



Department  
for Environment  
Food & Rural Affairs

# Proposed Channel Demersal Non- Quota Species Fisheries Management Plan Consultation

Date: July 2023

We are the Department for Environment, Food and Rural Affairs. We're responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities, and supporting our world-class food, farming, and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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# Introduction

The United Kingdom has some of the best wild seafood resources in the world. Our fish stocks are a public asset which generate food and create jobs in an industry with a strong sense of identity and pride for their communities. These fish stocks also form a vital part of our marine ecosystems.

Many of our fish stocks are under pressure from fishing and climate change. Fishing can also have impacts on our ecosystem, for example, through the accidental bycatch or the effect of fishing gears on the seabed. It is therefore important to consider both the positive and negative effects of fishing as part of our overall management of the marine environment.

The [Environmental Improvement Plan \(EIP\) 2023](#) sets out how we will improve our environment here in the UK and around the world and sets a plan for a decade of delivery with target-led actions towards leaving our environment in a better state than when we inherited it.

The [Joint Fisheries Statement \(JFS\)](#) sets out how the UK fisheries policy authorities (Defra, and the devolved administrations in Northern Ireland, Scotland, and Wales) will prepare and publish 43 Fisheries Management Plans (FMPs) by 2028. The plans will bring together the evidence on the state of the stocks and identify measures and actions necessary to improve the evidence base and manage our fisheries in a sustainable way. Policies in an FMP will set out both the short-term actions and longer-term vision for the management of the fishery. The plans must also consider relevant wider legal obligations including the environmental principles under the [Environment Act 2021](#) and the need for strategic environmental assessment under the [Environmental Assessment of Plans and Programmes Regulations 2004](#).

Defra has learned lessons from the Common Fisheries Policy (CFP) and recognised the fishing industry's strong desire to take greater responsibility for managing fisheries. Our first plans have been developed closely with the fishing sector and with industry bodies.

The first six FMPs have been developed in close consultation with our Arm's Length Bodies, delivery partners, fishers and wider stakeholders and cover different types of fish stocks and fisheries. Each of the first FMPs has piloted a different approach to the development of FMPs so we can learn the best ways to work in collaboration with stakeholders. Some FMPs apply to one Administration only, while others cover two or more Administrations; the JFS sets out the administrations responsible for each plan.

Our first FMPs are:

- Crab and Lobster;
- King Scallop (developed jointly with the Welsh Government);
- Whelk;
- Seabass (developed jointly with the Welsh Government);
- Channel Demersal Non-Quota Species; and
- Southern North Sea and Eastern Channel Mixed Flatfish.

## **The Channel Demersal Non-Quota Species (NQS) FMP**

The proposed Channel Demersal NQS FMP covers only English waters.

This present consultation is seeking your views on:

- the draft Channel Demersal NQS FMP as required by Schedule one, Part three of the Fisheries Act 2020; prepared on Defra's behalf by the Marine Management Organisation (MMO); and
- a draft Channel Demersal NQS Environmental Report, drafted by Defra, which describes the likely environmental impacts of the FMP, as required under the Environmental Assessment of Plans and Programmes Regulations 2004

A de-minimis regulatory impact assessment has also been developed, which describes the anticipated economic impact of the plan on the fishing sector and associated businesses. We would welcome additional economic evidence to update our assessment for the publication of the final FMP.

This consultation is particularly relevant to:

- Individuals, groups, or businesses who are engaged in the fishing, seafood, or aquaculture sectors, including individuals, groups, or businesses from the UK or from outside the UK who fish in UK waters;
- Other individuals, groups or businesses who are sea users, for example, marine industries such as offshore renewables and sailing bodies; and
- National and local interest groups such as environmental and recreational non-governmental organisations, and industry federations.

Consultations on the five other draft FMPs (see above) and their Environmental Reports are taking place at the same time.

## **Background: Fisheries Management Plans**

### **Why are we publishing FMPs?**

Internationally, FMPs are considered the best way to manage fisheries. Leaving the EU means the UK is no longer bound by the CFP and has an opportunity to reconsider how best the UK's valuable and diverse fisheries are managed. Continuing to champion sustainable fishing and adopting management measures to rebuild and maintain stocks in the long term is central to future management. Goal six in the EIP also sets out the importance of FMPs to English fisheries by sustainably managing the harvesting of stocks and supporting the delivery of the appropriate objectives from the UK Marine Strategy.

[The Fisheries White Paper, Sustainable Fisheries for Future Generations, 2018](#) sets out the UK's commitment to reshape fisheries management following our departure from the EU. The Fisheries Act 2020 (the Act) provides a legally binding structure to protect and recover stocks, support a sustainable fishing industry, and safeguard the environment. It sets out clear objectives to provide the basis against which the fisheries policy authorities of all four UK Administrations will manage their fisheries and a commitment to developing

FMPs. This commitment was expanded upon in the JFS published in November 2022 which includes a list of 43 FMPs across the UK, setting out the lead authority, the stocks covered and a timetable for publication. Through our commitment to FMPs in the Act, we will reform and redefine our domestic fisheries management.

## What are FMPs?

An FMP is an evidence-based action plan that sets out the short-term actions and longer-term vision required to achieve sustainable fisheries. The Act requires each FMP to set out policies designed to restore the stock(s) to, or maintain them at, sustainable levels. Each plan will set out a vision and goals for the target fisheries, together with the policies and management interventions necessary to achieve these goals in the shorter term. The plans will apply to all those catching fish in the target stocks, be they from the commercial or recreational sectors. Developed in a collaborative and transparent way the aim is to ensure that FMPs are relevant to the fishery or fisheries and support a more practical and flexible approach to fisheries management tailored to species, locations, and fishing activities.

FMPs may also address wider environmental, economic, and social issues and where appropriate, include elements which go beyond the statutory requirements in the Act. The EIP notes that these plans will promote selectivity, reduce negative impacts on the ecosystem and help to deliver the recovery of stocks.

## How FMPs work

Each FMP will set out goals and the actions needed to achieve sustainable fisheries. The approach needed will depend on the goals set out in each plan, our level of understanding and evidence as well as the nature of the stocks and fisheries. Whilst each FMP will focus on specific stock(s), it will also be important to ensure they work together and recognise the management needs of fishermen, or stakeholders who fish stocks covered by more than one FMP. To have an impact on how fisheries are managed, FMPs will need to be implemented.

Fisheries are a devolved competency, currently managed through a combination of regulation (Retained EU Law, and domestic law including statutory instruments), byelaws, licence conditions and voluntary measures. In some cases, this management framework may remain appropriate, at least for the time being. In others, the management may need to change. This might mean the law, byelaws or licence conditions will need to be changed. Or in some cases, new management measures will need to be brought in, either by law, byelaws, through licence conditions or through voluntary measures. Where appropriate, specific engagement and consultation will be carried out on measures to implement FMP actions.

National Fisheries Authorities (Defra and the Marine Management Organisation (MMO) for England) are legally required to act in accordance with the policies set out in the plans. Although, Inshore Fisheries and Conservation Authorities (IFCAs) are not national fisheries authorities for the purposes of the Act, we will work together on implementation, and they may be bound by any legislation adopted to give effect to the plans if it covers their jurisdiction.

A key feature of FMPs is that they are adaptive. The actions required to implement the FMPs, and indeed the FMPs themselves, will iterate and build over time; this is particularly important where we need to gather additional evidence to inform the development of management measures. Each of the draft FMPs identifies a range of short- and longer-term actions. There will therefore be a rolling programme of implementation over the lifetime of the FMPs. It will take some time to show benefits in terms of improving the sustainability of stocks and fisheries covered by the FMPs.

Each FMP must be reviewed within six years of its publication or sooner, if required. An FMP can also be replaced or amended at any time following a consultation. These processes allow the plan to be kept up to date and adapted as knowledge and evidence improves, management measures take effect and generally as things change.

We are keen to continue the collaborative and transparent approach used to develop FMPs into the implementation and then review phases. We are keen to hear from fishermen and stakeholders about how to achieve successful future participation in FMPs through this consultation.

## **FMPs and other Coastal States**

Whilst the UK, as an independent coastal State, has regulatory autonomy to manage our fisheries, the UK is committed to working with other coastal State partners to secure the sustainable management of shared fisheries resources. This commitment was reaffirmed in the JFS. Through annual fisheries consultations with the EU and other coastal States and negotiations in other multilateral and bilateral fora, such as Regional Fisheries Management Organisations (RFMOs) or the Specialised Committee on Fisheries established under the Trade and Cooperation Agreement with the EU (TCA), the UK will seek to achieve, or contribute to the achievement of the fisheries objectives in the Act.

Our FMPs will set out a long-term framework of policy and measures to manage fishing activity to secure the sustainability of stocks and a healthy marine environment. Where appropriate, this will inform the approach to the development of multi-year strategies for conservation and management of stocks proposed by the UK and EU under the TCA with the EU and any similar long-term plans with other coastal States. Our FMPs may also be updated to reflect any agreements negotiated in these international fora.

All regulatory measures to implement the FMPs will be binding on all vessels fishing in UK waters. Under the TCA any measures to be applied to EU vessels fishing in UK waters must be based on best available evidence and applied to both EU and UK vessels. The UK is also required to formally notify the EU of any changes to fisheries management measures likely to affect EU vessels. Defra will also ensure that other States affected by measures introduced through FMPs will be duly notified.

## **Approach to the development of the FMPs**

Defra gathered evidence and met fishing and other stakeholders in 2020 to consider what stocks and fisheries should be prioritised in the JFS. The first six Defra led FMPs were chosen to cover a range of important fisheries, with five FMPs for non-quota stocks/fisheries and one fishery with a mix of quota and NQS chosen.

There is a particular focus on NQS stocks as these are not subject to a Total Allowable Catch. They are often high value, potentially vulnerable and generally data poor species. We have limited data on NQS, limited management and are therefore unable to accurately assess the health and sustainability levels of all NQS stocks that are targeted in English waters. The Act sets out the precautionary objective in which the absence of sufficient scientific information is not used to justify postponing or failing to take management measures to conserve target species, associated or dependent species, non-target species or their environment.

Importantly, the fishing sector has also recognised these issues and has been keen to put in place better management to ensure the long-term sustainability of the stocks. One of the major requests from the fishing industry post-EU Exit, has been to have closer involvement with fisheries management with a view to moving over time to “co-management”. It will take some time for government, regulators, fishermen and wider stakeholders to adapt to enable co-management, which means taking joint responsibility for setting goals and delivering actions.

The ambition for closer partnership working was recognised in the Fisheries White Paper, and subsequently the JFS which set out our vision that the fishing sector should play a greater role in managing fisheries. To support this ambition and recognising that there is no blueprint for developing FMPs, particularly for such complex fisheries as exist around the UK, our FMPs have trialled different approaches. A range of different organisations and groups have led the development of the first FMPs, with different approaches taken to wider engagement in their development. As a result, whilst all FMPs are designed to meet the legal requirements set out in the Act, each looks different. We are seeking feedback through this consultation on the differing engagement processes to shape the development of these and other plans in future phases and our future policy.

To support the development of FMPs views of industry and other interested parties have been collected through a series of coastal visits, meetings, and online engagement. These have been used to inform the content of FMPs and to identify the actions and measures with most support as well as identify those which can be progressed quickly and those requiring further consideration. The consultation is an opportunity to seek wider views on the output of this process. Responses to the consultation will be analysed and used to inform any changes to the draft FMPs ahead of the publication of final plans.

## Summary of Channel Demersal NQS FMP

19 demersal non quota species (NQS) were prioritised for an FMP due to their vulnerability to over-exploitation, the economic value of the fisheries and a lack of evidence to properly assess and monitor the state of the stocks. The English Channel Demersal Non-Quota Species FMP covers the following 19 species within International Council for the Exploration of the Sea (ICES) areas 7e and 7d (eastern and western English Channel respectively):

### **Bony fish**

- Bib / pouting / pout (*Trisopterus luscus*)



- Brill (*Scophthalmus rhombus*)
- Lemon sole (*Microstomus kitt*)
- Turbot (*Scophthalmus maximus*)
- John dory (*Zeus faber*)
- Red mullet / striped red mullet / surmullet (*Mullus surmuletus*)
- Grey gurnard (*Eutrigla gurnardus*)
- Red gurnard (*Chelidonichthys cuculus*)
- Tub gurnard (*Chelidonichthys lucerna*)

### **Elasmobranchs**

- Lesser spotted dogfish / lesser spotted catshark (*Scyliorhinus canicula*)
- Starry smoothhound (*Mustelus asterias*)<sup>[1]</sup>
- Common smoothhound (*Mustelus mustelus*)

### **Cephalopods**

- Common cuttlefish (*Sepia officinalis*)
- Elegant cuttlefish (*Sepia elegans*)
- Common octopus (*Octopus vulgaris*)
- Curled octopus (*Eledone cirrhosa*)
- Veined squid / Long-finned squid (*Loligo forbesii*)
- European Common squid (*Alloteuthis subulata*)
- Common squid / European squid (*Loligo vulgaris*)

Demersal NQS are data limited with many lacking comprehensive data collection programmes or formal stock assessments, and only seven species (brill, grey gurnard, lemon sole, lesser spotted dogfish, red gurnard, red mullet and smoothhound) within the Channel are covered by ICES assessments. However, a number (cuttlefish, squid, lemon sole, turbot, and brill) are commercially valuable, with all species being caught as part of mixed demersal fisheries in the Channel. In 2020, landings of demersal NQS by UK and European Union (EU) vessels fishing in UK waters in areas 7d and 7e totalled 12,761 tonnes valued at £33.1m. Additionally, some species are important to recreational fishers, and support social and economically valuable recreational activity along the English south coast.

There are few management measures in place to control NQS fishing effort which has implications for the long-term health of demersal NQS fisheries. Improved management action is therefore needed to protect demersal NQS and secure their future and the future of the industry that depend on them.

The aim of the FMP is to deliver sustainable management of specified Channel demersal NQS to a position driven by robust stock assessments, supported by consistent data

collection and research programmes. The management measures and actions linked to delivering the goals detailed in this FMP describe the key stages.

The FMP was developed in collaboration with the Marine Management Organisation and a working group made up of fisheries stakeholders, including commercial and recreational fishers, and wider engagement with coastal communities, supply chain businesses, scientists, and environmental non-governmental organisations.

**Do you have any comments on the process for developing this FMP?**

## Evidence

The Channel demersal NQS fisheries averages £26 million to UK vessels per annum, and £24 million to EU vessels per annum. Fisheries landings data show cuttlefish to be the most important Channel demersal NQS in the scope of the FMP, by weight and value, and for both the UK and EU fleets. Squid emerges as the second most important species group by value, primarily driven by EU vessel landings. Turbot, lemon sole and red mullet emerge as the third, fourth and fifth most economically important species, with turbot and lemon sole important for UK vessels and red mullet for EU vessels.

Demersal NQS are targeted by a range of different gear types, including beam trawls, otter trawls, demersal seines, drift and fixed nets, pots, and traps. An average of 91% of UK landings during 2016 to 2021 were accounted for by beam trawls, otter trawls and demersal seines (47, 38 and 6% respectively). EU landings are mostly accounted for by otter trawls, followed by beam trawls and fly-seiners.

Catches of demersal NQS are higher in the western Channel; Brixham lands on average more Channel demersal NQS by value than all other UK and EU ports combined. Channel demersal NQS make up a sizeable but not majority proportion of income into western Channel ports, in Brixham close to a third, Newlyn an eighth and Plymouth approximately a quarter.

Seven finfish and elasmobranchs have been assessed by ICES within the English Channel, with a further assessment of turbot in the North Sea being potentially applicable. Four stocks (brill, grey gurnard, red mullet, and turbot) have varying concerns around sustainability. An experimental assessment undertaken for cuttlefish has suggested some sustainability concerns for the Channel fishery, although additional work is required to develop a methodology for assessing cuttlefish and other cephalopods. During engagement sessions, stakeholders suggested a general decline in abundance and size of most species, with specific reported declines in catches of lemon sole, red mullet, all three gurnards, and john dory across both 7d and 7e.

**What are your views on the evidence presented on the current state of Channel demersal NQS in English waters and can you provide any other evidence which supports or differs from ours?**

## Goals for the management of Channel Demersal NQS fisheries

The FMP goals are based around key themes of evidence, social and economics, and sustainable fisheries contributing towards delivering the Fisheries Act objectives. The goals are as follows:

- **Under the sustainable fisheries theme:** 1) Deliver effective management of demersal NQS in the English Channel, and 2) Deliver wider biological sustainability.
- **Under social and economic theme:** 1) Better understand and optimise economic and social benefits, and 2) Build capacity for the industry to be able to input into matters effecting non-quota species fisheries management.
- **Under the evidence theme:** 1) Better understand wider NQS evidence needs, and 2) Develop the NQS evidence base.

The species within the FMP are data deficient and need to be better understood to fully evaluate each stock's status and implement sustainable management if required. Where there are indications of less sustainable fishing practices, we believe these could benefit from intervention whilst additional evidence is being collected. There are also several long-term aspirations that could improve sustainability or enhance social and economic benefits associated with the fishery.

The FMP proposes actions to help reach harvest below Maximum Sustainable Yield (MSY). This is initially focused on stocks of particular concern such as lemon sole, turbot, brill and red mullets. Cephalopods species, such as cuttlefish, are relatively short lived, and difficult to assess under typical ICES assessment processes. Therefore, management will consider suitable proxies which may be used for the assessment of the stock to ensure that harvest is sustainable. In the longer-term, we will seek to close the data gaps on all Channel demersal NQS including conducting an MSY assessment or suitable proxy so that we that we can ensure all species are fished at or beneath this.

**What are your views on the evidence gaps identified within the FMP? Do you agree with the actions to address the evidence gaps?**

## Proposed management of Channel Demersal NQS fisheries

Mixed fishery and multi-species management approaches have been developed to address the linked nature of certain fish or shellfish stocks that occupy the same habitats/ecosystems and often caught together. This allows implementation of measures effective for a cohort of species rather than a single stock. As this FMP covers an inherently complex and poorly understood collection of species that are caught alongside quota and other NQS, the FMP has the long-term ambition of developing sufficient evidence so that mixed and multiple species management can be applied effectively. The steps needed to implement a mixed-fishery approach for these fisheries need to consider three separate but linked processes: 1) data collection, 2) method development and 3) decision making. Additional detail on the key steps to delivering a mixed fishery approach are detailed in Annex six of the FMP.

The FMP recognises that east and west Channel fisheries are distinct, given the physical characteristics of the two regions that support differing habitats and fish assemblages. Therefore, management interventions will need to take spatial-temporal variability into consideration.

The tables in the FMP set out the objectives for managing these fisheries and the proposed short and longer-term management measures.

The FMP sets out a goal for building capacity for the industry to input into FMP management. To support this, the FMP proposes creating a NQS management group, comprising of industry, recreational fishers, processors and markets, the regulatory authority, fisheries scientists, policy makers and other interested stakeholders, which will act as a means for addressing management concerns and needs.

In addition, five proposed areas for priority management intervention have been identified. These have been developed through evidence gathering and engagement with stakeholders, who recognised that change is required to improve the sustainability of the stocks and fisheries. Further work and consultation will need to be undertaken to determine the applicability of each of these measures and refine before the measures are introduced. The priority areas are as follows:

- A. Restriction of future flyseining effort:** The recent increase in flyseine fishing or demersal seining capability, and the emergence of newer and larger vessels in the English Channel (ICES areas 7d and 7e), has the potential to cause significant harm to the stocks within the scope of the FMP.

Following on from Defra's consultation on this issue in 2022, it is recommended to introduce a standard net mesh size of 100 mm for all flyseine vessels operating in English waters of the Channel. In addition, it is also recommended to restrict effort by engine power to 221 kilowatts (kW) for flyseine vessels within 12 nautical mile (nm) of the English Channel.

- B. Minimum Conservation Reference Sizes (MCRS):** Cuttlefish, lemon sole, turbot, and brill were highlighted as key FMP species requiring protection during the juvenile life stages of their development. The proposed MCRS are cuttlefish – 23 cm; lemon sole – 25 cm; turbot – 30 cm; and brill – 30 cm. These sizes have been identified to align with the MCRS in IFCAs in the short term and will be evidenced further to determine the appropriate size based on maturity sizes for these species. Considering an MCRS for other flyseine targeted species, such as red mullet, bib and gurnards is recommended as a medium-long term measure.

**What are the benefits and drawbacks (environmental, economic, social) of introducing the proposed MCRS for Lemon sole, turbot, brill, and cuttlefish in the English Channel within 2 years of publication? Are there any other species that could benefit from the introduction of MCRS?**

- C. Cuttlefish:** The common cuttlefish was identified by stakeholders as a critical targeted fishery requiring attention. The short life span of cuttlefish needs to be considered as part of a management strategy to promote stock recruitment and population size. A seasonal restriction would aim to protect critical spawning seasons or recruitment pools from high impact fishing gears. The FMP therefore

also recommends considering temporary seasonal closures for cuttlefish trawlers to protect pre-spawn juvenile cuttlefish, or egg-laying habitat, pending further evidence for longer term management approaches.

**What are the benefits and drawbacks (environmental, economic, social) of introducing proposed seasonal closures for trawlers to protect cuttlefish pre-spawn aggregations in the English Channel?**

**D. A monitoring programme:** Robust data collection is necessary to meet the requirements of the FMP. Remote Electronic Monitoring (REM) has been identified as a potential method for data collection that can assist in the monitoring and evaluation of the measures introduced as part of the FMP. The initial recommendation is to focus on an early adopter scheme for flyseining vessels alongside a holistic monitoring programme, subject to the outcomes of the consultation on REM in summer 2023.

**E. Education, adoption of voluntary guidelines and development of codes of conduct:** Through partnership working, the FMP proposes the development of voluntary guidelines, education, and codes of conduct for both commercial and recreational fishers to improve the sustainability and benefits of the stocks for all sea users.

**Would the proposed voluntary measures for recreational fishers support sustainable practices across the recreation fishing sector? How can recreational fishers input further evidence and data to improve understanding of NQS catches?**

**Are there other measures or variations of the proposed management measures we could consider helping manage demersal NQS stocks and the ecosystem/environment in the English Channel? Do you have any evidence to support some of these areas for future consideration?**

## Implementation

Once formally published, the plan will need to be implemented. This will be an incremental process and Defra will be working closely with industry to develop a more detailed implementation programme including timings and milestones for delivery. We will engage with all stakeholders again before any changes or new measures are introduced. These measures will not be introduced upon publication of the FMP but will be implemented through existing processes, such as byelaws and licence changes.

Publishing the FMP is the start of a multi-year process, and we will need to ensure that the plans strike the balance between building momentum for short-term actions and setting direction for the longer-term which can be further iterated as the evidence base is improved. The plans must be reviewed at least every six years and any amendments proposed will be consulted on as required by the Act.

One of Defra's key aims has been to work closely with stakeholders to develop these first FMPs. Groups including regulators, government and industry have been central to the development of the draft FMPs and Defra wants industry and stakeholder involvement to continue beyond their publication. The successful delivery of the FMPs will depend on this on-going collaboration.

**How would you like to be involved in the delivery of the plan and future management of the Channel demersal NQS fishery?**

**Are there any important connections with or links to other fisheries that we should consider when finalising this FMP or during its implementation process?**

## **Strategic Environmental Assessment**

Defra is legally required to consider the environmental impact of policies, plans and programmes. The Environment Act 2021 sets out environmental principles to guide policy making. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations 2004) require any qualifying public plans, programmes, and strategies to undergo SEA during their preparation and prior to publication if they are likely to have a significant effect on a European marine site (either positively or negatively). FMPs are plans or programmes for the purposes of the SEA Regulations 2004. Defra has determined that the draft Channel Demersal NQS FMP is likely to have significant environmental effects and, therefore, has completed a SEA. Our initial results are documented in the draft Channel Demersal NQS FMP Environmental Report (ER) included within the current consultation. A final version will be published alongside the Channel NQS FMP, revised to account for comments and/or further information provided during the consultation and to reflect the final form FMP published.

### **What is the Environmental Report and how was it developed**

The SEA considers the likely significant environmental effects of implementing the policies and actions set out in the draft Channel Demersal NQS FMP. The ER sets out the findings of this process. The report describes the current state of the environment (the baseline) and the likely significant effects of proposals in the draft Channel Demersal NQS FMP to the baseline. The assessment identifies where the draft Channel Demersal NQS FMP could make a positive impact on the baseline and hence our marine environment. Where the FMP may have negative effects on the baseline, the report suggests actions to mitigate and/or monitor these effects.

Defra developed the ER for the draft Channel Demersal NQS FMP. The scope and level of detail was informed through an early consultation with our statutory Consultation Bodies: Natural England, Environment Agency, and Historic England together with further advice from the Joint Nature Conservation Committee (JNCC), as an advisor to the UK government and devolved administrations on UK-wide nature conservation. We drew on published information on the state of the environment and the potential impact of fishing on environmental features.

### **Summary of Channel Demersal NQS FMP Environmental Report**

The Channel Demersal NQS ER has been produced in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. The following



issues (from Schedule two paragraph six of the SEA Regulations 2004) were scoped into the assessment: Biodiversity, Fauna, Flora, Geology, and Sediments (soil), Water, Climatic factors, Cultural heritage, Landscape, and Seascape. This report assesses the likely significant effects of the draft Channel Demersal NQS FMP on these issues.

The assessment was conducted against a baseline that primarily used existing evidence on the state of the marine environment set out in [The updated UK Marine Strategy Part 1](#) published in 2019. Additional sources of evidence were used to establish the current status of environment in relation to issues, such as climatic factors, not covered by the UK Marine Strategy (UK MS). The historical impact of fishing activity on the marine environment has been considered part of the baseline. The assessment has been undertaken using the best available evidence to reach a suitable judgement on the environmental effects of the draft Channel Demersal NQS FMP.

Existing environmental effects of fishing for demersal non-quota species in the Channel on those issues scoped into this assessment, in relation to Marine Protected Areas (MPAs), the UK MS descriptors and the wider environment have been acknowledged and considered in this report. The potential positive and negative environmental effects of the draft Channel Demersal NQS FMP policies and proposed measures alone and in combination have also been assessed.

Our SEA has concluded the beyond the direct impact on targeted stocks, the fishery has an impact on the wider marine environment primarily through seabed disturbance (from mobile demersal gears) and bycatch of unwanted/protected species (mainly from drift and fixed nets). Actions have been proposed to investigate these impacts and use this evidence to develop robust mitigation strategies.

The environmental effects of implementing the Channel Demersal NQS FMP policies and measures will be monitored to identify unforeseen adverse effects at an early stage, ensuring appropriate remedial action can be undertaken

**Is there any additional evidence we could consider, to inform our environmental baseline? If so, please provide details below.**

**Are there any other positive or negative environmental effects associated with the policies and actions of the draft Channel Demersal NQS FMP that we could consider? If so, please provide details below.**

**Do you have any comments on the proposed actions set out in the Environmental Report to monitor and/or mitigate any likely significant (negative) effects on the environment of the FMPs?**

**Do you have any additional comments in relation to the Environmental Report which you have not been able to provide in response to the previous questions? If so, please provide details below.**

## Regulatory Impact Assessments

We recognise our commitment to balance the economic, social, and environmental aspects of sustainable fisheries and have considered the Better Regulation Framework guidance and the better regulation principles of robust evidence, transparency and

proportionality when preparing FMPs. Defra is completing regulatory impact assessments to assess the economic impacts of FMPs on businesses and the fishing sector.

For the purposes of the Channel Demersal NQS FMP consultation, we have drafted a de-minimis assessment (DMA) that outlines our rationale and approach to assessing the potential impact of the plan on business. This DMA is a supporting document to the present consultation.

Whilst the Channel Demersal NQS FMP identifies measures that could be introduced post-consultation, these proposed measures will be developed further and do not currently have sufficient detail for any economic analysis to be done. These proposed measures could be regulatory or deregulatory, and positive or negative to business, hence it is not possible to estimate impacts.

When individual measures are specifically implemented, the statutory or non-statutory mechanism through which these will be implemented will have their own impacts assessed in the appropriate manner.

## How to respond to this consultation

The consultation will run primarily via the Citizen Space online portal. However, we will accept email and hard copy responses for those unable to access the online survey. A response form to use for email and hard copy responses is included as a related document on the Citizen Space website.

The consultation questions are in bold throughout this document. They also appear in the response form and citizen space portal. Space is also provided for general comments.

Large print and braille versions of this document are available on request.

## Duration of the consultation

The consultation starts on 17 July 2023 and will end on 1 October 2023. Responses must be received by 23:59 on 1 October 2023.

## Responses

Responses can be:

- Submitted via the [Channel Demersal NQS Citizen Space online portal](#).
- Sent via email to: [FMPconsultations@defra.gov.uk](mailto:FMPconsultations@defra.gov.uk)
- Sent via post to:

Consultation – Channel Demersal NQS FMP  
FMP team – Marine and Fisheries  
Seacole Building, 2 Marsham St  
London  
SW1P 4DF



At the end of the consultation period, we will summarise the responses, and place the summary on the UK Government's website.

## Confidentiality and Data Protection information

A summary of responses to this consultation will be published on the UK Government's website at: [www.gov.uk/defra](http://www.gov.uk/defra). An annex to the consultation summary will list all organisations that responded, but will not include personal names, addresses or other contact details.

Defra may publish the content of your response to this consultation to make it available to the public without your personal name and private contact details (for example home address, email address, etc).

If you answer 'Yes' in response to the question asking if you would like anything in your response to be kept confidential, you are asked to state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality. The reason for this is that information in response to this consultation may be subject to release to the public or other parties in accordance with the legislation on access to information (this is primarily the [Environmental Information Regulations 2004](#) (EIRs), the [Freedom of Information Act 2000](#) (FOIA), the [General Data Protection Regulation and the Data Protection Act 2018](#) (DPA)). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to recipients or to the public in certain circumstances. In view of this, your explanation for requesting confidentiality for all or part of your response would help us balance these obligations for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation to be kept confidential, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.

If you answer 'No' in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we won't make your personal name and private contact details publicly available.

There may be occasions when Defra will share the information you provide in response to the consultation, including any personal data, with external analysts. This is for the purposes of consultation response analysis and provision of a report of the summary of responses only.

This consultation is being conducted in line with the Cabinet Office 'Consultation Principles' and can be found at:

<https://www.gov.uk/government/publications/consultationprinciples-guidance>.

Our privacy notice is uploaded as a related document alongside our consultation document.

If you have any comments or complaints about the consultation process, please send them to [consultation.coordinator@defra.gov.uk](mailto:consultation.coordinator@defra.gov.uk).

## Consultation questions

Defra has a statutory requirement to separately seek public views on the proposed FMP and its accompanying Environment Report.

The consultation survey has four parts:

1. Personal details and confidentiality (required)
2. Questions on the Channel Demersal NQS FMP
3. Questions on the Channel Demersal NQS FMP environmental report
4. Consultee feedback on the Online Survey (required)

You only need to respond to the questions that you wish to. However, all respondents must complete the required 'Consultee Feedback on the Online Survey' and 'personal details and confidentiality' sections before you are able submit your response to the online survey.

If you have an active interest in both documents, Defra encourage you to complete part one and three in full.

## Enquiries

If you want to submit a consultation response, please contact:

[FMPconsultations@defra.gov.uk](mailto:FMPconsultations@defra.gov.uk)

If you have any general enquiries, please contact: [FMPs@defra.gov.uk](mailto:FMPs@defra.gov.uk)

The JFS can be found here: [Joint Fisheries Statement \(JFS\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/431242/jfs-statement-2020.pdf)

The Act can be found here: [Fisheries Act 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2020/12/section/1)