to email LB with any further observations.

#### ***Action from AOB:***

1. Steering Group members to share any reports of dead scallops to LB.

#### **Meeting Closes**

11:42

Actions Arising	Responsibility